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COMMISSION EUROPÉENNE POUR LA DÉMOCRATIE PAR LE DROIT
(COMMISSION DE VENISE)

**COMPARATIVE OVERVIEW OF LEGISLATION ON DISCIPLINARY
LIABILITY OF JUDGES AND PRESIDENTS OF THE CONSTITUTIONAL
COURTS IN THE 46 COUNCIL OF EUROPE MEMBER STATES**

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**APERÇU COMPARATIF DE LA LÉGISLATION SUR LA
RESPONSABILITÉ DISCIPLINAIRE DES JUGES ET DES PRÉSIDENTS
DES COURS CONSTITUTIONNELLES DANS LES 46 ÉTATS
MEMBRES DU CONSEIL DE L'EUROPE**

COUNTRY	CONSTITUTION	LAW
ALBANIA	<p><u>Constitution (1998, rev. 2020)</u></p> <p>Article 127 1. The mandate of Constitutional Court judges shall end, when: a) Reaching the age of 70 years; b) The 9 year mandate expires; c) He/she resigns; c) Dismissed in accordance with the provisions of article 128 of the Constitution; d) Establishing the conditions of in electability and incompatibility in assuming the function; dh) Establishing the fact of incapacity to exercise the duties; 2. The end of the mandate of the Constitutional Court judge shall be declared upon the decision of the Constitutional Court. 3. Where the position of a judge remains vacant, the appointing body shall appoint a new judge, the latter staying in office until the expiry of the mandate of the outgoing judge.</p> <p>Article 128 1. The Constitutional Court judge shall be disciplinary liable under the law. 2. The disciplinary proceedings against the judge shall be carried out by the Constitutional Court, which decides on his/her dismissal when: a) It finds serious professional and ethical misconduct which discredit the position and the image of a judge in exercising the mandate; b) Sentenced by a final court decision for commission of a crime. 3. The Constitutional Court judge shall be suspended from duty by decision of the Constitutional Court when: a) Upon him/her is imposed the personal security measure of "arrest in prison" or "house arrest" for commission of a criminal offence; b) He/she obtains the capacity of the defendant for an offence committed intentionally; c) Disciplinary proceedings being initiated under the law.</p>	<p><u>Law No. 8577 of 10 February 2000 on the Organisation and Functioning of the Constitutional Court of the Republic of Albania</u></p> <p>Article 10 - Disciplinary Misconducts A Constitutional Court judge shall assume disciplinary liability, particularly because of: 1. Failure to submit a request for waiver of proceedings or trial of a case, where this is mandatory under the procedural law and the judge is aware of such circumstances; 2. Behaviours, acts and other actions of the judge that create unfair profit or damage for litigants; 3. Failure to inform the Chairperson of the Court or competent authorities, under the law, regarding the interfering in or exercise of other forms of improper influence by advocates, political officials, public officials and other entities; 4. Interference in or any other improper influence on the performance of duties of another judge. 5. Failure to inform the Chairperson and the responsible institutions on the existence of a reasonable doubt of cases of incompatibility with the assumption of his/her function. 6. Unjustified, intentional or repeated failure to fulfil his/her function; 7. Submission of a request for waiver and commission of those actions which are not based on grounds provided in law or are taken intentionally to create undue profits for the litigants and third parties, or with a view of preventing the judge from the legal obligation to examine the case or intending to establish the possibility that the case be reviewed by other judges, or when the resignation has taken place late, regardless of being aware of the fact for which he/she resigns; 8. Repeated or serious breach of the rules of solemnity and rules of conduct in relations with litigants, as well as with judges and personnel of the administration of the Constitutional Court; 9. Repeated and unjustified lengthy delays of procedural actions in assuming the function; 10. Public disclosure of opinions delivered by the judge himself or by other judges during the process that has not yet taken the form of an act made public; 11. Breach of the obligation of confidentiality and non-disclosure of information, resulting from the ongoing or completed investigation or trial, including the facilitation of publication and distribution, as well as due to negligence, of confidential or procedural acts or confidential information resulting from the matters under a process of investigation or trial. 12. Public disclosure of statements and in media on matters, except for press communications within the limits of his duty. 13. Distorted submission of facts on the acts issued. 14. Using the mandate of judge, with a view of deriving unjustified profits or benefits for oneself or for others. 15. Being in the company of persons under criminal prosecution or subject to a criminal proceeding or persons criminally convicted, save the cases of the rehabilitation of convicts, or in company of persons who are relatives of blood-related or in-law-related with the judges and having improper business relations with these persons; 16. Unfair direct or indirect benefit of gifts, favours, promises or preferential treatments of any kind, either by lawful actions, granted due to the function he/she is assuming or as a result of his use of position of the magistrate; 17. Improper behaviour in fulfilling the obligations in relations and in communication with state institutions and their officials, and other cases of improper unjustified behaviour.</p> <p>Article 10/a - Commencement and Application of Disciplinary Proceedings 1. Where there is sufficient evidence that a Constitutional Court judge has committed a misconduct provided for in Article 128 of the Constitution and Article 10 of this Law, upon the request of the Chairperson or of any Constitutional Court judge, the Chairperson or the most senior judge in office, when the Chairperson is subject to proceedings, shall take measures to initiate disciplinary proceedings. 2. Disciplinary proceedings shall be instituted immediately after the ascertainment of the misconduct. The disciplinary proceedings shall be terminated if the judge resigns. In this case, he/she shall not be entitled to be any longer appointed in public functions for a period of 15 years. 3. Two judges assigned by lot shall collect facts, evidence and other data regarding the misconduct attributable to the judge and they shall, within 30 days, prepare the respective report and send it to the Disciplinary Committee for examination. 4. The Disciplinary Committee shall be composed of three Constitutional Court judges assigned by lot, without the participation of the judges involved in collection of facts and evidence under paragraph three of this Article. The Committee shall examine the submitted report and decide to impose disciplinary measures, under Article 10/d of this law or the termination of the proceedings, upon the misconduct not being established. 5. The judge being subject to proceedings shall have a right to complain against the decision of the Disciplinary Committee. The complaint shall be examined by the Ad Hoc Committee consisting of three Constitutional Court judges, who have not taken part in the proceedings, under paragraph three and four of this Article.</p> <p>Article 10/b - Disciplinary Measures 1. The following disciplinary measures may be imposed on the judge: a) Written reprimand; b) Public reprimand; c) Temporary reduction of salary up to 50% for a period not longer than 1 year, c) Suspension from office for a period from 3 months up to six months; d) Dismissal from office. 2. During the period of disciplinary proceeding, the judge shall be suspended from office, under Article 10/c of this law and shall obtain 50% of</p>

		<p>his/her salary.</p> <p>Article 10/c - Examination of Disciplinary Misconduct 1. The Disciplinary Committee shall examine the case within 10 days from the submission of the report and shall decide on: a) Imposing the disciplinary measure; b) Rejecting the proposal for disciplinary measure; c) Remitting the case for collection of other evidence and facts; ç) Termination of proceedings, when the judge resigns from office, or his mandate expires; 2. The decision shall be notified to the judge being proceeded against and in each case it shall be published. When dismissal from office has been decided against the judge being proceeded against, the decision shall be submitted to the appointing body.</p> <p>Article 10/ç - Suspension of a Judge from Office 1. A judge shall be suspended from office upon the decision of the Meeting of Judges, where: a) A personal security measure of "arrest in prison" or "house arrest" is imposed on him; b) Obtaining the capacity of the defendant; c) A disciplinary proceeding is commenced under this law. 2. The Chairperson or the most senior judge in office, where the Chairperson is subject to proceedings, shall, within 3 days of becoming aware of the causes provided for in paragraph 1 of this Article, convene the Meeting of Judges, which decides on the measure of suspension of the judge. The decision of the Meeting of Judges is final. 3. The suspended judge shall not attend the examination of cases up to the lifting of the suspension measure by the Meeting of Judges. 4. The Chairperson shall take measures for appointing a new rapporteur for the cases assigned to the judge suspended.</p>
<p style="text-align: center;">ANDORRA</p>	<p>Constitution (1993)</p> <p>Article 91 While Judges hold office they may not be reprovved, displaced, suspended, or removed from their post, unless pursuant to a sanction imposed on grounds of disciplinary or criminal liability, by means of a procedure regulated by the Qualified Law and with the rights of hearing and defence fully guaranteed. The same law shall also regulate the cases of civil liability of Judges.</p> <p>Article 96 1. The Constitutional Court is composed of four Constitutional magistrates, appointed among persons of known juridical or institutional experience, one by each of the Coprinceps and two by the Consell General. They may not hold office for more than two consecutive eight-year terms. The renewal of the Constitutional Court will be partial. The system of incompatibility shall be regulated by the Llei Qualificada mentioned in the preceding article. 2. The Constitutional Court is presided over by the Magistrate to whom the post corresponds, on the basis of a two-year rotation system.</p>	<p>Qualified Law on the Constitutional Court (1993)</p> <p>Article 16 Constitutional judges shall be subject to civil, criminal and disciplinary liability.</p> <p>Article 18 1. In respect of serious and very serious offenses disciplinary liability is determined by the Constitutional Court in plenary session and the unanimous votes of the other members. In respect of slight offenses liability is determined by the president of the Court or, where appropriate, the vice-president. 2. The following are slight offenses: - Lack of consideration and respect towards other members of the Court, the Court staff or persons appearing in the proceedings, in whatever capacity. - Imprudent delay in performing the duties arising out of their office. 3. The following are serious offenses: - Failure to observe the requirement of secrecy of the deliberations. - Failure by reporting judges to state the reasons for the opinions which they submit. - Manifest and repeated negligence in the resolution of the cases within their jurisdiction. - Public criticism of or disagreement with the decisions and judgments of the Court. - Issuing warnings, compliments or rebukes to the bodies and authorities of the State. - Unwarranted absence from two or more plenary sessions of the Court or from two or more sessions formally called by the president. - Infringement of the parties' right to conduct the proceedings at any stage thereof. - Repetition of slight offenses where the penalty imposed has not yet lapsed. 4. The following shall be very serious offenses: - Failure to observe the grounds for disqualification provided for in this Law. - Unwarranted dereliction of judicial duties for more than two months. - Repeated or further commission of serious offenses.</p> <p>Article 19 1. It is always a requirement of the disciplinary function that the person concerned shall be heard and given the opportunity to defend himself during the investigation of his case. 2. Slight offenses are punishable by an oral or written warning; serious offenses are punishable by suspension from office without pay for not less than fifteen days and not more than three months; very serious offenses are punishable by the definitive termination of duties and office. 3. Penalties are entered in the records of the Court established for that purpose. They are removed or lapse only in the following circumstances: for slight offenses, where the offending member does not incur another penalty during a period of six months; and for serious offenses, where no further penalty is incurred during a period of two years. 4. The penalty may be challenged in single instance litigious administrative proceedings before the Higher Court of Justice.</p>
<p style="text-align: center;">ARMENIA</p>	<p>Constitution (1995, rev. 2020)</p> <p>Article 164. The Status of a Judge 2. A judge may not be held liable for opinions expressed or judicial acts rendered in the course of administering justice, unless features of a crime or disciplinary offence are present.... 5. The grounds and procedure of subjecting a judge to disciplinary liability shall be stipulated by the Law on the Constitutional Court and the Judicial Code.... 9. The powers of a Constitutional Court judge shall be terminated by a decision of the Constitutional Court, and the powers of a judge shall be terminated by a decision of the Supreme Judicial Council, in cases of violating the incompatibility requirements, engaging in political activities, the health condition rendering the discharge of his powers impossible, or</p>	<p>Constitutional Law on the Constitutional Court (2018)</p> <p>Article 12. Grounds for termination and suspension of the powers of the judges of the Constitutional Court ... 2. The powers of a judge of the Constitutional Court shall be terminated in the manner prescribed by Article 83 of this Law, if s/he: 1) violated incompatibility requirements established by the Constitution and this Law; 2) was engaged in political activities during his/her tenure; 3) was unable to exercise the powers of a judge of the Constitutional Court for six months continuously due to temporary disability, with the exception of cases of pregnancy and maternity leave; 4) following the appointment, s/he has been affected by a physical impairment or an illness as a result of which s/he is unable to exercise his/her powers of a judge of the Constitutional Court; 5) s/he has committed a major disciplinary violation. 3. A significant disciplinary violation is: 1) the absence of a judge of the Constitutional Court at meetings of the Constitutional Court three times or more during the year without a good reason; 2) a judge of the Constitutional Court, having two reprimands or one severe reprimand, re-disciplinary violation; 3) intentional or grossly negligent violation of the rules of conduct prescribed in Clauses 1-4, 8, 9, 11, 12, 15 and 16 of Part 1 of Article 14 of this</p>

<p>committing a grave disciplinary offence.</p> <p>Article 167. The Constitutional Court 3. The powers of the Constitutional Court shall be stipulated by the Constitution, while the procedure of its formation and functioning shall be stipulated by the Constitution and the Law on the Constitutional Court.</p> <p>Article 168. Powers of the Constitutional Court The Constitutional Court shall, in the manner stipulated by the Law on the Constitutional Court: ... 9) Solve the question of imposing disciplinary liability on a judge of the Constitutional Court; 10) Solve the question of terminating the powers of a judge of the Constitutional Court, 11) Solve the question on initiating criminal prosecution against a judge of the Constitutional Court or consenting to depriving him of liberty with respect to the performance of his duties; and 12) In cases stipulated by law, render a decision on suspending or prohibiting the activities of a party.</p>	<p>Law, is incompatible with the status of a judge due to the circumstances of the execution and/or the consequences.</p> <p>3.1. In accordance with this article, the act is considered grossly negligent if the judge has not realized the unlawful nature of his/her conduct, although in the given situation he/she obviously could and should have done so.3.2. In accordance with this Article, the act is considered intentional if the judge has realized the unlawful nature of his/her conduct.</p> <p>4. A judge of the Constitutional Court, upon submitting a letter of resignation to the National Assembly in the case established by clause 5 of part 1 of this article, shall immediately inform the President of the Constitutional Court.</p> <p>5. In case of termination of the powers of a judge of the Constitutional Court on the grounds prescribed in Clauses 1 and 2 of Part 1 of this Article, on the last day of the seventh month preceding the termination of his/her powers, and on the grounds prescribed in Clauses 3-7 of Part 1 of this Article, not later than one day after the termination of the powers of a judge,as well as on the grounds prescribed in Clause 2 of this Article, the President of the Constitutional Court shall inform the President of the Republic, the President of the Cassation Court or the Government accordingly taking into account the regulations prescribed in Part 2 of Article 17 of this Law.</p> <p>Article 13. Grounds and procedure for imposing disciplinary liability on a judge of the Constitutional Court</p> <p>1. The violation of the Code of Conduct for a judge of the Constitutional Court prescribed by this Law constitutes grounds for imposing a judge to the Constitutional Court to disciplinary liability.</p> <p>2. The Constitutional Court shall bring the judge of the Constitutional Court to disciplinary liability in the manner prescribed by Section 82 of this Law.</p> <p>3. Proceedings for starting a disciplinary act against a judge of the Constitutional Court may be initiated due to misconduct of a judge of the rules envisaged by this Law within three months after it is revealed, but not later than one year, except for the violations prescribed in Clauses 14 and 15 of Part 1 of Article 14 this Law. Disciplinary proceedings may be initiated due to misconduct of the judge prescribed in Clauses 14 and 15 of Part 1 of Article 14 this Law, within one year, but not later than three years.</p> <p>4. Bringing a judge of the Constitutional Court to administrative, civil or other statutory liability does not exclude the possibility of bringing him/her to disciplinary liability and termination of his/her powers and vice versa. (Article 13 was edited by HO-198-N of 25.03.20).</p> <p>Article 82. Disciplinary proceedings against a judge of the Constitutional Court</p> <p>1. The applications referred to in this Article may be submitted to the Constitutional Court by at least three judges of the Constitutional Court, except for the suspension of powers on the grounds of a substantial disciplinary violation, where the National Assembly may submit an application by a decision adopted by at least three-fifths of the total number of votes of the deputies, in accordance with the procedure prescribed in Article 83 of this Law.</p> <p>2. The application must specify the grounds prescribed by this Law for instituting a disciplinary liability on the judge of the Constitutional Court.</p> <p>3. Applications referred to in this article shall comply with the general requirements for applications prescribed in this Law, and evidence shall be attached to the application, confirming that there is a reason for disciplining a judge of the Constitutional Court.</p> <p>4. The judge of the Constitutional Court, the issue of imposing disciplinary liability whereon is being examined, shall be involved in the proceedings exclusively as a respondent and have the rights and responsibilities of a party to the proceedings prescribed by this Law. A judge of the Constitutional Court, whose case of disciplinary proceedings is being considered, shall be brought to legal proceedings exclusively as a defendant and shall enjoy the rights of the party to the proceedings prescribed by this Law and bear its duties</p> <p>5. Failure of the properly notified judge of the Constitutional Court to appear without a valid reason shall not serve as an obstacle to hearing of the case.</p> <p>6. The hearing of the cases referred to in this Article shall be carried out through oral procedure.</p> <p>7. The burden of proof in the cases referred to in this article lies with the applicant party.</p> <p>8. If the applicant party refuses to appeal within the time period prescribed by this Law, and the judge of the Constitutional Court does not object to this within three days, the proceedings shall be terminated. The renounce of the recourse is processed by unanimous consent of the applicant judges.</p> <p>9. In the cases referred to in this article, the Constitutional Court shall adopt one of the following decisions no later than 50 days from the date of registration of the application: 1) on refusing the application; 2) on imposing a disciplinary liability against the judge of the Constitutional Court and subjecting him/her one of the disciplinary sanctions prescribed in part 10 of this article.</p> <p>10. In cases referred to in this Article, the Constitutional Court may apply one of the following disciplinary sanctions to a judge: 1) warning; 2) reprimand; 3) severe reprimand.</p> <p>11. Disciplinary sanction imposed to the judge shall be proportionate to the violation. When applying the disciplinary sanction, the Constitutional Court shall take into account the nature and consequences of the violation, the identity of the judge, the penalties available and other noteworthy circumstances.</p> <p>12. If a judge within two years from the date of receipt of a severe reprimand, within one year from the date of receipt of a reprimand, within six months from the date of receipt of the warning, has not involved in a new disciplinary sanction, then he shall be considered as having clean disciplinary record.</p> <p>13. When deciding on cases referred to in this article, the Constitutional Court shall also evaluate the constitutionality of the law, enshrining grounds for bringing a judge of the Constitutional Court to disciplinary liability, and being convinced that they are contradict the Constitution, adopts the decision referred to clause 1 of part 9 of this article.</p> <p>Article 83. Consideration of cases on terminating the powers of a judge of the Constitutional Court</p> <p>1. In cases of the termination of powers of a judge of the Constitutional Court, the National Assembly may appeal to the Constitutional Assembly</p>
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<p>AUSTRIA</p>	<p><u>Federal Constitutional Act (1920, rev. 2021)</u></p> <p>Article 88 ...judges may be removed from office or transferred against their will or superannuated only in the cases and ways prescribed by law and by reason of a formal judicial decision. These provisions do not however apply to transfers and retirements which become necessary through a change in the organization of the courts. In such a case the law will lay down within what period judges can without the formalities otherwise prescribed be transferred and superannuated.</p>	<p><u>Constitutional Court Act (1953)</u></p> <p>§ 10. (1) A member or a substitute member shall be removed from office by decision of the Constitutional Court if: a) any occurrence excludes, in accordance with Article 147 para 4 of the Federal Constitutional Law, the member (substitute member) from further belonging to the Constitutional Court, b) the conditions stated in Article 147 para 7 of the Federal Constitutional Law occur, c) if by his/her conduct in office or otherwise the member (substitute member) has proved unworthy of the respect and confidence required by such office or has grossly disregarded the obligation of official secrecy, or d) if the member (substitute member) by any physical defect or mental disorder becomes incapacitated to comply with the duties of the office. (2) In the cases stated in para 1 under subparas a through c, the proceeding of removal of a member (substitute member) from office may only be instituted, after hearing such member (substitute member), on the basis of an order of the Constitutional Court issued by the president or the member of the Constitutional Court appointed for such case by the president. The order is issued in chambers after hearing the Procurator General and shall specify the charges. The Constitutional Court may also decide ex officio in chambers the preliminary removal from office of a member against whom the proceeding has been instituted. § 15, § 16, § 18 through § 23 of the Judges' Disciplinary Act dated 21 May 1868, Imperial Law Gazette No. 46, shall apply accordingly to the further course of the proceeding. If failure to comply with a duty constitutes an act punishable by the courts, the provisions of § 33 and § 34 of the aforementioned Act shall apply accordingly. (3) The provisions of § 52 para 2 and § 53 of the mentioned Judges' Disciplinary Act shall apply accordingly to the proceeding in a case of para 1 subpara d. (4) A decision of the Constitutional Court in accordance with para 1 can be rendered only with a majority of at least two thirds of the members and shall call for the removal of a member (substitute member) from office. In a case of para 1 subpara b, the Constitutional Court shall only state that the member (substitute member) disregarded three successive invitations to attend a hearing of the Constitutional Court without presenting an adequate excuse; such statement is the equivalent of a decision of removal from office.</p>
<p>AZERBAIJAN</p>	<p><u>Constitution (1995, rev. 2016)</u></p> <p>Article 109. Powers of the President of the Republic of Azerbaijan The President of the Republic of Azerbaijan: presents a proposal to the Milli Majlis of the Republic of Azerbaijan on the appointment and removal from the position of judges of the Constitutional Court of the Republic of Azerbaijan, the Supreme Court of the Republic of Azerbaijan and the Courts of Appeal of the Republic of Azerbaijan; in agreement with the Milli Majlis of the Republic of Azerbaijan appoints and removes the General Procurator of the Republic of Azerbaijan from his or her position; appoints to the position judges of other courts of the Republic of Azerbaijan;</p> <p>Article 128. Immunity of Judges</p>	<p><u>Law on the Constitutional Court (2003)</u></p> <p>Article 20. Appointment and Dismissal of the Chairman and Deputy Chairman of Constitutional Court 20.1. Chairman and Deputy Chairman of Constitutional Court shall be appointed out of composition of judges of Constitutional Court in accordance with Article 109.32 of the Constitution of the Republic of Azerbaijan. 20.2. Chairman and Deputy Chairman of Constitutional Court shall be removed from their offices at their own initiative only. In this case, they remain in office as Judges of Constitutional Court.</p> <p>Article 23. The Premature Termination of Authorities of a Judge of Constitutional Court 23.1. Authorities of Judge of Constitutional Court shall be prematurely terminated in the following cases: 23.1.1. death; 23.1.2. submission of the written statement on voluntary resignation; 23.1.2-1. on reaching of 70-year age; 23.1.3. the Judge's renunciation from the nationality of the Republic of Azerbaijan, adoption of the nationality of other State or undertaking the obligations before another State; 23.1.4. when there are has been ceased a criminal case on him/her without justificatory grounds or where there is a court decision in force on the Judge's guilt or if there</p>

	<p>Decisions on the removal of members of the Constitutional Court of the Republic of Azerbaijan, the Supreme Court of the Republic of Azerbaijan and the Courts of Appeal of the Republic of Azerbaijan shall be taken by a majority of 83 votes, decisions on the removal of other judges by a majority of 63 votes in the Milli Majlis of the Republic of Azerbaijan.</p>	<p>was adopted a court decision concerning compulsory medical treatment; 23.1.5. the court's decision on incapability or limited capability to fulfil his/her duties; 23.1.6. the court's decision declaring the Judge dead or missing; 23.1.7. revealed the violation of the requirements set forth with regard to candidates for Judges of Constitutional Court by Article 11 of the present law; 23.1.7-1. for actions which discredit a name, honour and dignity of the judge of the Constitutional Court; 23.1.8. the non-participation without excuse at three sessions of Constitutional Court successively or at ten sessions within the period of one year; 23.1.9. the Judge's refusal to vote on matters examined by Constitutional Court; 23.1.10. non-fulfilment of his/her duties due to disease within a period of not less than 6 months and presence of the reference of especial medical commission confirming the disease.</p> <p>23.2. The issue concerning the premature termination of authorities of judge of Constitutional Court in cases envisaged in Article 23.1.1-23.1.6 of the present law shall be resolved in accordance with Article 109.32 of the Constitution of the Republic of Azerbaijan.</p> <p>23.3. Constitutional Court shall propose the consideration of a matter on premature termination of authorities of judge of Constitutional Court in cases envisaged in Article 23.1.7-23.1.10 of the present law in accordance with paragraph 32 of Article 109 of the Constitution of the Republic of Azerbaijan.</p> <p>Article 24. Resigned Judge of Constitutional Court 24.1. In case of termination of office of Judge of Constitutional Court or in case of his/her resignation due to reasons envisaged in Articles 23.1.2, 23.1.5 or 23.1.10 of the present law, he/she shall be considered as resigned judge of Constitutional Court. 24.2. No legal proceedings can be instituted against retired judge of Constitutional Court for his/her activity, votes, opinions expressed during his/her activity in capacity of judge of Constitutional Court as well as no testimonies or explanations can be claimed from him/her in this regard.</p>
BELGIUM	<p>Constitution (1831, rev. 2024)</p> <p>Article 142 There is for all Belgium a Constitutional Court, the composition, competences and functioning of which are established by the law.</p>	<p>Organic Law – Special Act of 6 January 1989 on the Constitutional Court</p> <p>Article 49. Presidents and judges who have infringed the dignity of their office or have fallen short of the obligations of their position may be removed or suspended from their office by a judgment pronounced by the Constitutional Court.</p>
BOSNIA AND HERZEGOVINA	<p>Constitution (1995)</p> <p>Article VI. Constitutional Court 1. Composition. The term of judges initially appointed shall be five years, unless they resign or are removed for cause by consensus of the other judges. Judges initially appointed shall not be eligible for reappointment. Judges subsequently appointed shall serve until age 70, unless they resign or are removed for cause by consensus of the other judges.</p>	<p>Rules of the Constitutional Court (2014)</p> <p>Article 91 (Conscientious Exercise of Judicial Functions, Safeguarding Reputation and Dignity) (1) The judges shall perform the function of a judge conscientiously. (2) The judges shall uphold the reputation and dignity of the Constitutional Court and the reputation and dignity of a judge.</p> <p>Article 98 (Termination of Office) (1) A judge may be dismissed from office before the end of his/her term in the following cases: a) if he/she requests it; b) if he/she is sentenced to an unsuspended prison sentence for committing a criminal offence that makes him or her unsuitable for the office; c) if he/she permanently loses the ability to perform his or her functions; d) if the circumstances indicated in Article 96 of these Rules occur; e) if he/she fails to perform the function of a judge in accordance with Article 91 of these Rules. (2) The Constitutional Court shall establish the existence of reasons referred to in paragraph 1 of this Article and it shall dismiss the judge from office on the basis of a consensus of other judges and inform the body which elected that judge.</p>
BULGARIA	<p>Constitution (1991, rev. 2015)</p> <p>Article 148. (1) The term of office of a Constitutional Court judge shall terminate upon: 1. expiry of the designated period; 2. tendering resignation to the Constitutional Court; 3. entry into effect of a sentence whereby a penal sanction of deprivation of liberty has been imposed for an intentional offence; 4. actual inability to discharge the duties thereof for a period exceeding one year; 5. incompatibility with offices and activities covered under Article 147 (5) herein; 6. death. (2) The Constitutional Court shall lift the immunity of a judge and shall establish the actual inability of a judge to discharge the duties thereof by a secret ballot and by a majority of at least two-thirds of all judges. (3) Upon termination of the term of office a Constitutional Court judge, a replacement from the respective quota shall be elected within one month.</p>	<p>Constitutional Court Act (1991)</p> <p>Article 25. (1) The decision for revoking the immunity of a justice of the Constitutional Court shall be adopted by secret ballot. (2) The respective justice shall be given the opportunity to present a personal account before the Court. He shall not vote.</p> <p>Regulations of the Constitutional Court (1991)</p> <p>Article 31 (1) The Constitutional Court renders its decisions by a majority of more than half of all judges. (2) In the case of lifting the immunity and establishing the factual inability of the judges of the Constitutional Court to fulfill their duties, the decisions are taken by a majority of at least two-thirds of all judges. (3) Abstention from voting is not allowed.</p>
CROATIA	<p>Constitution (1991, rev. 2013)</p> <p>Article 124 A judge of the Constitutional Court of the Republic of Croatia may be relieved of office before the expiry of the term for which he has been elected if he requests to be relieved, if he is sentenced to imprisonment,</p>	<p>Constitutional Act on the Constitutional Court of the Republic of Croatia (2002)</p> <p>Article 11 (1) A judge of the Constitutional Court may be relieved of office before the expiry of the term for which he/she has been elected: - at his/her own request,- if he/she has been sentenced to imprisonment for a criminal offence, - if he/she has become permanently incapable of performing his/her duty.</p>

	<p>or if he is permanently incapacitated from performing his duties, as established by the Court itself.</p> <p>Article 127 The procedure and conditions for the election of judges of the Constitutional Court of the Republic of Croatia and the termination of their office, conditions and time-limits for instituting proceedings for the assessment of the constitutionality and legality, procedure and legal effects of its decisions, protection of human rights and fundamental freedoms guaranteed by the Constitution, and other issues important for the performance of duties and work of the Constitutional Court of the Republic of Croatia, shall be regulated by the Constitutional Act.</p>	<p>(2) Grounds for relieving a judge of the Constitutional Court from his office before the expiry of the term of his/her office shall be determined by the Constitutional Court, which shall notify the Speaker of the Croatian Parliament thereof.</p> <p>Article 12 (1) If a judge of the Constitutional Court requests to be relieved of his/her office and if the Croatian Parliament does not decide upon the request within the period of three months, the office of judge of the Constitutional Court shall terminate by force of the Constitutional Act when the period of three months from making the request expires. (2) The court of justice which has pronounced the sentence of imprisonment shall deliver without delay the final judgment to the Constitutional Court, which shall notify the Speaker of the Croatian Parliament forthwith. (3) Proceedings for determining permanent incapacity of a judge of the Constitutional Court to perform his/her office shall be instituted at the proposal of the President of the Constitutional Court to the Constitutional Court. (4) Proceedings for determining permanent incapacity of the President of the Constitutional Court shall be instituted at the proposal of three judges of the Constitutional Court to the Constitutional Court. (5) The decision on the proposal stated in paragraph 4 of this Article shall be made by the Constitutional Court by the majority of votes of all its judges.</p> <p>Article 13 (1) During the proceedings regulated by the provisions of Articles 11 and 12 of this Constitutional Act, the Constitutional Court judge may be suspended from performing duty. (2) The decision on suspension, at the proposal of the President of the Constitutional Court, shall be made by the Constitutional Court by the majority of votes of all its judges. (3) Proposal for the suspension of the President of the Constitutional Court shall be made by three judges. (4) The decision on the proposal for the suspension of the President of the Constitutional Court shall be made by the Constitutional Court by the majority of votes of all its judges.</p> <p>Article 14 (1) The judge of the Constitutional Court whose term of office has expired has the right to retire under the same conditions as the members of the Croatian Parliament. (2) The judge of the Constitutional Court who has been relieved of his/her office before the expiry of the term of his/her office at his/her own request, or because of permanent incapacity to perform his/her duty has the right to retire under the same conditions as stated for the judge in paragraph 1 of this Article.</p>
CYPRUS	<p>Constitution, 1960 (rev. 2013)</p> <p>Article 133 1. (1) There shall be a Supreme Constitutional Court of the Republic composed of a Greek, a Turk and a neutral judge. The neutral judge shall be the President of the Court.</p> <p>Article 157 1. Save as otherwise provided in this Constitution with regard to the Supreme Constitutional Court, the High Court shall be the Supreme Council of Judicature, and its President shall have two votes. 2. The appointment, promotion, transfer, termination of appointment, dismissal and disciplinary matters of judicial officers are exclusively within the competence of the Supreme Council of Judicature.</p>	<p><i>On 1 July 2023, by Law 145(I)/2022, amending Law 33/64, the Supreme Court was divided into the Supreme Constitutional Court and the Supreme Court, with nine Judges in the former and seven in the latter (see CDL-AD(2021)043, Cyprus - Opinion on three Bills reforming the Judiciary).</i></p> <p>The Constitution of Cyprus provides a strict separation of the executive, legislative and judicial branches. For this reason and pursuant to article 157§2 of the Constitution and section 10(2) of the Administration of Justice Act of 1964 (Law 33/64 as amended), the Supreme Council of Judicature (herein after referred to as the "Council") has exclusive competence to appoint, promote, transfer, terminate appointments, dismiss and initiate disciplinary proceedings in relation to judges. With the exception of their appointment to the Supreme Court, the Council has exclusive competence to determine matters relating to the retirement, dismissal or termination of the Supreme Court Justices. The Council is composed of the thirteen Justices of the Supreme Court of Cyprus [the President and twelve Justices as provided by section 10(1) of Law 33/64]. The disciplinary procedure is of a judicial nature and the judge or Justice concerned is entitled to be heard and present his or her case before the Council. The disciplinary proceedings are initiated by the Court which is the responsible body for receiving disciplinary complaints against judges and Justices. The disciplinary decisions of the Council are final and cannot be reviewed by the way of an administrative recourse according to the case law on the matter. The judge may however seek a reappraisal of his conviction or sentence by applying to the Council itself. According to the Procedural Rules on the Exercise of the Disciplinary Powers of the Supreme Council of Judicature of 2000, a judge or Justice who is found guilty of inappropriate behaviour ("misconduct") is dismissed in accordance with the provisions of the Constitution itself. Similarly, a judge or Justice who is incapable of exercising his/her judicial duties for physical or mental reasons is also dismissed. Additionally, under the same Rules, a judge or Justice who is found guilty of a disciplinary offence shall be given either a written reprimand or a reprimand published in the Official Gazette of the Republic.</p>
CZECHIA	<p><i>In the Czech Republic, the constitution is not formed by one document, a constitutional act, rather it comprises several enactments, constitutional acts. According to Art. 9 para. 1 of the Constitution of the Czech Republic of 16 December 1993, the Constitution (in the broad sense) may be supplemented or amended only by constitutional acts. Apart from the Constitution of the Czech Republic proper, promulgated as Constitutional Act No. 1/1993 Sb., the constitution in the broader sense comprises the Charter of Fundamental Rights and Freedoms, adopted in the period of the Federation as Constitutional Act No. 23/1991 Sb., then newly promulgated in the Czech Republic as No. 2/1993 Sb.</i></p> <p>Constitution (1993, rev. 2013)</p> <p>Article 82</p>	<p>Constitutional Court Act (1993)</p> <p>FOURTH PART - DISCIPLINARY INFRACTIONS AND DISCIPLINARY PROCEEDINGS</p> <p>Disciplinary Infractions § 132 Justices are held accountable for disciplinary infractions.</p> <p>§ 133 (1) A disciplinary infraction is any conduct by a Justice which lowers the esteem and dignity of his office or tends to undermine confidence in the independent and impartial decision-making of the Court, as well as any other culpable violation by a Justice of his duties. (2) Disciplinary proceedings shall also be instituted against a Justice who commits an administrative offence and files a request to the competent administrative authority, pleading that the administrative offence shall be heard in the disciplinary proceedings. The disciplinary proceedings shall be instituted in accordance with § 134 para. 1 and 2 upon transferring of the case by the competent administrative authority</p>

	<p>Judges may not be removed or transferred to another court against their will; exceptions resulting especially from disciplinary responsibility shall be laid down in a statute.</p>	<p>pursuant to a special statute.</p> <p>Disciplinary Proceedings</p> <p>§ 134</p> <p>(1) The Chairperson may by ruling institute disciplinary proceedings. The ruling must be reasoned and shall be delivered to the Justice against whom the disciplinary proceeding has been instituted.</p> <p>(2) The Plenum, on the joint proposal of at least three Justices, may adopt a ruling instituting disciplinary proceedings against the Chairperson.</p> <p>(3) Disciplinary proceedings may be instituted within one year of the occurrence of the conduct which constitutes the grounds for instituting the proceedings.</p> <p>§ 135</p> <p>While a disciplinary proceeding for a disciplinary infraction is pending, the Justice in question may not take any action connected with the performance of her judicial duties. If the Justice is a Panel Chairperson or a Panel member, the Chairperson shall designate which of the other Justices shall act as a substitute member of that Panel. If the Justice is the Chairperson, one of the Vice-Chairpersons shall carry out her duties.</p> <p>§ 136</p> <p>The provisions of § 135 apply analogously to any period during which a Justice is being criminally prosecuted.</p> <p>§ 137</p> <p>(1) The Chairperson shall present his ruling instituting a disciplinary proceeding to the Plenum.</p> <p>(2) The Justice against whom a disciplinary proceeding has been instituted must be given the opportunity to express his views on the grounds for the ruling instituting the disciplinary proceeding and to take part in all of the Plenum's dealings in the matter, with the exception of conferences and votes.</p> <p>§ 138</p> <p>The relevant provisions of the Code of Criminal Procedure shall be applied, mutatis mutandis, to the taking of evidence in disciplinary proceedings.</p> <p>§ 139</p> <p>(1) The Plenum shall discontinue a disciplinary proceeding if it finds it to be without merit. Another disciplinary proceeding may not be instituted in the same matter.</p> <p>(2) If the disciplinary proceeding is not discontinued, the Plenum shall select, from among its members, a five member disciplinary panel, which shall act in the matter and decide it.</p> <p>§ 140</p> <p>(1) At its first meeting, the disciplinary panel shall select, from among its members, a Chairperson to direct the business of its meetings. The disciplinary panel is competent to take actions and adopt decisions when all of its members are present; it adopts decisions by a majority vote. The provisions of § 20 shall apply analogously.</p> <p>(2) In its decision-making, the disciplinary panel is bound by the grounds for the disciplinary proceeding stated in the ruling instituting the proceeding.</p> <p>(3) A Justice, against whom a disciplinary proceeding has been brought, has the right to take part in the dealings of the disciplinary panel, with the exception of conferences and votes, to express her views on the grounds for the disciplinary proceeding and on the evidence taken, to question witnesses and experts, and to submit proposals for taking supplemental evidence.</p> <p>§ 141</p> <p>(1) The disciplinary panel shall decide on the disciplinary infraction pursuant to § 133 para. 1 by reprimanding the Justice for the conduct referred to in the ruling instituting the disciplinary proceedings or by discontinuing the disciplinary proceedings if a disciplinary infraction is not proven.</p> <p>(2) A penalty provided by a special statute may be imposed on the Justice who committed the administrative offence pursuant to § 133 para. 2.</p> <p>§ 142</p> <p>(1) The Chairperson or the Justices who submitted the proposal to institute the disciplinary proceeding pursuant to § 134 para. 2 may, within 15 days of its delivery, submit objections to the disciplinary panel's ruling dismissing the proceeding. The Plenum shall decide about the objections either by confirming the disciplinary panel's ruling or by annulling it and returning the matter to the panel for further action; the Plenum's orders to supplement the proceeding are binding on the disciplinary panel.</p> <p>(2) If no objections to the disciplinary panel's ruling, as referred to in paragraph 1, were submitted or if the Plenum confirmed that ruling, the Justice shall be treated as if no disciplinary proceeding had been instituted against her. Another disciplinary proceeding may not be instituted in the same matter.</p> <p>(3) Within 15 days of the day a disciplinary panel's ruling reprimanding a Justice for her conduct is delivered, that Justice may submit objections to it. The Plenum shall decide on the objections either by confirming the disciplinary panel's ruling, annulling it, or returning the matter to the</p>
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		<p>panel for further action; the Plenum's orders to supplement the proceeding are binding on the disciplinary panel.</p> <p>Other Decision-Making § 144 (1) If it is proven in the disciplinary proceedings for the disciplinary infraction pursuant to § 133 para. 1 that a Justice has engaged in conduct such that his continuance in office would be incompatible with the mission of the Court and with the stature of its Justices, and if no objections were submitted to the disciplinary panel's ruling reprimanding the Justice for his conduct or if the Plenum confirmed that ruling, the Plenum shall decide whether to terminate the Justice's office. The Chairperson of the disciplinary panel may submit a proposal for such a ruling. (2) The consent of at least nine Justices is required to adopt a ruling pursuant to paragraph 1. The Plenum may take actions on and adopt rulings concerning the proposal if at least 12 Justices are present.</p>
<p style="text-align: center;">DENMARK</p>	<p><u>Constitutional Act (1953)</u></p> <p>§64. In the performance of their duties the judges shall be governed solely by the law. Judges shall not be dismissed except by judgement, nor shall they be transferred against their will, except in such cases where a rearrangement of the courts of justice is made. A judge who has completed his sixty-fifth year may, however, be retired, but without loss of income up to the time when he is due for retirement on account of age.</p>	<p><i>There is no special constitutional court in Denmark. The examination of the constitutionality of acts or administrative regulations is left therefore to the ordinary courts of law. The Danish judiciary, which is regulated by the Administration of Justice Act, consists of courts of law at three levels: the District Courts, the High Courts, and the Supreme Court (See <u>CDL-JU(2006)034</u>, Supreme Court of Denmark).</i></p> <p><u>Administration of Justice Act (1996)</u></p> <p>The Special Court of Indictment and Revision acts as a disciplinary court in cases of suspension or removal of a judge from office. The Court consists of 5 members - one Supreme Court judge, one High Court judge, one county court judge, one professor of law and one lawyer. The Supreme Court judge functions as chairman. The members are recommended by the Minister of Justice and appointed by the Queen for a term of 10 years, whereupon they cannot be reappointed. The Special Court of Indictment and Revision cannot review a judge's judicial decisions. In cases of complaints against judges The Special Court of Indictment and Revision can state criticism or issue a fine, if it is found that the judge has behaved improperly or unseemly in his acts in office. A complaint regarding improper or unseemly behavior of a judge or deputy judge has to be filed within 4 weeks after the incident has occurred or has been known to the complainant. A judgment in these cases can be appealed to the Supreme Court. An application for resumption of a criminal case can be filed to The Special Court of Indictment and Revision when there is no possibility of appeal left. The decision of The Special Court of Indictment and Revision cannot be appealed. An appeal regarding exclusion of an appointed defense lawyer from a criminal case has to be filed within one week from the exclusion to the court where the decision of exclusion has been made. The decision of The Special Court of Indictment and Revision cannot be appealed.</p>
<p style="text-align: center;">ESTONIA</p>	<p><u>Constitution (1992, rev. 2015)</u></p> <p>Article 147 Judges shall be appointed for life. The grounds and procedure for the release of judges from office shall be provided by law. Judges may be removed from office only by a court judgment. Judges shall not hold any other elected or appointed office, except in the cases prescribed by law. The legal status of judges and guarantees for their independence shall be provided by law.</p>	<p><i>The Supreme Court is the highest court in Estonia and shall review court judgments by way of cassation proceedings. The Supreme Court is also the court of constitutional review.</i></p> <p><u>Courts Act (2022)</u></p> <p>§ 30. Supreme Court en banc (1) The Supreme Court shall comprise the Supreme Court en banc, which is comprised of all justices of the Supreme Court. (2) The Supreme Court en banc shall: 1) review decisions on the bases provided by law; 2) make a proposal to the President of the Republic to appoint a judge to office or release a judge from office; 3) resolve appeals filed against the decisions of the judge's examination committee; 4) resolve appeals filed against the decisions of the Disciplinary Chamber; 5) decide the commencement of disciplinary proceedings against the Chief Justice of the Supreme Court, and notify the Riigikogu thereof; 6) perform other duties arising from law and the internal rules of the Supreme Court. (3) The Supreme Court en banc is convened and chaired by the Chief Justice of the Supreme Court. In order to commence disciplinary proceedings against the Chief Justice of the Supreme Court, a justice who is senior in office shall convene and chair the Supreme Court en banc, and where there is equal seniority in office, a justice who is senior in age shall convene and chair the Supreme Court en banc. (4) The Supreme Court en banc has a quorum if at least eleven justices are present. The judgements of the Supreme Court en banc are adopted by the majority vote of the justices of the Supreme Court who are present. If the votes are divided equally, the Chief Justice of the Supreme Court shall cast the deciding vote. (5) The minister responsible for the area has the right to participate in the Supreme Court en banc, except in case where a court decision being reviewed. The minister responsible for the area has the right to speak in the Supreme Court en banc. The Chief Justice of the Supreme Court may also invite to the Supreme Court en banc other persons to whom the Supreme Court en banc may grant the right to speak.</p> <p>Chapter 11. DISCIPLINARY LIABILITY OF JUDGES § 87. Bases for imposing disciplinary punishment (1) A disciplinary punishment may be imposed on a judge for a disciplinary offence. (2) A disciplinary offence is a wrongful act of a judge which consists of failure to perform or inappropriate performance of official duties. An indecent act of a judge is also a disciplinary offence.</p> <p>§ 88. Disciplinary punishments (1) The following are disciplinary punishments: 1) a reprimand; 2) a fine in an amount of up to one month's salary; 3) a reduction in salary; 4) removal from office. (2) If a retired judge does not comply with the duty of confidentiality or the duty of confidentiality of deliberations, his or her judge's pension may be reduced by not more than 25 per cent as a disciplinary punishment. The pension shall not be reduced for longer than one year. (3) Only one disciplinary punishment may be imposed on a judge for one and the same offence. A criminal punishment or a punishment for a</p>

		<p>misdemeanour imposed for the same act does not preclude the imposition of disciplinary punishment.</p> <p>(4) Upon imposition of disciplinary punishment, the nature, gravity and consequences of the disciplinary offence, also the personal characteristics of the judge and other circumstances related to the offence shall be considered.</p> <p>(5) A disciplinary punishment imposed on a judge shall be entered on his or her service record.</p> <p>(6) A disciplinary sanction shall expire if the judge does not commit a new disciplinary offence within one year after the entry into force of the decision of the Disciplinary Chamber. The Disciplinary Chamber may also cancel a disciplinary punishment before the prescribed time.</p> <p>§ 89. Reduction of salary As a disciplinary punishment, a judge's salary may be reduced by not more than 30 per cent. The salary shall not be reduced for longer than one year.</p> <p>§ 90. Expiry of disciplinary offence (1) Disciplinary proceedings shall not be commenced if more than one year has passed from the commission of the disciplinary offence or more than six months have passed from the discovery thereof. (2) The term provided for in subsection (1) of this section shall be suspended: 1) until the termination of the criminal proceedings commenced against an act of a judge; 2) during the time that the judge is temporarily incapacitated for work and during the holidays of the judge.</p> <p>§ 91. Commencement of disciplinary proceedings (1) Disciplinary proceedings shall be commenced if elements of a disciplinary offence become evident. Disciplinary proceedings are commenced by preparation of disciplinary charges. (2) The following have the right to commence disciplinary proceedings: 1) the Chief Justice of the Supreme Court, against all judges; 2) the Chancellor of Justice, against all judges; 3) the chairman of a circuit court, against judges of courts of first instance in his territorial jurisdiction. 4) the chairman of a court, against the judges of the same court; 5) the Supreme Court en banc against the Chief Justice of the Supreme Court. (3) A person who commences a disciplinary proceeding may gather evidence and demand explanations which are necessary to adjudicate the disciplinary matter.</p> <p>§ 92. Disciplinary charge (1) A disciplinary charge is a written document, which sets out: 1) the name and position of the accused; 2) the description and time of commission of the offence; 3) the evidence proving commission of the offence; 4) the name of the person who commences a disciplinary proceeding, and the date and place of the preparation of the charge. (2) The person who commences a disciplinary procedure shall forward the disciplinary charges and the related material to the Disciplinary Chamber, which shall immediately notify the judge against whom the disciplinary proceeding is commenced thereof. (3) A judge against whom a disciplinary proceeding is commenced shall be served the disciplinary charges at least ten days before the session of the Disciplinary Chamber. The judge or his or her representative has the right to examine the materials of the disciplinary charge.</p> <p>§ 99. Release of judges from office (1) A judge shall be released from office: 1) at the request of the judge; 2) due to age; 3) due to unsuitability for office – within three years after appointment to office; 4) due to health reasons which hinders work as a judge; 5) upon liquidation of the court or reduction of the number of judges; 6) if after leaving the service in the Supreme Court, the Ministry of Justice, an international court institution or after returning from an international civil mission, a judge does not have the opportunity to return to his or her former position of judge, and he or she does not wish to be transferred to another court. 7) if a judge is appointed or elected to the position or office which is not in accordance with the restrictions on services of judges; 8) if facts become evident which according to law preclude the appointment of the person as a judge. (11) A judge shall not be released from office on the basis of clauses (1) 1) and 3) of this section at the time of disciplinary proceedings conducted against him or her. (12) The service relationship of a judge shall terminate upon his or her death. (13) For the release from office on the basis specified in clause (1) 1) of this section, a judge shall submit a request at least six months prior to the desired date of the release. Based on a judge's request and for good reason, the Chief Justice of the Supreme Court can make a proposal to the President of the Republic or the Riigikogu to release the judge from office earlier than six months after the submission of the request. (2) Judges of a court of the first instance and judges of a court of appeal shall be released from office by the President of the Republic, on the proposal of the Chief Justice of the Supreme Court. (3) The Chief justice of the Supreme Court shall be released from office by the Riigikogu on the proposal of the President of the Republic except in the case provided in subsection 27 (6) of this Act. The other justices of the Supreme Court shall be released from office by the Riigikogu on the proposal of the Chief Justice of the Supreme Court.</p>
<p>FINLAND</p>	<p><u>Constitution (1999)</u></p> <p>Section 100 - Composition of the Supreme Court and the Supreme Administrative Court The Supreme Court and the Supreme Administrative Court are composed</p>	<p><i>In Finland, the constitutionality of laws is examined in advance. This mainly takes place in Parliament, and especially in its Constitutional Law Committee. The goal of this parliamentary control is to prevent in advance that laws which are in conflict with the Constitution are enacted in the ordinary legislative procedure. No constitutional court exists in Finland, but the courts and other authorities are under an obligation to interpret legislation in such a way as to adhere to the Constitution and to respect human rights. According to the Constitution, the courts should give preference to the Constitution when they decide a case if the application of an act would be in manifest conflict with the Constitution (Section</i></p>

	<p>of the President of the Court and the requisite number of Justices. The Supreme Court and the Supreme Administrative Court have a competent quorum when five members are present, unless a different quorum has been laid down by an Act.</p> <p>Section 101 - High Court of Impeachment The High Court of Impeachment deals with charges brought against a member of the Government, the Chancellor of Justice, the Parliamentary Ombudsman or a member of the Supreme Court or the Supreme Administrative Court for unlawful conduct in office. The Court of Impeachment deals also with the charges referred to in section 113 below. The High Court of Impeachment consists of the President of the Supreme Court, presiding, and the President of the Supreme Administrative Court, the three most senior-ranking Presidents of the Courts of Appeal and five members elected by the Parliament for a term of four years.</p> <p>Section 103 - The right of judges to remain in office A judge shall not be suspended from office, except by a judgement of a court of law. In addition, a judge shall not be transferred to another office without his or her consent, except where the transfer is a result of a reorganisation of the judiciary. Provisions on the duty of a judge to resign at the attainment of a given age or after losing capability to work are laid down by an Act. More detailed provisions on the other terms of service of a judge are laid down by an Act.</p> <p>Section 106 - Primacy of the Constitution If, in a matter being tried by a court of law, the application of an Act would be in evident conflict with the Constitution, the court of law shall give primacy to the provision in the Constitution.</p>	<p>106).</p> <p>Courts Act (2016)</p> <p>Chapter 15. Written warning and suspension from office</p> <p>Section 1. Written warning A written warning referred to in section 24 of the Act on Public Officials in Central Government may be issued to a judge by the head of the court in which the judge serves. However, a written warning to the chief judge of a district court is issued by the president of the court of appeal, to the president of a court of appeal and to the president of the Labour Court by the president of the Supreme Court, and to the chief judge of an administrative court, the Market Court and the Insurance Court by the president of the Supreme Administrative Court.</p> <p>Section 2. Suspension from office The decision to suspend a judge from office on the grounds referred to in section 40, subsection 2, paragraphs 1–3 of the Act on Public Officials in Central Government is made by the court in which the judge serves. However, the decision to suspend the chief judge of a district court from office is made by the appropriate court of appeal, the decision to suspend the president of a court of appeal and the Labour Court is made by the Supreme Court, and the decision to suspend the chief judge of an administrative court, the Market Court and the Insurance Court is made by the Supreme Administrative Court. Further provisions on suspension from office are laid down in the Act on Public Officials in Central Government.</p> <p>Chapter 23</p> <p>Section 2. Request for review of a decision on a written warning A decision to give a written warning referred to in chapter 15, section 1 above may be appealed against. The appellate court shall consider the matter as an urgent judicial matter. A decision on a written warning is appealed against as follows:... 4) a decision made by the president of the Supreme Court and the Supreme Administrative Court to the court in question, where it shall be considered in a plenary session.</p> <p>Section 3. Request for review of a decision on suspension from office A decision on suspension from office referred to in chapter 15, section 2 above may be appealed against. The appellate court shall consider the matter as an urgent judicial matter. A decision may be appealed against as follows: 1) a decision of a district court to the court of appeal; 2) a decision of a court of appeal and the Labour Court to the Supreme Court; 3) a decision of an administrative court, the Market Court and the Insurance Court to the Supreme Administrative Court; 4) a decision of the Supreme Court and the Supreme Administrative Court to the court in question, where the case shall be considered in a plenary session.</p>
FRANCE	<p>Constitution (1958)</p> <p>Article 56 The Constitutional Council shall comprise nine members, each of whom shall hold office for a non-renewable term of nine years. One third of the membership of the Constitutional Council shall be renewed every three years. Three of its members shall be appointed by the President of the Republic, three by the President of the National Assembly and three by the President of the Senate. The procedure provided for in the last paragraph of article 13 shall be applied to these appointments. The appointments made by the President of each House shall be submitted for consultation only to the relevant standing committee in that House. In addition to the nine members provided for above, former Presidents of the Republic shall be ex officio life members of the Constitutional Council.</p> <p>Article 57 The office of member of the Constitutional Council shall be incompatible with that of Minister or Member of the Houses of Parliament. Other incompatibilities shall be determined by an Institutional Act.</p>	<p>Ordinance no. 58-1067 of 7 November 1958 incorporating an Institutional Act on the Constitutional Council</p> <p>Article 10 The Constitutional Council shall, where appropriate, record the compulsory resignation of any of its members who has been engaged in an activity or accepted a post or elective office incompatible with his status as a member of the Council or who does not enjoy civil and political rights. A replacement shall be appointed within eight days.</p> <p>Article 11 The rules set out in Article 10 above shall apply to members of the Constitutional Council who are no longer able to carry out their duties on account of a permanent physical disability.</p> <p>Decree No. 59-1292 of November 13, 1959 on the obligations of members of the Constitutional Council</p> <p>Article 1 The members of the Constitutional Council have a general obligation to refrain from anything that could compromise the independence and dignity of their functions.</p> <p>Article 2 (al.1) The members of the Constitutional Council shall refrain in particular during the term of their functions from: (al.2) To take any public position or consult on matters which have been or are likely to be the subject of decisions by the Council; (al. 3) To occupy within a political party or group any position of responsibility or leadership and, more generally, to exercise an activity there which is incompatible with the provisions of Article 1 above; (al.4) To allow their status as members of the Constitutional Council to be mentioned in any document likely to be published and relating to any public or private activity.</p>

		<p>Article 3 The members of the Constitutional Council shall keep the President informed of any changes that may occur in their activities outside the Council.</p> <p>Article 4 Any member of the Constitutional Council who intends to seek an elective mandate must request leave for the duration of the electoral campaign. Leave is a right.</p> <p>Article 5 The Constitutional Council shall assess, where appropriate, whether one of its members has failed to comply with the general and specific obligations mentioned in Articles 1 and 2 of this decree.</p> <p>Article 6 In the case provided for in Article 5 above, the Constitutional Council shall decide by secret ballot by a simple majority of its members, including its ex officio members.</p> <p>Article 7 For the application of the provisions of this decree, the Constitutional Council may, if necessary, resort to the procedure provided for in Article 10 of the aforementioned ordinance of 7 November 1958.</p>
<p style="text-align: center;">GEORGIA</p>	<p><u>Constitution (1995, rev. 2018)</u></p> <p>Article 60. Constitutional Court of Georgia The appointment of judges of the Constitutional Court and the termination of their terms of office, as well as the constitutional legal proceedings and other issues related to the activities of the Constitutional Court, shall be determined by the organic law.</p>	<p><u>Organic Law "On the Constitutional Court of Georgia" (1997)</u></p> <p>Article 16 1. Powers of a member of the Constitutional Court shall be prematurely terminated if he/she has: a) failed to perform his/her duties for six consecutive months or has not performed his/her duties for three months during a year without good reason; b) taken a position incompatible with the status of a member of the Constitutional Court or has been engaged in an activity prohibited under Article 17 of this Law; c) violated a requirement under Article 48 of this Law; d) committed an act unworthy of a judge; e) lost citizenship of Georgia; f) been recognised as having limited capability or declared as a beneficiary of support by court, unless otherwise determined under court judgment; g) been guilty and there is a valid court judgement of conviction; h) died or has been recognised as missing or declared as deceased by a court; i) resigned his/her office. 2. In cases under paragraph 1(a-d) of this article, the membership on the Constitutional Court shall be prematurely terminated by a resolution of the Plenum of the Constitutional Court, which will be deemed adopted if supported by more than half of the full Constitutional Court. In cases under paragraph 1(e-i), the Plenum of the Constitutional Court shall, under procedures determined in the Rules, examine the documents submitted to it and if the facts contained therein are proved, the President of the Constitutional Court shall, by decree, formalise the premature termination of powers of a member of the Constitutional Court. 3. A Constitutional Court plenary resolution, as well as a decree by the President of the Constitutional Court on the premature termination of powers of a member of the Constitutional Court shall be immediately forwarded to the President of Georgia, the Parliament of Georgia and the Supreme Court of Georgia. 4. A new member of the Constitutional Court shall be appointed not later than 20 days after powers of a member of the Constitutional Court are prematurely terminated. His/her powers shall commence upon his/her taking the oath of office. If the premature termination of powers of a member of the Constitutional Court elected by the Parliament of Georgia coincides with the non-session period of the Parliament of Georgia, a new member of the Constitutional Court shall be appointed within two weeks from commencement of the nearest parliamentary session. 5. A new member of the Constitutional Court shall be appointed not earlier than one month and not later than 10 days before expiry of the term of office of a member of the Constitutional Court. His/her powers shall commence upon expiry of the 10-year term of office of his/her predecessor but not earlier than his/her taking the oath of office.</p> <p><u>Rules of the Constitutional Court of Georgia (2020)</u></p> <p>Article 6. Ethics and Disciplinary Affairs Commission of the Constitutional Court 1. According to the resolution of the Plenum of the Constitutional Court, the Commission of Ethics and Disciplinary Affairs of the Constitutional Court is established in order to study the issues related to the premature termination of the judge's authority and the inviolability of the judge provided for in this regulation, and to submit the appropriate conclusion, draft resolution to the plenum. The composition of the commission will be presented by the Chairman of the Constitutional Court. 2. The commission includes one judge appointed by the President of Georgia, the Parliament of Georgia and the Supreme Court of Georgia (if the current composition of the court allows this). The chairman of the Constitutional Court cannot be part of the commission. 3. The term of office of a member of the commission is 3 years, but not longer than the term of his judicial authority. In case of expiration of the term of office of a member of the commission, the plenum, on the recommendation of the chairman, appoints the same or another judge as a member of the commission. 4. The chairman of the Ethics and Disciplinary Affairs Commission is elected by the members of the commission from the composition of the commission</p>

		<p>Chapter IV Consideration and resolution of the issue of premature termination of the judge's authority</p> <p>Article 42. Start of proceeding</p> <ol style="list-style-type: none"> 1. If the Chairman of the Constitutional Court becomes aware of information that raises reasonable doubts about the existence of grounds for early termination of the powers of a member of the Constitutional Court of Georgia, the Chairman of the Constitutional Court of Georgia shall refer the matter to the Ethics and Disciplinary Affairs Commission for study and convene a plenary session. A plenum session will be convened for the commission to study the issue no earlier than 10 and no later than 30 days after the transmission. 2. When initiating the procedure provided for in the first paragraph of this article, the chairman must indicate the factual circumstances that raise a reasonable suspicion of the existence of grounds for early termination of the authority and provide the commission with relevant materials. 3. The senior deputy of the chairman of the Constitutional Court initiates the consideration of the issue of premature termination of the authority of the chairman of the Constitutional Court of Georgia in accordance with the procedure established by the first and second paragraphs of this article. 4. On the grounds provided by subparagraphs "A"- "D" of Article 16, Clause 1 of the Organic Law of Georgia "On the Constitutional Court of Georgia", the procedure for early termination of the authority of a member of the Constitutional Court of Georgia cannot be initiated by the Chairman of the Constitutional Court of Georgia (under Clause 3 of this Article in the provided case, by the senior deputy of the chairman) of the powers of a member of the Constitutional Court of Georgia After 3 months from the moment of notification of information confirming the existence of grounds for early termination. <p>Article 43. Study of the issue by the commission</p> <ol style="list-style-type: none"> 1. Within 10 days from the address of the Chairman of the Constitutional Court of Georgia, the Ethics and Disciplinary Affairs Commission will study the issue and submit to the Plenum the draft resolution or conclusion of the Plenum of the Constitutional Court of Georgia. 2. "On the Constitutional Court of Georgia" in the case provided for by subparagraphs "a"- "d" of the first paragraph of Article 16 of the Organic Law of Georgia, the commission prepares the draft resolution of the plenum of the Constitutional Court of Georgia on the termination of the authority of a member of the Constitutional Court of Georgia, and "On the Constitutional Court of Georgia" According to subparagraphs "e"- "i" of the first paragraph of Article 16 of the Organic Law of Georgia In the given case - the conclusion. 3. If, on the basis of Article 42 of this Regulation, the issue of early termination of the judicial authority of a member of the commission is initiated, the chairman of the Constitutional Court shall immediately suspend his membership in the commission by order, until the consideration of the issue is completed, and appoint another member of the commission for the period of consideration of the relevant issue. 4. The members of the commission are entitled to receive information from all state bodies, individuals and legal entities regarding the issue to be studied, to invite specialists to perform expert and consulting work. <p>Article 44. Decision-making procedure by the commission</p> <ol style="list-style-type: none"> 1. The commission is authorized if at least two members of the commission are present at its session. 2. The decision of the commission is considered adopted if it is supported by the majority of the members of the commission. 3. If the votes of the members of the commission are equally divided, the members of the commission separately prepare the draft resolution/conclusion and submit it to the plenum of the Constitutional Court. <p>Article 45. Consideration of the issue of premature termination of the mandate of a member of the Constitutional Court of Georgia by the Plenum</p> <ol style="list-style-type: none"> 1. The Plenum of the Constitutional Court is authorized to consider the issue of early termination of the judge's authority and make a decision if at least 6 members are present at its session. 2. The issue of premature termination of the mandate of a member of the Constitutional Court shall be discussed at the closed session of the Plenum of the Constitutional Court of Georgia. 3. The Plenum of the Constitutional Court of Georgia is entitled to consider the issues provided for in the first paragraph of this article at an open session, if requested by the member of the Constitutional Court of Georgia whose authority is being considered. 4. The plenum of the Constitutional Court of Georgia establishes the necessary circumstances for the resolution of the issues provided for in this article in accordance with the general rules determined by the Constitutional Court of Georgia for the resolution of the case. 5. The Plenum of the Constitutional Court of Georgia will listen to the member of the Constitutional Court of Georgia whose term of office is being considered. <p>Article 46. Resolution of the issue of premature termination of the mandate of a member of the Constitutional Court of Georgia</p> <ol style="list-style-type: none"> 1. The Plenum of the Constitutional Court of Georgia takes a decision on the draft resolution of the Plenum of the Constitutional Court of Georgia presented by the Commission by open vote. Any member of the Constitutional Court of Georgia has the right to present an alternative draft of the plenary resolution. 2. The resolution of the plenum of the Constitutional Court of Georgia on the termination of the powers of a member of the Constitutional Court "On the Constitutional Court of Georgia" on the grounds provided for in subparagraphs "a"- "d" of Article 16 of the first paragraph of the Organic Law of Georgia shall be considered adopted if it is supported by the full composition of the Constitutional Court. more than half. 3. In the cases provided by subparagraphs "e"- "i" of the first paragraph of Article 16 of the Organic Law of Georgia, the Plenum of the Constitutional Court considers the conclusion of the commission and by the majority of the members present at the session confirms the existence of grounds for early termination of the mandate of a member of the Constitutional Court of Georgia. In case of confirmation of the grounds for premature termination of the mandate of the member of the Constitutional Court of Georgia, the chairman of the Constitutional
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<p>GERMANY</p>	<p><u>Basic Law for the Federal Republic of Germany (1949, rev. 2022)</u></p> <p>Article 97. [Judicial independence] Judges appointed permanently to full-time positions may be involuntarily dismissed, permanently or temporarily suspended, transferred or retired before the expiration of their term of office only by virtue of judicial decision and only for the reasons and in the manner specified by the laws. The legislature may set age limits for the retirement of judges appointed for life. In the event of changes in the structure of courts or in their districts, judges may be transferred to another court or removed from office, provided they retain their full salary.</p> <p>Article 98. [Legal status of judges - Impeachment] If a federal judge infringes the principles of this Basic Law or the constitutional order of a Land in his official capacity or unofficially, the Federal Constitutional Court, upon application of the Bundestag, may by a two-thirds majority order that the judge be transferred or retired. In the case of an intentional infringement it may order him dismissed.</p> <p>Article 98. [Legal status of judges - Impeachment] The Länder may enact provisions regarding Land judges that correspond with those of paragraph (2) of this Article. Existing Land constitutional law shall not be affected. The decision in cases of judicial impeachment shall rest with the Federal Constitutional Court.</p>	<p><u>Act on the Federal Constitutional Court (1953)</u></p> <p>Chapter 5 - Procedure in the cases referred to in § 13 no. 9 [Impeachment of judges]</p> <p>§ 58</p> <p>(1) If the Bundestag files a motion for the impeachment of a federal judge pursuant to Article 98(2) of the Basic Law, then §§ 49 to 55, with the exception of § 49(3) second sentence, §§ 50 and 52(1) second sentence, shall apply accordingly.</p> <p>(2) If the federal judge is accused of having violated a law in his or her official capacity, the Bundestag shall not decide before a final decision has been taken in the judicial proceedings or, if formal disciplinary proceedings have previously been initiated for the same violation, until these proceedings have been opened. The motion for impeachment shall only be admissible within six months of the final conclusion of the judicial proceedings in which the federal judge was claimed to have committed the violation.</p> <p>(3) Except for the cases referred to in subsection 2, a motion for impeachment pursuant to subsection 1 shall only be admissible within two years of the violation.</p> <p>(4) A person commissioned by the Bundestag shall argue the motion for impeachment before the Federal Constitutional Court.</p> <p>§ 59</p> <p>(1) The Federal Constitutional Court shall order one of the measures provided for in Article 98(2) of the Basic Law or acquittal.</p> <p>(2) If the Federal Constitutional Court orders removal from office, the forfeiture of office shall take effect upon pronouncement of the judgment.</p> <p>(3) If transfer to another office or retirement is ordered, the order shall be executed by the authority competent for removal of the federal judge.</p> <p>(4) A copy of the judgment, including the reasons, shall be sent to the Federal President, the Bundestag and to the Federal Government.</p> <p>§ 60</p> <p>As long as proceedings are pending before the Federal Constitutional Court, disciplinary proceedings pending before a disciplinary court which are based on the same facts shall be suspended. If the Federal Constitutional Court orders removal from office, transfer to another office or retirement, the disciplinary proceedings shall be discontinued; otherwise, they shall be continued.</p> <p>§ 61</p> <p>(1) A case shall only be reopened in favour of the convicted judge and only on his or her application or, after his or her decease, on application by his or her spouse, civil partner or one of his or her descendants and under the conditions set out in §§ 359 and 364 of the Code of Criminal Procedure. The application must state the legal reasons for reopening the case as well as the supporting evidence. The application to reopen the case shall not suspend the effect of the judgment.</p> <p>(2) The Federal Constitutional Court shall decide on the admissibility of the application without an oral hearing. §§ 368, 369(1), (2) and (4) and §§ 370 and 371(1) to (3) of the Code of Criminal Procedure shall apply accordingly.</p>

		<p>(3) In the new main hearing, the Court shall either uphold the previous judgment or order a more lenient measure or acquittal.</p> <p>§ 62 In so far as Land constitutional law which continues to apply pursuant to Article 98(5) second sentence of the Basic Law does not provide otherwise, the provisions of this Chapter shall also apply if a Land law provides for rules applicable to Land judges which correspond to Article 98(2) of the Basic Law.</p>
<p>GREECE</p>	<p>Constitution (1975, rev. 2008)</p> <p>Article 88 Magistrates may be dismissed only pursuant a court judgment resulting from a criminal conviction or a grave disciplinary breach or illness or disability or professional incompetence, confirmed as specified by law and in compliance with the provisions of article 93 paragraphs 2 and 3.</p> <p>Article 91 1. Disciplinary authority over judicial functionaries from and above the rank of member of the Supreme Civil and Criminal Court or Deputy Prosecutor of the Supreme Civil and Criminal Court, or a rank corresponding thereto, shall be exercised by a Supreme Disciplinary Council, as specified by law. Disciplinary action shall be initiated by the Minister of Justice. 2. The Supreme Disciplinary Council shall be composed of the President of the Supreme Administrative Court as Chairman, and of two Vice-Presidents or Councillors of the Supreme Administrative Court, two Vice-Presidents or members of the Supreme Civil and Criminal Court, two Vice-Presidents or Councillors of the Court of Auditors and two law professors from the Law Schools of the country's universities, as members. The members of the Council shall be chosen by lot from among those having at least three years of service in the respective highest in rank court or law school. Members belonging to the court of which the conduct of one of the judges, prosecutors or commissioners the Council has been called on to judge, shall be excluded. In cases involving disciplinary action against members of the Supreme Administrative Court, the Supreme Disciplinary Council shall be presided over by the President of the Supreme Civil and Criminal Court. 3. The disciplinary authority over all other judicial functionaries shall be exercised, in the first and second instance by councils composed of regular judges chosen by lot, as specified by law. Disciplinary action may also be initiated by the Minister of Justice. 4. Disciplinary rulings in accordance with the provisions of this Article shall not be subject to remedies before the Supreme Administrative Court.</p> <p>Article 93 2. The sittings of all courts shall be public, except when the court decides that publicity would be detrimental to the good usages or that special reasons call for the protection of the private or family life of the litigants. ** 3. Every court judgment must be specifically and thoroughly reasoned and must be pronounced in a public sitting. A law shall specify the legal consequences ensuing and the sanctions imposed in case of violation of the preceding section. Publication of the dissenting opinion shall be compulsory. A law shall specify matters concerning the entry of any dissenting opinion into the minutes as well as the conditions and prerequisites for the publicity thereof.</p> <p>Article 100 1. A Special Highest Court shall be established, the jurisdiction of which shall comprise: a) The trial of objections in accordance with article 58. b) Verification of the validity and returns of a referendum held in accordance with article 44 paragraph 2. c) Judgment in cases involving the incompatibility or the forfeiture of office by a Member of Parliament, in accordance with article 55 paragraph 2 and article 57. d) Settlement of</p>	<p>Law No. 345 of 9-10 June 1976 establishing the Special Highest Court provided for in Article 100 of the Constitution</p> <p>Article 1 1. The Special Highest Court provided for in Article 100 of the Constitution, ... shall be composed of the President of the Council of State, the President of the Supreme Court and the President of the Comptrollers Council, four Councillors of State, four members of the Supreme Court, and the Registrar. ... The members of the Special Highest Court, together with an equal number of substitutes, shall be chosen by lot every two years. The Special Court shall be presided by either the President of the Council of State or the President of the Supreme Court depending on seniority. Where the more senior of the two is absent or unavailable, the other shall act as President.</p> <p>Law 4938/2022 Court of Justice Organization and Status of Court Officials and other provisions</p> <p>Art 109 Disciplinary offences 1. A disciplinary offense is committed by a culpable and imputable act or omission of a judicial officer, on or off duty, which is contrary to his obligations arising from the Constitution and the applicable provisions or is incompatible with his office and affects his prestige or the prestige of justice. 2. Disciplinary offenses of a judicial officer are: a) acts that demonstrate a lack of loyalty and devotion to the homeland and the democratic system of the country, b) any violation of a provision relating to the administration of justice, the internal organization and operation of the courts and the status of the judicial officer, c) the use of his/her capacity to pursue selfish ends, d) undignified or improper conduct on or off duty, e) unjustified delay in the performance of his/her duties. In order to determine whether the delay is justified or not, the seriousness and difficulty of the case, in accordance with what is defined in paragraph b of paragraph 5 of article 19, the rank and experience of the judicial officer, the workload in general and his/her individual and family circumstances, are taken into account. In any case, the issuance of a decision by a civil or administrative court within eight (8) months from the hearing of the case is not unjustified, except in cases in which specific deadlines are set in the applicable legislation, as well as the drafting of a reasoning on a decision by a criminal court within three (3) months from the delivery of the case file by the court secretary. The delay is considered unjustified when the case file is removed or returned by the judge handling it due to failure to issue a decision within eight (8) months from the hearing of a civil or administrative case, f) the violation of official secrecy, g) the concealment of a legitimate reason for exclusion or exception, and h) the participation of the person in an organization whose purposes are secret or which imposes secrecy on its members. 3. Multiple acts that constitute a continuation of the same offense are considered as a single whole, the gravity of which is taken into account for the determination and measurement of the penalty. 4. The following do not constitute disciplinary offenses for a judicial officer: a) his refusal to implement provisions that are against the abrogation of the Constitution or are contrary to it, b) the judgment that the judicial officer expresses in the exercise of his duties, c) the expression of an opinion in public, unless it is done with the obvious purpose of reducing the prestige of justice or for or against a certain party or other specific political organization, d) the participation and development of activity in recognized associations of judges or other associations and the expression of an opinion and critical view that occurs in the context of participation in an association of judicial officers.</p> <p>Art 111 Disciplinary penalties 1. The disciplinary penalties that may be imposed on a judicial officer are: a) a written reprimand, b) a fine ranging from two (2) days' net earnings to three (3) months' total net earnings, c) temporary suspension from ten (10) days to six (6) months and d) permanent suspension. 2. Permanent suspension is imposed in particularly serious cases of disciplinary offenses, regardless of the exercise of previous disciplinary proceedings and the length of service of the judicial officer, when the circumstances under which they were committed and the degree of culpability of the person prosecuted show that he is not aware of his basic obligations as a judicial officer or seriously harm the prestige of justice. 3. The type of penalty imposed and its measurement are determined by the gravity of the offense, the rank and experience of the judicial officer, the circumstances under which the offense was committed, the intensity of the intent or the degree of negligence of the person prosecuted and his previous disciplinary convictions. 4. When it is a offense due to slight negligence, the disciplinary judge may, assessing the circumstances under which it was committed and the personality of the person prosecuted, not impose a penalty. 5. When several disciplinary offenses are tried together, provided that the disciplinary penalties imposed for each of them are of the same type, a total penalty is imposed, which consists of the most severe or, if the penalties are equal, of one of them, which is increased up to its upper limit. The increase cannot be higher than three quarters (3/4) of the sum of the other disciplinary penalties.</p> <p>Art 113 Disciplinary jurisdiction 1. Disciplinary jurisdiction over judicial officers is exercised by courts and disciplinary councils. 2. The competent courts for imposing the penalty</p>

	<p>any conflict between the courts and the administrative authorities, or between the Supreme Administrative Court and the ordinary administrative courts on one hand and the civil and criminal courts on the other, or between the Court of Auditors and any other court. e) Settlement of controversies on whether the content of a statute enacted by Parliament is contrary to the Constitution, or on the interpretation of provisions of such statute when conflicting judgments have been pronounced by the Supreme Administrative Court, the Supreme Civil and Criminal Court or the Court of Auditors. f) The settlement of controversies related to the designation of rules of international law as generally acknowledged in accordance with article 28 paragraph 1.</p> <p>2. The Court specified in paragraph 1 shall be composed of the President of the Supreme Administrative Court, the President of the Supreme Civil and Criminal Court and the President of the Court of Auditors, four Councillors of the Supreme Administrative Court and four members of the Supreme Civil and Criminal Court chosen by lot for a two-year term. The Court shall be presided over by the President of the Supreme Administrative Court or the President of the Supreme Civil and Criminal Court, according to seniority.</p> <p>In the cases specified under sections (d) and (e) of the preceding paragraph, the composition of the Court shall be expanded to include two law professors of the law schools of the country's universities, chosen by lot.</p> <p>3. The organization and functioning of the Court, the appointment, replacement of and assistance to its members, as well as the procedure to be followed shall be determined by special statute.</p> <p>4. The judgments of this Court shall be irrevocable.</p> <p>Provisions of a statute declared unconstitutional shall be invalid as of the date of publication of the respective judgment, or as of the date specified by the ruling.</p>	<p>of permanent suspension are: a) the Plenary Session of the Council of State on members of the Supreme Court and its Prosecutor's Office, on members of the Court of Audit, on the General Commissioner, Commissioner and deputy commissioners of the General Commissioner of the State at the Court of Audit, on the members, rapporteurs and probationary rapporteurs of the Council of State, on the General Commissioner, Commissioner and deputy commissioners of the State of the regular administrative courts, as well as on all judicial officers of the regular administrative courts, b) the Plenary Session of the Supreme Court on members of the Council of State, as well as on all other judicial officers of civil and criminal justice, c) the Plenary Session of the Court of Audit on the members, rapporteurs and probationary rapporteurs of the Court of Audit and the General State Commission to the Court of Audit.</p> <p>3. The courts of par. 2, constituted as defined by their organic laws, judge those who committed disciplinary offenses following their referral by the disciplinary councils. If the court considers that the judicial officer should be punished with a penalty lower than permanent suspension, it imposes this penalty without being bound by the referral decision of the disciplinary council.</p> <p>4. The Supreme Disciplinary Council, provided for by Article 91 of the Constitution, is competent to judge in the first and last instance disciplinary offenses and to impose all disciplinary penalties, except for permanent dismissal, on the members of the Council of State and the Supreme Court, the Prosecutor and Deputy Prosecutors of the Supreme Court, the members of the Court of Audit, the General Commissioner, Commissioner and Deputy Commissioners of the General Commissioner of the State in the Court of Audit, as well as the General Commissioner, Commissioner and Deputy Commissioners of the State of the regular administrative courts.5. The seven-member disciplinary council of the Council of State is competent: a. In the first instance, to judge disciplinary offenses and to impose all disciplinary penalties except for permanent dismissal: aa. to the judges, rapporteurs and probationary rapporteurs of the Council of State, ab. to the presidents of appeals, to the appellate judges and to the presidents of first instance of the administrative courts. b. In second instance, to judge appeals against the decisions of the five-member disciplinary councils of the administrative appeal courts. 6. The nine-member disciplinary council of the Council of State is competent to judge appeals against disciplinary decisions issued in first instance by the seven-member disciplinary council of the Council of State.</p> <p>7. The seven-member disciplinary council of the Supreme Court is competent to: a. In the first instance, to judge disciplinary offenses and impose all disciplinary penalties, except for permanent suspension, on presidents and prosecutors of appeals, appeals and deputy prosecutors of appeals, presidents and prosecutors of first instance courts. b. In the second instance, to judge appeals against decisions of the five-member disciplinary councils of the appeals courts.8. The nine-member disciplinary council of the Supreme Court is competent to judge appeals against disciplinary decisions issued in the first instance by the seven-member disciplinary council of the Supreme Court.9. The seven-member disciplinary council of the Court of Audit is competent in the first instance to judge disciplinary offenses and to impose all disciplinary penalties, except for permanent suspension, on the members, rapporteurs and probationary rapporteurs of the Court of Audit and of the General Committee of the State at the Court of Audit.</p> <p>10. The nine-member disciplinary council of the Court of Audit is competent to judge appeals against disciplinary decisions issued by the seven-member disciplinary council of the Court of Audit. 11. The five-member disciplinary councils of the courts of appeal (political and administrative) are competent in the first instance to judge disciplinary offenses and to impose all disciplinary penalties, except for permanent suspension, on judicial officers of the respective body up to the rank of first instance judge and deputy prosecutor of first instance.</p> <p>12. Conflicts of competence between five-member disciplinary councils are resolved by decision of the relevant seven-member council, following a request from the person subject to disciplinary proceedings or from the person carrying out the disciplinary proceedings.</p>
<p style="text-align: center;">HUNGARY</p>	<p><u>The Fundamental Law (2011, rev. 2024)</u></p> <p>Article 26 Judges shall be independent and only subordinated to laws, and may not be instructed in relation to their judicial activities. Judges may only be removed from office for the reasons and in a procedure defined by a cardinal Act. Judges shall not be affiliated to any political party or engage in any political activity.</p>	<p><u>Act CLI of 2011 on the Constitutional Court</u></p> <p>Section 15 (1) Membership in the Constitutional Court shall terminate: a) - repealed by the Act CCVII of 2013 on the amendment of certain Acts related to the Fifth Amendment of the Fundamental Law modified the Act CLI of 2011 on the Constitutional Court as of 11 December 2013. b) upon the expiry of the term of office. (2) Furthermore, membership in the Constitutional Court shall terminate: a) upon the Member's death, b) upon resignation, c) upon the declaration of the termination of the mandate due to incompatibility, d) if the Member becomes ineligible to stand for election to the Parliament, e) upon dismissal or f) upon exclusion. (3) - repealed by the Act CCVII of 2013 on the amendment of certain Acts related to the Fifth Amendment of the Fundamental Law modified the Act CLI of 2011 on the Constitutional Court as of 11 December 2013. (4) If the mandate of a Member of the Constitutional Court is terminated by the application of paragraph (2), the new Member of the Constitutional Court shall be appointed by Parliament within sixty days of the termination of the mandate of the former Member. (5) If the mandate of several Members of the Constitutional Court is terminated or extended in succession, Parliament shall first appoint the successor of the Member whose mandate was terminated or extended first, or would be terminated first.</p> <p>Section 16 (1) Members of the Constitutional Court shall communicate their resignation to the President of the Constitutional Court, and the President of the Constitutional Court shall communicate their resignation to the Speaker of Parliament. No statement of acceptance is required for the validity of the resignation. The resignation need not be reasoned, and the mandate shall terminate on the day of the submission of the resignation. (2) Should a Member of the Constitutional Court fail to comply with the obligation set forth in Section 10 (2) to (3) by the time specified therein, the plenary session of the Constitutional Court shall issue a decision declaring incompatibility. If the cause for incompatibility is not eliminated within ten days of the session of the Constitutional Court declaring the incompatibility, the plenary session of the Constitutional Court shall issue a decision establishing the termination of the mandate of the Member of the Constitutional Court concerned. (3) The mandate shall be terminated by dismissal if a Member of the Constitutional Court is unable to perform the duties deriving from their</p>

		<p>mandate for reasons that are not imputable to them.</p> <p>(4) The mandate of a Member of the Constitutional Court may be terminated by exclusion if the Member: a) fails to perform his or her duties for reasons imputable to him or her, or b) has become unworthy of his or her office, and is therefore excluded by a decision of the plenary session of the Constitutional Court.</p> <p>(5) A Member of the Constitutional Court shall be excluded if he or she: a) has intentionally committed publicly prosecuted crime according to a final court judgement, b) has not participated in the work of the Constitutional Court for one year for reasons imputable to him or her, or c) has intentionally failed to meet his or her obligation to make a declaration of assets or intentionally made a false declaration on important data or facts in his or her declaration of assets.</p> <p>(6) In the application of Section 15 in the case of (1) b) on the day when the mandate expires and Section 15 (2) a) to b), the termination of the mandate of the Member of the Constitutional Court shall be declared by the President, and announced at a plenary session. In the application of Section 15 (2) c) to f), the plenary session of the Constitutional Court shall make a decision, which shall be published in the Hungarian Official Gazette.</p> <p>Section 18</p> <p>(1) The presidential mandate shall terminate: a) upon the termination of the President's membership in the Constitutional Court, b) upon resignation.</p> <p>(2) The President shall notify the Speaker of Parliament of his or her resignation from the presidential mandate in writing. No statement of acceptance shall be required for the validity of the resignation. The resignation need not be reasoned, and the mandate shall terminate on the day of the submission of the resignation. Resignation from the presidential mandate shall not affect the membership of the President in the Constitutional Court.</p>
<p>ICELAND</p>	<p><u>Constitution</u> (1944, rev. 2013)</p> <p>Article 61 In the performance of their official duties, judges shall be guided solely by the law. Those judges who do not also have administrative functions cannot be discharged from office except by a judicial decision, nor may they be transferred to another office against their will, except in the event of re-organization of the judiciary. However, a judge who has reached the age of 65 may be released from office, but Judges of the Supreme Court shall not lose any of their salary.</p>	<p>Courts Act, 2016</p> <p>Article 47 Complaints about insulting judges. Now the director of the court believes that the judge's conduct or negligence in his work or his conduct outside of work is such that it is worthy of investigation without the provisions of paragraph 2. is applicable and then the director can make oral or written recommendations to the judge for improvements. Makes a recommendation according to Paragraph 1 unsuccessful, or if the director of the court considers the judge's reprimands to be more serious than his recommendation alone is appropriate, he must refer the matter to the committee on judicial duties with a written and reasoned report. The same shall be observed if the judge does not comply with the decision of the court county or a ban pursuant to Paragraph 3 Article 45 The minister is authorized to direct a case to the committee on judicial duties in the same way as stated in paragraph 2. The committee is also authorized to take up cases on its own initiative if there are incidents in the manner stated therein. Anyone else who believes that a judge has done his part in his duties is permitted to direct a written and reasoned complaint on that occasion to the Committee on Judges' Duties. Such a complaint must have been received by the committee within three months from the event to which the complaint relates occurred or came to the knowledge of the person making the complaint. However, a complaint will not be addressed to the Committee on Judgeships after a year has passed since the event to which the complaint relates took place. Complaints regarding judges' judgments will not be directed to the committee on judicial duties.</p> <p>Article 48 Treatment and resolution of cases by the committee on judicial duties. In a speech according to Article 47 the committee on judicial duties must be informed of incidents and arguments that the rights of the person claiming it have been violated. Receives a committee on judicial duties [paper] 1) which it considers already shown not to warrant further action, it refers [therefore] 1) from himself. Alternatively, the committee gives the judge concerned the opportunity to submit written comments within a specified period. The committee is allowed to deal with [two or more cases] at once 1) which is directed at the same judge. If [the paper is considered acceptable] 1) for consideration, the committee on judicial duties shall conclude the case with a written and reasoned opinion. The committee assesses whether the behavior [described in the presentation] 1) is compatible with high-quality referee work and does she consider [the paper] 1) give rise to action, she can in her opinion find the work of the judge concerned or give him a reminder according to the provisions of Article 49. Now the committee on judicial duties considers [paper accepted] 1) for processing, and the court administration shall then be informed about it. The committee shall also send the court county a copy of its opinion when it is available.</p> <p>Article 49 Reminder. If a judge is given a reminder, it must be presented to him in a verifiable manner. At the same time, a decision on a reminder must be sent to the minister, the director of the court where the judge works, as well as the court district. A judge who has been reprimanded may file a lawsuit against the minister on behalf of the state to have it revoked, but this must be done within one month of the time it was served on the judge.</p> <p>Article 50 Temporary solution. A judge may be temporarily removed from office if he has been reprimanded but does not adjust to it within a reasonable time or is again guilty of insults that warrant a reprimand within three years. A judge will also be temporarily relieved of his duties if he loses the general qualifications to serve. The same also applies if the police investigation focuses on a judge or a criminal case is brought against him, and a conviction for the charges against him would cause him to lose the general eligibility criteria.</p>

		<p>The President of Iceland grants a temporary release from office to a judge of the Supreme Court and the National Court according to the minister's proposal, but the minister grants such a release to a district judge. Before temporary relief is granted, the minister must obtain a written opinion from the committee on judicial duties.</p> <p>Now a judge has been temporarily relieved from office for other reasons than those who can in the final sentence of paragraph 1. and then within two months a case shall be brought against him according to what is laid down in paragraph 1. Article 51, otherwise the solution is automatically cancelled. If a case is dismissed or canceled by the court, the solution is also automatically canceled if a new case is not filed within two weeks, but this will not be done more than once. A solution that has been granted temporarily following the provisions of the final clause of paragraph 1. lasts until the investigation ends with a decision that the judge concerned will not be prosecuted, six months have passed without an indictment being issued against him or the criminal case ends with a final verdict acquitting him, or otherwise until two weeks have passed since then that the final verdict has passed on his conviction.</p> <p>The judge retains full official salary during the temporary release.</p> <p>Article 51 Dismissal from the office of judge by court order.</p> <p>When a judge has been temporarily relieved from office for reasons other than those that can be found in the final sentence of paragraph 1. Article 50 the minister on behalf of the state files a lawsuit against him in Reykjavík District Court with a demand that he be removed from office by a court. The handling of the case depends on the general rules for the handling of civil cases, except that it is subject to expedited proceedings and the court shall be composed of three district judges.</p> <p>Although the judgment takes place in the district in a case according to Paragraph 1 temporary relief continues while there is an opportunity to appeal within the general deadline, as well as after that while the case is being tried before the National Court or the Supreme Court if there is an appeal.</p> <p>A final judgment on the removal of a judge automatically results in his removal from office.</p> <p>If a judge is acquitted of a request for a deviation, he automatically resumes his office from the time the judgment on it is considered final.</p> <p><u>Law on the Supreme Court of Iceland (1973)</u></p> <p>Article 6 A Supreme Court judge must vacate his seat if:</p> <ol style="list-style-type: none"> 1. He is party to the case or the case is of financial or moral concern to him; 2. He is the spokesman of one of the parties, has conducted the case or instructed a party in it; 3. He is related to the party of a case by blood, marriage or adoption through the paternal line, by descent or once removed, is the spouse or former spouse, a descendant of a sibling of a party or vice versa or related by marriage in the same way, a fiancé or fiancée, a foster parent or foster child. Affinity by marriage is considered to continue even though the relationship itself is over; 4. He has given evidence in a case or been an assessor or valuer in a case; 5. He has been a judge on the district court, an arbitrator on the matter or has made his opinion on the case known in an official capacity; 6. He is related to a witness, as in paragraph 3, if a ruling has been called for concerning the duty or the right of a witness to testify or to confirm a statement. The same applies if a ruling is to be given on the duty or right of an assessor or valuer who is similarly related to make a report or solemnise it and on the duty of a similarly related person to produce evidence; 7. The case is of substantial financial or moral concern to a relative as in paragraph 3; 8. He is a blood relation or a relation by marriage through the paternal line to one of the lawyers involved, or is the descendant or spouse, the adoptive parent or child, or foster parent or child; 9. His attitude towards a party or the subject matter of a case is such as to imply a risk that he will not be able to regard the merits with impartiality.
<p style="text-align: center;">IRELAND</p>	<p><u>Constitution (1937, rev. 2019)</u></p> <p>ARTICLE 35</p> <p>1 The judges of the Supreme Court, the Court of Appeal, the High Court and all other Courts established in pursuance of Article 34 hereof shall be appointed by the President.</p> <p>2 All judges shall be independent in the exercise of their judicial functions and subject only to this Constitution and the law.</p> <p>3 No judge shall be eligible to be a member of either House of the Oireachtas or to hold any other office or position of emolument.</p> <p>4 1° A judge of the Supreme Court, the Court of Appeal, or the High Court shall not be removed from office except for stated misbehaviour or incapacity, and then only upon resolutions passed by Dáil Éireann and by Seanad Éireann calling for his removal.</p> <p>2° The Taoiseach shall duly notify the President of any such resolutions passed by Parliaments Dáil Éireann (Lower House) and by Seanad Éireann (Senate), and shall send him a copy of every such resolution certified by the Chairman of the House of the Oireachtas by which it shall have been passed.</p>	<p><u>Constitutional Jurisdiction</u></p> <p><i>The Supreme Court has the final say in the interpretation of the Constitution of Ireland. It ensures that the laws enacted by the Oireachtas, Ireland's Parliament, are upheld and interpreted in light of the Constitution and the jurisprudence that has developed since it came into force in 1937. In that way, it may be said to function as a constitutional court. This is a role of particular importance in Ireland as the Constitution expressly permits the courts to review any law, whether passed before or after the enactment of the Constitution, in order to determine whether it conforms with the Constitution. The Superior Courts (the High Court, Court of Appeal and Supreme Court) retain the power to declare invalid legislation that is determined to be inconsistent with the Constitution.</i></p>

	<p>3° Upon receipt of such notification and of copies of such resolutions, the President shall forthwith, by an order under his hand and Seal, remove from office the judge to whom they relate.</p>	
<p>ITALY</p>	<p><u>Constitution, 1947 (rev. 2020)</u></p> <p>Article 107 Judges may not be removed from office; they may not be dismissed or suspended from office or assigned to other courts or functions unless by a decision of the High Council of the Judiciary, taken either for the reasons and with the guarantees of defence established by the provisions concerning the organisation of Judiciary or with the consent of the judges themselves. The Minister of Justice has the power to originate disciplinary action. Judges are distinguished only by their different functions.</p> <p>Art. 135 The Constitutional Court shall be composed of fifteen judges, one third of whom shall be appointed by the President of the Republic, one third by Parliament in joint session and one third by the ordinary and administrative supreme Courts. The judges of the Constitutional Courts shall be chosen from among magistrates, including those in retirement, of the ordinary and administrative higher Courts, from full professors of law and lawyers with at least twenty years' practice. Judges of the Constitutional Court shall be appointed for nine years, beginning from the day of their swearing in, and they may not be re-appointed. At the end of their term, the constitutional judge shall cease from office and may no longer exercise the functions thereof. In accordance with the provisions set forth by law, the Court shall elect from among its members, a President, who shall remain in office for three years and may be re-elected, the expiry term for constitutional judges shall hold in any case. The office of the constitutional judge shall be incompatible with membership of Parliament, of a Regional Council, engaging in the legal profession, and with every appointment and office established by law. In impeachment procedures against the President of the Republic, apart from the permanent judges of the Court, there shall also be sixteen members, who shall be drawn by lot from a list of citizens elected by Parliament every nine years, from among those possessing the qualifications for election to the Senate, by the same procedures as those followed in appointing permanent judges.</p> <p>Article 137 A constitutional law shall establish the conditions, the manner, the terms for bringing a case concerning constitutional legitimacy, and shall protect the independence of the constitutional judges. Other provisions necessary for the constitution and the functioning of the Court shall be determined by law. The decisions of the Constitutional Court may not be appealed against.</p>	<p><u>General Rules of the Constitutional Court (1966)</u></p> <p>Article 14 On matters relating to the incompatibilities of the Justices, the Court shall decide exclusively.</p> <p>Article 15 If a request for authorization provided for in the last paragraph of Article 3 of Constitutional Law No. 1 of February 9, 1948, is received by the Court, the President shall appoint a committee of three Justices to make the report and set the Court's session for a day not later than the thirtieth day after the request is received. Notice of the request and summons shall be given to the Judge who may view the records filed with the Chair. The Judge may submit written briefs and has the right to be heard when requested. The deliberation of the Court shall be taken by secret ballot and shall be filed in the Registry.</p> <p>Article 16 In the event that a Judge is to be suspended or removed or disqualified pursuant to Article 3 of Constitutional Law No. 1 of February 9, 1948, and Articles 7 and 8 of Constitutional Law No. 1 of March 11, 1953, the President shall convene the Court after deliberation by the Bureau. The rules established in the previous article shall be observed.</p> <p><u>Constitutional Law No 1 of 11 March 1953</u> Norms supplementing the Constitution concerning the Constitutional Court</p> <p>Article 7 Judges of the Constitutional Court may be removed or suspended from office pursuant to Article 3 of Constitutional Law No. 1 of 9 February 1948 only by a decision of the Court taken by a two-thirds majority of the members attending the meeting.</p> <p><u>Constitutional Law No. 1 of 9 February 1948</u> Rules on judgments of constitutional legitimacy and on the guarantees independence of the Constitutional Court</p> <p>Article 3 Judges of the Constitutional Court may not be removed or suspended from office except by a decision of the Court, on grounds of physical or civil incapacity or serious misconduct in the performance of their duties. As long as they remain in office, judges of the Constitutional Court shall enjoy the immunity granted in the second paragraph of Article 68 of the Constitution to members of both Houses. The authorisation provided for therein shall be given by the Constitutional Court.</p>
<p>LATVIA</p>	<p><u>Constitution (1922, rev. 2019)</u></p> <p>85. In Latvia, there shall be a Constitutional Court, which, within its jurisdiction as provided for by law, shall review cases concerning the compliance of laws with the Constitution, as well as other matters regarding which jurisdiction is conferred upon it by law. The Constitutional Court shall have the right to declare laws or other enactments or parts thereof invalid. The Saeima shall confirm the appointment of judges to the Constitutional Court for the term provided for by law, by secret ballot with a majority of the votes of not less than fifty-one members of the Saeima.</p>	<p><u>Constitutional Court Law (1997)</u></p> <p>Section 36. Disciplinary Liability of a Constitutional Court Judge (1) A Constitutional Court judge may be subject to disciplinary liability regarding: 1) breach of the restrictions specified in Section 34 of this Law; 2) failure to fulfil official duties; 3) reprehensible conduct; (2) A disciplinary case may be initiated by the President of the Constitutional Court, his or her deputy, or not less than three Constitutional Court judges. (3) A disciplinary case shall be prepared for examination by a judge assigned by the President of the Constitutional Court or his or her deputy. (4) A disciplinary case shall be examined by the Constitutional Court with the participation of all the members of the Constitutional Court who are not prevented from participating in a court hearing due to the state of health or other objective circumstances. A judge with respect to whom a disciplinary case has been initiated shall not be in the composition of the court. Composition of the court in such a case shall include not less than four judges. A hearing shall be chaired by the President of the Constitutional Court or his or her deputy.</p>

- (5) A decision in a disciplinary case shall be taken by the Constitutional Court with a majority vote, except for the case provided for in Section 10, Paragraph three. In the event of a tied vote, a disciplinary case shall be terminated.
- (6) When examining a disciplinary case, the Constitutional Court may do the following: 1) impose a disciplinary punishment; 2) dismiss the disciplinary case.
- (7) Disciplinary punishments, which the Constitutional Court may impose on a judge, shall be as follows: 1) a reproof; 2) a reprimand; 3) reduction of the monthly wage for a period of up to one year, withholding up to 20 % of the monthly wage; 4) dismissal from office according to Section 10, Paragraph three of this Law.
- (8) Imposition of a disciplinary punishment shall not preclude a Constitutional Court judge from criminal and material liability.

Rules of Procedure of the Constitutional Court (2016)

Chapter XV

Initiation and Examination of Disciplinary Cases

161. A disciplinary case may be initiated in the cases envisaged by Section 36 of the Law.

162. Before initiating a disciplinary case the preliminary verification of the received materials shall be conducted and the Justice concerned shall be asked to provide an explanation in writing.

163. A disciplinary case shall be initiated by a reasoned decision, which shall include the following: 1) the place and time of taking the decision; 2) the official, who has taken the decision; 3) the circumstances of a disciplinary or administrative violation established in the preliminary verification; 4) the Justice, with regard to whom the disciplinary case has been initiated; 5) the legal provision, which has been the basis for initiating the disciplinary case; 6) the ruling on the initiation of the disciplinary case; 7) the time and place of the court sitting at which the issue regarding suspension of the Justice's mandate until the disciplinary case shall be examined, if the disciplinary case has been initiated in connection with action incompatible with the status of a Justice committed by the Justice; 8) the name of the Justice, who has been appointed to prepare the disciplinary case for examination; 9) the time and place of the court sitting, at which the disciplinary case will be examined; 10) the person, who shall take minutes of the court sitting; 11) that the decision is not subject to appeal.

164. All the materials connected with the disciplinary case shall be appended to the decision and forwarded to the Secretariat, which shall: 1) make an entry into the Register of Disciplinary Cases; 2) issue a transcript or copy of the decision to the Justice, with regard to whom the disciplinary case has been initiated; 3) inform other Justices about the decision; 4) shall create the disciplinary case file and forward it to the Justice, who has been appointed to prepare this disciplinary case for examination.

165. The Justice, who is preparing the disciplinary case for examination, shall, if necessary, request additional documents and materials and shall decide, which persons should be summoned to the court sitting.

166. The initiator of the disciplinary case (Section 36(2) of the Law) may withdraw his or her decision by a reasoned decision, before the hearing of the disciplinary case has started. In such a case the decision shall be appended to the disciplinary case and the disciplinary case shall be considered terminated, unless the Justice, with regard to whom the disciplinary case was initiated, submits a written request to examine it a court sitting within three days after receiving the transcript or copy of the decision mentioned above.

167. Disciplinary case shall be examined by a disciplinary Panel of Justices within a month after its initiation. The court sitting for examining issues connected with the disciplinary case shall be closed.

168. The Justice, with regard to who the disciplinary case has been initiated, shall have the right to familiarize himself or herself with the case materials, provide explanations and submit requests.

169. The Justice, who is made disciplinary liable, must participate in the court sitting. If the Justice is absent without justification, the Constitutional Court may take the decision to examine the disciplinary case in his or her absence.

170. A disciplinary sanction may be imposed upon a Justice no later than within three months as of the day when the disciplinary or administrative violation was detected, but no later than within two years as of the date when the disciplinary or administrative violation was committed.

171. In adopting a decision in a disciplinary case, the nature of the disciplinary or administrative violation, its consequences, and the Justice's degree of guilt in the particular offence, as well as information that characterises his or her personality and previous activities in the office of a Justice shall be taken into consideration. The Constitutional Court may impose upon the Justice only one disciplinary sanction for each violation.

172. The decision in the disciplinary case shall be adopted the disciplinary Panel with the majority vote by its members. The decision shall be signed by the Chairperson of the court sitting and members of the Panel.

173. The Justice, to whom the decision by the disciplinary Panel applies, may appeal against in within seven days to the President. To assess the legality of the decision by the disciplinary Panel, the President shall convene a sitting of the Constitutional Court in full membership.

174. The decision by the disciplinary Panel shall come into force and shall be enforced after the expiry of the term for appeal and if the appeal has not been submitted. If the Constitutional Court leaves the decision by the disciplinary Panel unchanged and rejects the appeal, the decision by the disciplinary Panel shall come into force at the moment the decision by the Constitutional Court is pronounced and shall not be subject to appeal.

175. The following shall be indicated in the decision adopted in the disciplinary case: 1) the place and time of adopting the decision; 2) the composition of the Court; 3) the Justice, with regard to whom the disciplinary case has been initiated; 4) the circumstances of the disciplinary or administrative violation; 5) the grounds for making disciplinary liable; 6) the Justice's explanations; 7) information, which characterises the Justice's personality and previous activities in the office of a Justice; 8) substantiation of the decision; 9) the ruling; 10) whether and how the decision may be appealed against.

176. The following shall be indicated in the Register of Disciplinary Cases: 1) the number of the disciplinary case; 2) the date when the disciplinary case was initiated; 3) the initiator of the disciplinary case; 4) the Justice, with regard to whom the disciplinary case has been

		<p>initiated; 5) the grounds for initiating the case; 6) information on suspension of the Justices' mandate in accordance with Section 9(2) of the Law; 7) the Justice, who prepares the disciplinary case for examination; 8) the date, when the disciplinary case was examined at a court sitting; 9) the decision in the disciplinary case or that the decision on initiating the disciplinary case has been withdrawn; 10) information on striking the disciplinary sanction off the record.</p> <p>177. The Constitutional Court may, upon reasoned proposal by three Justices, may strike the disciplinary sanction off the record pre-term, but no sooner than six months after the disciplinary punishment has been imposed. The President shall issue an order on examining the proposal at a closed court sitting.</p> <p>178. A disciplinary sanction shall be considered as having been struck off the record, if within a year following its imposition a new disciplinary sanction has not been imposed upon the Justice. If the disciplinary sanction has been struck off the register, the transcript of copy of the decision adopted in the disciplinary case shall be removed from the Justice's personal file.</p>
<p style="text-align: center;">LIECHTENSTEIN</p>	<p><u>Constitution (1921, rev. 2024)</u></p> <p>D. The State Court Article 104 1) A State Court shall be established by a special law as a court of public law to protect rights accorded by the Constitution, to decide in conflicts of jurisdiction between the law courts and the administrative authorities and to act as a disciplinary court for members of the Government. 2) The said court shall also have jurisdiction to determine whether laws and treaties are in conformity with the Constitution and whether Government regulations are in conformity with the laws; in such cases it may declare their annulment. Finally, it shall also act as an electoral tribunal.</p> <p>Article 105 The State Court shall consist of five judges and substitutes appointed by the Prince Regnant (Article 96). The President of the State Court and the majority of the judges must possess Liechtenstein citizenship. Furthermore, the provisions of Article 102 apply mutatis mutandis.</p> <p><i>In November 2024, the Parliament of Liechtenstein endorsed a new law on reforming the judiciary, including the amendments to the Constitution. The Amended Article 105 of the Constitution, which will enter into force on 1 January 2026, reads as follows:</i></p> <p><i>Article 105</i> 1) The Constitutional Court shall consist of five judges and five alternate judges, who shall be appointed by the Reigning Prince (Art. 96). The President of the Constitutional Court and the majority of the judges must possess Liechtenstein citizenship. 2) The term of office of the full-time judges of the State Court shall be 15 years; however, it shall end in any case in the calendar year in which the full-time judge reaches the age of 70. Re-election shall not be permitted, unless the term of office of both full-time judges ends within a period of two years; in this case, one of the judges concerned may be re-elected for a maximum of two years. 3) The term of office of the part-time judges and substitute judges of the State Court shall be five years. The terms of office shall be structured in such a way that a different judge or substitute judge retires each year. If a judge or substitute judge retires from office prematurely, the successor shall be appointed for the remaining term of office of the retiring judge. Re-election shall be permissible. 4) If a judge is prevented from attending, he shall be represented by an alternate judge. The rules of procedure of the State Court shall contain provisions on representation by alternate judges. 5) The organisation of the State Court shall be determined by a law.</p>	<p><u>Constitutional Court Act (2003)</u></p> <p>Article 12 - Suspension and dismissal from office 1) Subject to his right to resign, a Judge of the Constitutional Court may only be suspended or dismissed by the Constitutional Court itself. 2) If a Judge loses his legal capacity or if he becomes incapable of performing his official duties due to physical or mental disability, either for an extended period or permanently, he shall be suspended or dismissed from office. 3) A Judge of the Constitutional Court shall be suspended from office for the duration of criminal or disciplinary proceedings against him. 4) A Judge shall be dismissed from office by means of a disciplinary judgment if he receives a sentence in a criminal matter that bars him from election to Parliament or if, through his actions either in or out of office, he has shown himself unworthy of the respect and trust his office requires or has seriously violated his duty of professional secrecy.</p> <p>H. Adjudication of disciplinary matters Article 35 - Disciplinary charge The Constitutional Court shall decide on disciplinary charges against its own Judges as well as against judges of the Administrative Court. In cases covered by article 12 paragraph 4, disciplinary charges may be brought either by the relevant court, by the president or chairman of the relevant court, or by a judge himself.</p> <p>Article 36 - Proceedings 1) The disciplinary proceedings shall be initiated by the President or by a Judge mandated by the President, by means of a ruling of the Constitutional Court, after questioning of the person being charged. 2) The disciplinary proceedings shall not be public. Otherwise, the provisions on the impeachment of Ministers shall apply mutatis mutandis. 3) The disciplinary proceedings shall be terminated if the person concerned has left office upon conclusion of his term of office or through resignation.</p> <p>Article 37 - Decision 1) If the Constitutional Court finds the person concerned guilty of a disciplinary offense, the person shall be removed from office. 2) The Constitutional Court shall transmit a copy of the disciplinary judgment to Parliament and to the Government.</p>
<p style="text-align: center;">LITHUANIA</p>	<p><u>Constitution (1992, rev. 2022)</u></p> <p>Article 74 The President of the Republic, the President and justices of the Constitutional Court, the President and justices of the Supreme Court, the President and judges of the Court of Appeal as well as the Members of the Seimas who have grossly violated the Constitution or breached their oath, or if it transpires that a crime has been committed, may by a 3/5 [three-fifths] majority vote of all the Members of the Seimas be removed from office or their mandate of a Member of the Seimas may be revoked. This shall be performed according to the procedure for impeachment</p>	<p><u>Law on the Constitutional Court (1993)</u></p> <p>Article 10. The Suspension of the Powers of the Justice of the Constitutional Court The powers of a justice of the Constitutional Court may be suspended on the decision of the Constitutional Court upon: 1) consent granted according to the procedure established by this Law to hold the justice of the Constitutional Court criminally liable; 2) a resolution of the Seimas to initiate impeachment proceedings in the Seimas against the justice of the Constitutional Court after the conclusion of the special investigation commission; 3) the recognition by an effective court decision that the justice is missing. Upon the suspension of his powers, the justice shall lose the rights established by Articles 9 and 15 of this Law. When the grounds for the suspension of the powers of a justice of the Constitutional Court cease to exist, the Constitutional Court shall, within three days, adopt a decision concerning the restoration of the justice's powers. If the decision is not adopted within the stated period, the</p>

	<p>proceedings which shall be established by the Statute of the Seimas.</p> <p>Article 108 The powers of a justice of the Constitutional Court shall cease: upon the expiration of the term of powers; upon his death; upon his resignation; when he is incapable to hold office due to the state of his health; when the Seimas removes him from office in accordance with the procedure for impeachment proceedings.</p>	<p>powers of the justice of the Constitutional Court shall be considered restored from the day that the justice actually resumes his duties upon notifying the President of the Constitutional Court thereof by application.</p> <p>Article 11. The Termination of the Powers of the Justice of the Constitutional Court The powers of a justice of the Constitutional Court shall cease: 1) upon the expiration of the term of powers; 2) upon his death; 3) upon his resignation; 4) when he is incapable of holding office due to the state of his health, i.e. if in the course of one year the justice is ill for more than 4 months, or if he falls ill with a fatal or another lingering disease which precludes him from discharging the duties of a justice; 5) when the Seimas removes him from office in accordance with the procedure for impeachment proceedings. In the case prescribed by Item 3 of this Article, the decision concerning the termination of the powers of Constitutional Court justices shall be adopted by the Seimas upon the submission by the Speaker of the Seimas. In the case prescribed by Item 4 of this Article, the Seimas shall decide the issue concerning the termination of the powers of the justice only when there is a corresponding decision of the Constitutional Court and a conclusion of the medical commission formed by the Minister of Health.</p> <p>Article 12. The Pecuniary Sanctions Disciplinary actions may not be brought against any justice of the Constitutional Court. For failure to carry out the duties established in this Law or for non-attendance of the Court's sittings without good reason, a pecuniary penalty entailing the reduction of the justice's previous month salary by as much as 50 percent may be imposed on the justice upon a decision of the Constitutional Court.</p>
LUXEMBOURG	<p>Constitution (1868, rev. 2009)</p> <p>Article 91 The justices of the peace, judges of the tribunals of the districts and the councillors of the Superior Court are irremovable. - Any of them may only be deprived of his post or suspended by a judgment. The transfer of one of these judges can only take place by a new appointment and with his consent. However, in the event of infirmity or misconduct, he may be suspended, dismissed or transferred, following the conditions determined by the law.</p> <p>Article 95ter The Constitutional court is composed of the President of the Superior Court of Justice, the President of the Administrative Court, two councillors of the Court of Cassation and of five magistrates appointed by the Grand Duke, on the joint advice of the Superior Court of Justice and of the Administrative Court. The provisions of Articles 91, 92 and 93 are applicable to them. The Constitutional Court consists of one Chamber which sits with five magistrates.</p>	<p>Loi du 27 juillet 1997 portant organisation de la Cour Constitutionnelle</p> <p>Section 4. - De la discipline Article 21. (1) Les membres (1) de la Cour ne peuvent, directement ou indirectement, avoir des entretiens particuliers avec les parties ou leurs avocats sur les contestations qui leur sont soumises. (2) Aucun membre de la Cour Constitutionnelle ne peut s'absenter si le service doit souffrir de son absence. (3) Ceux qui ont manqué à la dignité de leurs fonctions ou aux devoirs de leur état peuvent faire l'objet d'une peine disciplinaire. (4) Toute affaire disciplinaire est initiée, instruite et poursuivie par le président de la Cour Constitutionnelle. En vertu de la loi du 6 décembre 2019 portant modification de la loi du 27 juillet 1997 portant organisation de la Cour Constitutionnelle, aux articles 17, 18 et 21, les termes « effectifs et suppléants » sont supprimés entre les termes « La réception des membres » et les termes « de la Cour Constitutionnelle ». Les articles précités de la loi du 27 juillet 1997 portant organisation de la Cour Constitutionnelle ne contiennent pas les termes précités. En cours de rectification.</p> <p>Article 22. Les peines disciplinaires sont: 1. l'avertissement; 2. la réprimande; 3. la suspension des fonctions pour une durée qui ne peut dépasser six mois; 4. la révocation.</p> <p>Article 23. Les peines disciplinaires sont infligées par la Cour Constitutionnelle siégeant en assemblée générale et statuant en chambre du conseil. Le président de la Cour, ou le membre de la Cour qui a instruit l'affaire disciplinaire en cas d'empêchement du président, ne participe pas aux délibérations et décisions en la matière.</p> <p>Article 24. Aucune peine ne peut être infligée sans que le membre mis en cause ait été entendu ou dûment appelé. S'il ne comparaît pas en la chambre du conseil, il peut se pourvoir, en cas de condamnation, par voie d'opposition, dans les cinq jours de la notification par la voie du greffe.</p> <p>Article 25. La Cour Constitutionnelle peut prononcer la suspension provisoire de tout membre poursuivi judiciairement ou administrativement pendant tout le cours de la procédure jusqu'à la décision définitive.</p> <p>Article 26. L'action disciplinaire est indépendante de toutes poursuites judiciaires et peut être cumulée avec elles.</p>
MALTA	<p>Constitution (1964, rev. 2016)</p> <p>101B. Discipline of judges and magistrates. (1) There shall be a Committee for Judges and Magistrates (hereinafter referred to as "the Committee") which shall be a subcommittee of the Commission for the Administration of Justice and which shall consist of three members of the judiciary who are not members of the Commission for the Administration of Justice and who shall be elected from amongst judges and magistrates according to regulations issued by the Commission for the Administration of Justice so however that in disciplinary proceedings against a magistrate two of the three members shall be magistrates and in the case of disciplinary proceedings against a judge two of the three members shall be judges. (2) The Chairman of the Committee shall be elected by the members of the Committee from amongst themselves.</p>	

	<p>(3) Any member of the Committee may be challenged and shall abstain in the same circumstances as a judge of the Superior Courts may be challenged or may abstain. Where a member has been challenged or has abstained, the Commission for the Administration of Justice shall appoint a substitute member.</p> <p>(4) The Committee shall exercise discipline on judges and magistrates in the manner prescribed in this article.</p> <p>(5) Disciplinary proceedings against a judge or a magistrate shall be commenced upon a complaint in writing and containing definite charges made to the Committee by the Chief Justice or by the Minister responsible for justice, for breach of the provisions of the Code of Ethics for Members of the Judiciary or of a code or disciplinary rules for members of the judiciary promulgated according to the same procedure according to which the said Code of Ethics is promulgated which are from time to time applicable to the members of the judiciary. The complaint shall also include the grounds upon which each of such charges is based.</p> <p>(6) The Committee shall, upon receipt of a complaint under sub-article (5), notify the said complaint to the judge or magistrate against whom it is made granting him or her a reasonable time to reply.</p> <p>(7) If, following prima facie consideration of the complaint and of the reply, the Committee considers that there are not sufficient grounds to commence disciplinary proceedings, the Committee shall refrain from further consideration of the case.</p> <p>(8) If, following the consideration of the complaint and of the reply as referred to in sub-article (7), the Committee considers that there are sufficient grounds to continue the disciplinary proceedings the Committee shall appoint a date for the hearing.</p> <p>(9) Proceedings before the Committee shall be held in camera unless the judge or magistrate against whom the proceedings are taken requests otherwise. The complainant or his representative and the judge or magistrate against whom the proceedings are taken shall have a right to be present during the whole of the proceedings, to produce witnesses in support or in defence of the charges set in the complaint, and to be assisted by an advocate or a legal procurator. The Commission for the Administration of Justice may also appoint an advocate to act as a special independent prosecutor in the disciplinary proceedings.</p> <p>(10) If the Committee finds that the judge or magistrate has breached the Code of Ethics for Members of the Judiciary it shall:</p> <p>(a) if it considers that the breach is of a minor nature, either issue a warning or impose a pecuniary penalty recoverable as a civil debt payable to the Secretary of the Commission for the Administration of Justice, not exceeding ten per centum of the annual salary of the judge or magistrate as at the time established according to law;</p> <p>(b) if it considers that the breach is of a serious nature it may suspend the judge or magistrate from the exercise of his duties for a period of not more than six months on half of his salary and allowances as recoverable at the time;</p> <p>(c) if it considers that the breach is of such a serious nature as to merit the removal of the judge or magistrate from office, or is based on the grounds of incapacity to perform the functions of his office (both whether for bodily or mental illness or for any other reason), it shall report its findings to the Commission for the Administration of Justice which shall consider whether the evidence proves the case prima facie and, if it considers that there is such degree of proof, the Commission shall suspend the judge or magistrate concerned and shall proceed with the hearing of the case. During the period during which a judge or magistrate is suspended in accordance with the provisions of this paragraph, which shall not exceed six (6) months, the judge or magistrate shall be entitled to half the salary and allowances relative to the office and after the expiry of such a period of six (6) months he shall resume receiving his salary and all allowances for his post irrespective of whether or not the case referred has been concluded. In the event that the Commission for the Administration of Justice considers that the breach under investigation merits the removal of the judge or magistrate from office, it shall proceed to advise the President to remove the judge or magistrate from office for proven misconduct or proven incapacity to perform the functions of his office: Provided that in the event that the proceedings before the Commission for the Administration of Justice do not result in the removal of the member of the judiciary, then the member of the judiciary shall be paid the salary and allowances which have been held throughout the period of suspension.</p> <p>(11) The Committee may also upon the request of the Chief Justice order that a judge or a magistrate be suspended from the performance of his duties on serious medical grounds for a definite period during which the said judge or magistrate shall continue to receive his full salary and allowances. The procedure laid down in this article in respect of disciplinary proceedings shall apply mutatis mutandis in the case of any proceedings taken under this sub-article.</p> <p>(12)</p> <p>(a) There shall be a right of appeal to the Commission for the Administration of Justice from decisions of the Committee by the judge or magistrate against whom the Committee makes a finding.</p> <p>(b) The appeal shall be filed with the Secretary of the Commission for the Administration of Justice by not later than twenty days from when the Committee delivers its decision.</p> <p>(c) The filing of an appeal as aforesaid shall suspend the execution of the decision of the Committee.</p> <p>(d) The Commission for the Administration of Justice may from time to time establish rules of procedure for such appeals.</p> <p>(e) The President of Malta shall not form part of the Commission for the Administration of Justice when the said Commission is hearing an appeal from a decision of the Committee.</p> <p>(13) Proceedings before the Committee shall be concluded within a period of one year and appeal proceedings before the Commission for the Administration of Justice shall be concluded within a further period of six months.</p> <p>(14) In the exercise of their function under this article the Commission for the Administration of Justice and the Committee for Judges and Magistrates shall have all the powers as are assigned to the First Hall of the Civil Court by the Code of Organization and Civil Procedure or by any law from time to time regulating the powers of Courts of civil jurisdiction.</p> <p>(15) In the exercise of their functions the members of the Committee shall act on their own individual judgment and shall not be subject to the direction or control of any other person or authority.</p> <p>(16) The provisions of this article shall be without prejudice to the application of sub-articles (2) and (3) of article 97 of this Constitution wherever they may apply.</p> <p>101C. Appeal from the decisions of the Commission for the Administration of Justice.</p> <p>(1) There shall be a right of appeal to the Constitutional Court from a decision of the Commission for the Administration of Justice's finding for the removal of a judge or magistrate and from the decision of the Commission for the Administration of Justice delivered in accordance with article 101B(12).</p> <p>(2) The appeal shall be filed within eight working days from the date when the decision of the Commission for the Administration of Justice is communicated to the judge or magistrate.</p> <p>(3) The filing of an appeal in terms of sub-article (1) shall suspend the execution of the decision of the Commission for the Administration of Justice.</p>	
<p>REPUBLIC OF MOLDOVA</p>	<p>Constitution, 1994</p> <p>Article 134 Statute</p> <p>(1) The Constitutional court is the sole authority of constitutional jurisdiction in the Republic of Moldova.</p> <p>(2) The Constitutional Court is independent of any other public authority and shall abide only by the Constitution.</p> <p>(3) The Constitutional Court guarantees the supremacy of the Constitution, ascertains the enforcement of the principle of separation of the State powers into the legislative, executive and judiciary, and it guarantees the responsibility of the State towards the citizen and of the citizen towards the State.</p>	<p>Constitutional Jurisdiction Code (1995)</p> <p>Article 5. Functional competence of the Constitutional Court The following functional issues shall fall under the competence of the Constitutional Court: ... e. the disciplinary liability of the Constitutional Court judges.</p> <p>Chapter XIV - DISCIPLINARY RESPONSIBILITY OF THE JUDGES Article 83. Disciplinary responsibility of the judges</p> <p>The judges of the Constitutional Court shall be held responsible for the guilty infringement of the provisions under the Law on the Constitutional Court and the present Code.</p> <p>Article 84. Disciplinary pursuit and disciplinarily sanction</p>

	<p>Article 137 - Independence For the tenure of their mandate the judges of the Constitutional Court are irremovable, independent, and abide only by the Constitution.</p>	<p>1. A disciplinary pursuit against the judge of the Constitutional Court can be brought only on the basis of a written complaint, signed by the competent authority to appoint judges of the Court. 2. On receiving this complaint, the President of the Constitutional Court shall appoint a commission for disciplinary investigation, consisting of two judges in order to examine the appeal. If the complaint refers to the President of the Constitutional Court, the Court shall appoint the commission for the disciplinary investigation and the judge who performs the functions of the President of the Constitutional Court in his/her absence shall convoke it. One of those two judges shall be designated as Chairman of the commission for disciplinary investigation. 3. In case when the commission for disciplinary investigation ascertains that the complaint is groundless, the process shall be ceased by a decision of the President of the Constitutional Court or the Court itself. 4. In case the commission for disciplinary investigation considers that the complaint is well - grounded, it shall draw up a report, which shall be delivered to the Constitutional Court for examination. 5. The hearing before the Constitutional Court shall be binding upon the guilty summoned judge. 6. Depending on the gravity of the breach of duty, the Plenum of the Constitutional Court shall apply to the judges the following disciplinary sanctions: a. warning; b. reprimand; c. cessation of the mandate of the Constitutional Court judge. 1. The sanctions shall be enforced by a decision, endorsed by the majority votes of judges of the Constitutional Court. The decision shall be irrevocable and cannot be appealed.</p>
<p style="text-align: center;">MONACO</p>	<p><u>Constitution (1962, rev. 2002)</u></p> <p>Art. 88. Judicial power vests in the Prince, who, by the present Constitution, delegates its full exercise to the courts and tribunals. Tribunals render justice in the name of the Prince. The independence of judges is guaranteed. The organisation, jurisdiction and operations of the tribunals, as well as judges' status, are laid down by law.</p> <p>Art. 89. The Supreme Court is composed of five full members and two substitute members. The Supreme Courts members are appointed by the Prince, as follows: - One full member and one substitute member are introduced by the National Council from outside its members - One full member and one substitute member are introduced by the State Council from outside its members - One full member is introduced by the Crown Council from outside its members - One full member is introduced by the Court of Appeal from outside its members - One full member is introduced by the Civil Court of First Instance from outside its members. These introductions are done by each of the bodies here above mentioned at the rate of two per seat. If the Prince does not agree with these introductions, He is free to require new ones. The President of the Supreme Court is appointed by the Prince.</p> <p>Art. 90. In constitutional matters, the Supreme Court rules in sovereign fashion over: 1) Compliance of the National Councils rules of procedure with constitutional and, if need be, legislative provisions under the conditions prescribed by article 61 2) Appeals on petitions for annulment, petitions to review validity and actions for damages arising from violations of these rights and freedoms prescribed in chapter III of the Constitution, and which are not referred to in subsection B of the present article B - In administrative matters, the Supreme Court rules in sovereign fashion over: (a) Proceedings for annulment of ultra vires decisions taken by various administrative authorities or Sovereign Ordinances to enforce laws, and the award of related damages (b) Appeals by way of quashing decisions of last resort taken by administrative jurisdictions (c) Appeals for interpretation and petitions to review the validity of decisions of various administrative authorities or Sovereign Ordinances to enforce laws C - The Supreme Court rules over conflicts of jurisdiction.</p> <p>Article 92. A sovereign order regulates the organisation and operations of the</p>	<p><u>Sovereign Order n° 2.984 of 16 April 1963 on the organisation and functioning of the Supreme Court</u></p> <p>Article 2 The members of the Supreme Court must be at least forty years old. They are chosen from among particularly competent jurists. They are irremovable. Their mandate can only be interrupted in the following cases: - resignation for personal reasons accepted; - impediment noted; - revocation for serious harm to public order or state security, or due to a clear breach of the duties arising from the oath provided for in Article 4. The revocation is pronounced by sovereign order after the person concerned has been given access to his file and, assisted by counsel of his choice if he so wishes, to be heard contradictorily in his explanations by a commission composed as follows: - the President of the National Council; - the President of the Council of State; - the President of the Crown Council; - the First President of the Court of Appeal; - the President of the Court of First Instance. The resignation is accepted by sovereign order and takes effect on the date set by the order.</p> <p>Article 4 ...</p> <p>The members of the Supreme Court have a general obligation to refrain from anything that could compromise the independence and dignity of their functions. The ethical obligations implied by the exercise of their functions are specified in a Code of Ethics drawn up by the members of the Supreme Court and approved by Order of the Director of Judicial Services.</p>

	<p>Supreme Court, especially relevant to the required qualifications of its members, incompatibilities regarding them as well as their status, the turnover of the administrative section's members, the procedure to follow before the Court, effects of petitions and awards, procedure and effects of conflicts of jurisdiction, as well as necessary transitional measures.</p>	
<p style="text-align: center;">MONTENEGRO</p>	<p><u>Constitution (2007, rev. 2013)</u></p> <p>Article 82. Responsibility The Parliament shall: Elect and release from duty the judges of the Constitutional Court, Supreme State Prosecutor and four members of the Judicial Council out of reputable lawyers;</p> <p>Article 91. Decision-making The Parliament shall elect and release from duty the judges of the Constitutional Court, the Supreme State Prosecutor and four members of the Judicial Council from among reputable lawyers by two-third majority vote in the first voting and by three-fifth majority in the second voting of all the Members of the Parliament no sooner than a month.</p> <p>Article 153. Composition and election The judges of the Constitutional Court shall be elected and released from duty by the Parliament, as follows: two judges at proposal of the President of Montenegro and five judges at proposal of the competent working body of the Parliament upon the announced public invitation carried out by the proposing parties.</p> <p>Article 154. Cessation of duty The duty of the President and the judge of the Constitutional Court shall cease prior to the expiry of the period for which he/she was elected, at his/her own request, when he/she fulfills the requirements for age pension or if he/she was sentenced to an unconditional imprisonment sentence. The President and the judge of the Constitutional Court shall be released from duty if he/she has been found guilty of an offense that makes him/her unworthy of the duty, if he/she permanently loses the ability to perform the duty or if he/she expresses publicly his/her political convictions. The Constitutional Court shall establish the emergence of reasons for cessation of duty or release from duty, in its session and shall inform the Parliament of that case. The Constitutional Court may decide that the President or the judge of the Constitutional Court that penal action has been initiated against shall not perform the duty for the period of duration of that action.</p>	<p><u>Law on the Constitutional Court (2015)</u></p> <p>Article 18 The Constitutional Court shall, at the initiative of the President of the Constitutional Court or the reasoned initiative of three judges, submit to the Parliament a reasoned proposal that the Constitutional Court judge be dismissed if convicted of an offence that makes him unworthy of performing his function, in case he should permanently lose the ability to perform his functions or if he should publicly express their political beliefs. Criminal offences that deem the Constitutional Court judge unworthy of performing his function are those criminal offences which are prosecuted ex officio and for which a punishment of imprisonment of more than six months is prescribed.</p> <p>Permanent loss of ability to perform the function of a judge of the Constitutional Court shall be determined on the basis of expert findings and opinions of health care institutions, that can be asked for by the judge himself or the president of the Constitutional Court, and in case of President of the Constitutional Court, they shall be asked for by the Deputy President.</p> <p>Article 19 The competent court shall, without delay, inform the President of the Constitutional Court about the decision on initiating criminal proceedings against the judge of the Constitutional Court or in the case of the President of the Constitutional Court, it shall notify the Deputy President. President of the Constitutional Court or the Deputy President shall immediately convene a meeting of the Constitutional Court after receiving the notification referred to in paragraph 1 of this article. The decision that a judge of the Constitutional Court does not perform the duty, in the case referred to in paragraph 1 of this article, during the criminal proceedings against him shall be adopted at a session of the Constitutional Court, by a majority vote of all judges, and in its decision making the judge on whose performance of duties is being decided shall not be involved. The decision referred to in paragraph 3 of this article shall be reasoned and submitted to the Parliament.</p> <p>Article 20 President of the Constitutional Court shall cease to perform the function of the President before the expiry of his term in case of his termination of office as a judge of the Constitutional Court.</p> <p>Article 21 President of the Constitutional Court submits to the Constitutional Court a request for termination of office of the President, before the expiry of his term. If the Constitutional Court does not make a decision within 30 days from the date of request submission referred to in paragraph 1 of this article, the President of the Constitutional Court shall cease to perform the function of the President with the expiration of that deadline.</p>
<p style="text-align: center;">THE NETHERLANDS</p>	<p><u>Constitution (1815, rev. 2018)</u></p> <p>Article 73 1. The Council of State or a division of the Council shall be consulted on Bills and draft orders in council as well as proposals for the approval of treaties by the States General. Such consultation may be dispensed with in cases to be laid down by Act of Parliament. 2. The Council or a division of the Council shall be responsible for investigating administrative disputes where the decision has to be given by Royal Decree, and for advising on the ruling to be given in the said dispute. 3. The Council or a division of the Council may be required by Act of Parliament to give decisions in administrative disputes.</p> <p>Article 74 1. The King shall be President of the Council of State. The heir presumptive shall be legally entitled to have a seat on the Council on attaining the age of eighteen. Other members of the Royal House may be</p>	<p><i>The Dutch legal system does not involve concentrated review by a specialized constitutional court. Judicial review of primary legislation is prohibited pursuant to Article 120 of the Constitution. However, Dutch courts usually subject executive action and occasionally Acts of Parliament to rigorous fundamental rights review. This kind of review is carried out by any court in the country on the basis of Article 94 of the Constitution ("Statutory regulations in force within the Kingdom shall not be applicable if such application is in conflict with provisions of treaties or of resolutions by international institutions that are binding on all persons"). Statutes can therefore be reviewed by the judiciary for their consistency with written provisions of international law</i></p> <p><u>Council of State Act (1962)</u></p> <p>Part 1. Composition and tasks Section 1 The Council of State consists, besides the King as President, of a Vice-President and not more than ten members. The heir to the Throne is entitled by law to a seat on the Council upon attaining the age of eighteen. Other members of the Royal House may be granted a seat on the Council by Royal Decree once they have attained the age of majority. The members of the Royal House who have a seat on the Council may take part in the deliberations, but must abstain from voting.</p> <p>Section 3</p>

<p>granted a seat on the Council by or in accordance with an Act of Parliament.</p> <p>2. The members of the Council shall be appointed for life by Royal Decree.</p> <p>3. They shall cease to be members of the Council on resignation or on attaining an age to be determined by Act of Parliament.</p> <p>4. They may be suspended or dismissed from membership by the Council in instances specified by Act of Parliament.</p> <p>5. Their legal status shall in other respects be regulated by Act of Parliament.</p> <p>Article 75</p> <p>1. The organization, composition and powers of the Council of State shall be regulated by Act of Parliament.</p> <p>2. Additional duties may be assigned to the Council or a division of the Council by Act of Parliament.</p> <p>Article 120</p> <p>The constitutionality of Acts of Parliament and treaties shall not be reviewed by the courts.</p>	<p>The tenure of the Vice-President and the members is terminated by Royal Decree: at their own request, and with effect from the first day of the month following that in which they attain the age of 70.</p> <p>The Vice-President and the members may also be dismissed, suspended or, in the event of incapacity on account of sickness, assigned to other duties by the Council in a reasoned decision, and the members may be issued with a reprimand by the Vice-President, in a reasoned decision, in accordance with chapter 6A of the Judicial Officers (Legal Status) Act.</p> <p><u>Judicial Officers (Legal Status) Act, 2020</u></p> <p>Chapter 6A. Disciplinary measures, suspension and discharge</p> <p>§ 6A.1. General</p> <p>Section 46b</p> <p>This chapter only applies to judicial officers who have been appointed for life.</p> <p>§ 6A.2. Disciplinary measures</p> <p>Section 46c</p> <p>A disciplinary measure may be imposed on a judicial officer if he: a. disregards the dignity of the office, his official duties or his official obligations; b. violates the provisions that prohibit him from practising a profession, that designate a fixed and permanent place of residence, prohibit him from engaging in any interview or conversation with parties or their lawyers or representatives, or accepting any special information or written documents from them, or impose on him a duty of confidentiality or the obligation to inform the superior of positions which he performs outside his office; or c. his acts or omissions seriously harm the proper administration of justice or confidence therein.</p> <p>Section 46ca</p> <p>1. The disciplinary measures that may be imposed on a judicial officer are: a. written reprimand; b. withholding of salary amounting to no more than half a month's salary; c. suspension for three months at most; or d. discharge.</p> <p>2. Discharge as a disciplinary measure will not be imposed solely on the grounds of Section 46c(a).</p> <p>3. In its decision to suspend the judicial officer, the Supreme Court may determine that the remuneration will be withheld entirely or in part during the period of suspension.</p> <p>4. When imposing suspension as a disciplinary measure, the Supreme Court may decide that it will not be enforced if, for a period of time laid down in the decision, the judicial officer is not guilty of similar acts to those for which the disciplinary measure is imposed or does not commit any other acts or omissions as referred to in Section 46c, and he observes any special conditions imposed with the suspension.</p> <p>5. The superior is charged with supervising compliance with the conditions referred to in the fourth subsection. In respect of judicial officers entrusted with the administration of justice who are not president of a court, the president of the court where the person concerned is employed exercises this authority. In respect of judicial officers who are also president of a district court, the president of the court of appeal in the area of jurisdiction in which the district court is situated exercises this authority. In respect of judicial officers who are also president of a court of appeal, the president of the Supreme Court exercises this authority.</p> <p>Section 46d</p> <p>1. Unless it is imposed by the Supreme Court, a written reprimand is imposed as a disciplinary measure: a. concerning judicial officers who work for a district court and who are not also president of that court: by the judicial officer who is also the president of that district court; b. concerning judicial officers who work for a court of appeal and who are not also president of that court of appeal, as well as judicial officers who are also president of a district court in the region of a court of appeal: by the judicial officer who is also the president of that court of appeal; c. concerning the vice-presidents of, the justices at and the justices extraordinary at the Supreme Court, as well as judicial officers who are president of a court of appeal: by the president of the Supreme Court; d. concerning the deputy procurator general, the advocates general and the advocates general extraordinary at the Supreme Court: by the procurator general of the Supreme Court;</p> <p>2. The other disciplinary measures referred to in Section 46ca(1) are only imposed by the Supreme Court.</p> <p>3. During a procedure pursuant to Section 46a, no disciplinary measures are imposed against the judicial officer concerned, for the conduct to which that procedure relates, other than by the Supreme Court.</p> <p>Section 46e</p> <p>1. A written reprimand is only imposed as a disciplinary measure once the judicial officer who is also the president of the court of appeal or the district court, the president of the Supreme Court or the procurator general at the Supreme Court has given the judicial officer concerned the opportunity to express his views in writing or orally.</p> <p>2. A report is made of the oral presentation of the opinion; the report is signed by the judicial officer concerned and by the person in whose presence the opinion was expressed. If the judicial officer refuses to sign the report, this will be noted, mentioning the reasons for this, if possible. The judicial officer is given a copy of the report.</p> <p>3. The first and second subsections do not apply if the Supreme Court imposes a written reprimand as a disciplinary measure.</p> <p>§ 6A.3. Suspension as a measure for maintaining order</p> <p>Section 46f</p>
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<p>NORTH MACEDONIA</p>	<p>Constitution (1991, rev. 2011)</p> <p>Article 111 The office of judge of the Constitutional Court is incompatible with the performance of other public office, profession or membership in a political party. Judges of the Constitutional Court are granted immunity. The Constitutional Court decides on their immunity. Judges of the Constitutional Court cannot be called up for duties in the Armed Forces. The office of a judge of the Constitutional Court ceases when the incumbent resigns. A judge of the Constitutional Court shall be discharged from office if sentenced for a criminal offence to unconditional imprisonment of a minimum of six months, or if he/she permanently loses the capability of performing his/her office, as determined by the Constitutional Court.</p>	<p>Rules of Procedure of the Constitutional Court (2024)</p> <p>Article 67 The Constitutional Court decides in a meeting on the assessment of the permanent loss of capability of the judge of the Constitutional Court to perform his or her functions, as well as on lifting his or her immunity. The permanent loss of capability under paragraph 1 of this article is determined on the basis of acts, findings, expert and professional opinions of medical and other institutions and organs in accordance with a law. The Constitutional Court establishes a committee composed of three judges of the Constitutional Court, which investigates the circumstances, facts and evidence of importance for the decision of the Court in cases arising under paragraphs 1 and 2 of this article.</p>
<p>NORWAY</p>	<p>Constitution (1814, rev. 2016)</p> <p>Article 22 The Prime Minister and the other Members of the Council of State, together with the State Secretaries, may be dismissed by the King without any prior court judgment, after he has heard the opinion of the Council of State on the subject. The same applies to senior officials employed in the Council of State offices or in the diplomatic or consular service, the highest-ranking civil officials, commanders of regiments and other military formations, commandants of forts and commanders-in-chief warships.</p>	<p><i>Norway does not have a special Constitutional Court. The ordinary courts of law, with the Supreme Court pronouncing judgments in the final instance, have power to review the constitutionality of legislation adopted by the Norwegian parliament, and also the right to review administrative decisions. Thus ordinary courts under ordinary court proceedings deal with constitutional matters that may arise from the case in question.</i></p> <p>Like senior officials, judges appointed in line with Article 22 of the Constitution enjoy special job protection. They cannot be removed. This means that they cannot be dismissed or transferred against their will. They can only be dismissed after legal proceedings and a court judgement. Permanently appointed judges can be suspended, although such a decision must be made by the King in Council.</p> <p>Like other state employees, permanently appointed judges can be punished for offences they commit while off duty. However, the question of</p>

	<p>Whether pensions should be granted to senior officials thus dismissed shall be determined by the next Storting. In the interval they shall receive two thirds of their previous pay. Other senior officials may only be suspended by the King, and must then without delay be charged before the Courts, but they may not, except by court judgment, be dismissed nor, against their will, transferred. All senior officials may, without a prior court judgment, be discharged from office upon attaining the statutory age limit.</p> <p>Article 86 The Court of Impeachment pronounces judgment in the first and last instance in such proceedings as are brought by the Storting against Members of the Council of State or of the Supreme Court or of the Storting for criminal or other unlawful conduct in cases where they have breached their constitutional obligations. The specific rules concerning indictment by the Storting in accordance with this Article shall be determined by law. However, the limitation period for the institution of indictment proceedings before the Court of Impeachment may not be set at less than 15 years. The judges of the Court of Impeachment comprise six Members elected by the Storting and the five longest-serving, permanently appointed Members of the Supreme Court, including the President of the Supreme Court. The Storting elects the Members and their deputies for a period of six years. A Member of the Council of State or of the Storting may not be elected as a Member of the Court of Impeachment. In the Court of Impeachment the President of the Supreme Court shall preside. Any person sitting in the Court of Impeachment who has been elected by the Storting shall not lose his seat in the Court if the period for which he is elected expires before the Court of Impeachment has concluded the proceedings in the case. Nor shall a Justice of the Supreme Court who is a Member of the Court of Impeachment lose his seat in the Court, even if he resigns as a Member of the Supreme Court.</p>	<p>whether charges will be brought against a judge for offences committed while on duty must be decided by the King in Council. Permanently appointed judges cannot be subject to disciplinary action based on the rules of the Civil Service Act either. Justices of the Supreme Court enjoy even stronger protection and can only be removed from their position by a judgement of the Court of Impeachment (the court that decides in criminal cases against members of the Government, the Storting or the Supreme Court).</p>
<p>POLAND</p>	<p><u>Constitution (1997, rev. 2009)</u></p> <p>Article 195 1. Judges of the Constitutional Tribunal, in the exercise of their office, shall be independent and subject only to the Constitution. 2. Judges of the Constitutional Tribunal shall be provided with appropriate conditions for work and granted remuneration consistent with the dignity of the office and the scope of their duties. 3. Judges of the Constitutional Tribunal, during their term of office, shall not belong to a political party, a trade union or perform public activities incompatible with the principles of the independence of the courts and judges.</p> <p>Article 196 A judge of the Constitutional Tribunal shall not be held criminally responsible or deprived of liberty without prior consent granted by the Constitutional Tribunal. A judge shall be neither detained nor arrested, except for cases when he has been apprehended in the commission of an offence and in which his detention is necessary for securing the proper course of proceedings. The President of the Constitutional Tribunal shall be notified forthwith of any such detention and may order an immediate release of the person detained.</p>	<p><u>Act on the Status of the Judges of the Constitutional Tribunal, 2016</u></p> <p>Article 24 1. A judge of the Tribunal shall be subject to disciplinary proceedings before the Tribunal for a breach of provisions of law, conduct that undermines the dignity of the office of a judge of the Tribunal, a breach of the Code of Ethics for the Judges of the Constitutional Tribunal, or any other unethical conduct that may weaken trust in the said judge's impartiality or independence. 2. A judge of the Tribunal shall be subject only to disciplinary proceedings for any misdemeanours.</p> <p>Article 25 1. In the disciplinary proceedings, the Tribunal shall adjudicate as a disciplinary court: 1) in first-instance proceedings – by three judges of the Tribunal; 2) in second-instance proceedings – by five judges of the Tribunal. 2. The composition of adjudicating benches shall be selected by a draw carried out by the President of the Tribunal. A draw to select judges for the disciplinary court of second instance shall not include the judges of the Tribunal who adjudicated in the first-instance proceedings.</p> <p>Article 26 Notification that a judge of the Tribunal has committed misconduct referred to in Article 24(1) may be lodged with the President of the Tribunal by: 1) a judge of the Tribunal; 2) the President of the Republic of Poland upon application by the Public Prosecutor-General, after consulting the First President of the Supreme Court.</p> <p>Article 27 1. The President of the Tribunal shall carry out a draw to select a judge of the Tribunal to act as a disciplinary officer (hereinafter: 'the disciplinary officer'). 2. The disciplinary officer shall take preliminary steps to investigate circumstances that are necessary for determining the characteristics of misconduct, as well as shall hear the judge who is mentioned in the notification referred to in Article 26, unless there is no possibility of hearing the judge. 3. After the steps referred to in para 2 have been taken, if there are grounds for instituting disciplinary proceedings, the disciplinary officer shall institute disciplinary proceedings and provide the judge of the Tribunal with a written account of allegations. After having been notified about the allegations, within 14 days, the judge in question may provide an explanation as well as file evidentiary submissions. 4. After the lapse of the time-limit referred to in para 3, and where necessary – after obtaining further evidence, the disciplinary officer shall file</p>

		<p>an application for the consideration of a disciplinary case by the disciplinary court of first instance. The application shall comprise a precise description of the alleged act as well as justification.</p> <p>5. If the disciplinary officer finds no grounds for instituting disciplinary proceedings upon request by a competent authority, the officer shall issue a decision on refusal to institute disciplinary proceedings. Within 7 days from the date of the service of the decision, the party that has submitted the notification referred to in Article 26 shall have the right to file an appeal to the disciplinary court of first instance.</p> <p>6. The disciplinary court of first instance shall consider the appeal referred to in para 5 within 14 days from the date of filing the appeal. Where the decision on refusal to institute disciplinary proceedings is revoked, the recommendations of the disciplinary court as to further proceedings are binding for the disciplinary officer.</p> <p>Article 28 A disciplinary ruling issued in second-instance proceedings may not be challenged by a cassation appeal.</p> <p>Article 29 The disciplinary penalties shall be as follows: 1) a warning; 2) a reprimand; 3) a decrease in the remuneration of a judge of the Tribunal, in the amount ranging from 10% to 20% for the period of 2 years; 4) the recall of a judge of the Tribunal from office.</p>
PORTUGAL	<p><u>Constitution (1976, rev. 2005)</u></p> <p>Article 222 (Composition and status and role of Justices) 1. The Constitutional Court is composed of thirteen Justices, ten of whom are appointed by the Assembly of the Republic and three co-opted by those ten. 2. Six of the Justices who are appointed by the Assembly of the Republic or are co-opted must obligatorily be chosen from among the judges of the remaining courts, and the others from among jurists. 3. The term of office of the Justices of the Constitutional Court is nine years and is not renewable. 4. The President of the Constitutional Court is elected by its Justices. 5. Constitutional Court Justices enjoy the same guarantees of independence, security of tenure, impartiality and absence of personal liability and are subject to the same incompatibilities as the judges of the remaining courts. 6. The law shall lay down the immunities and other rules concerning the status and role of Constitutional Court Justices.</p>	<p><u>Law of the Constitutional Court (1982)</u></p> <p>Article 23 (Cessation of duties) 1. The duties of the judges of the Constitutional Court cease prior to the end of their term of office when any of the following situations is verified, ... d) Dismissal or compulsory retirement as a result of a disciplinary or criminal procedure.</p> <p>Article 25 (Disciplinary system) 1. It is the exclusive responsibility of the Constitutional Court to exercise disciplinary authority over its judges, even when the disciplinary action involves acts practised in the exercise of their duties, and it is for the Court to open the disciplinary procedure, appoint the respective reporter judge from among its members, deliberate on the eventual preventive suspension and pass final judgement. 2. An appeal may be made against decisions taken on disciplinary matters (by the Constitutional Court) to the Court itself. 3. Apart from the ruling in the previous numbers the disciplinary system established by law for judicial magistrates applies to the judges of the Constitutional Court.</p>
ROMANIA	<p><u>Constitution (1991)</u></p> <p>Article 145 – Independence and Irremovability Judges of the Constitutional Court shall be independent in the exercise of their office and irremovable during the term of office.</p>	<p><u>Law on the Organisation and Operation of the Constitutional Court (1992)</u></p> <p>Article 64. - The Judges of the Constitutional Court shall be under an obligation: a) to perform their function unbiasedly and in abidance by the Constitution; b) to keep the secret of the deliberations and of the votes, and not to take a public stand, or to give legal opinion in matters within the competence of the Constitutional Court; c) to express their affirmative or negative vote in adopting the acts of the Constitutional Court, abstention from voting not being permitted; d) to impart to the President of the Constitutional Court any activity which might entail incompatibility with the mandate exercised; e) to preclude the use of the office performed for purposes of trade publicity or propaganda of any kind whatsoever; f) to abstain from any activity or manifestation contrary to the independence or dignity of their office.</p> <p>Article 65. - The Plenum of the Constitutional Court shall be exclusively competent to establish the Judges' infringements of discipline, the sanctions, and the mode of their application.</p> <p><u>Regulations on the organisation and functioning of the Constitutional Court (2012)</u></p> <p>Article 60. - The rules of procedure on disciplinary answerability of the Constitutional Court Judges and personnel are established under these Rules.</p> <p>Article 61. - (1) A disciplinary breach of duty is an act in connection with one's work, which consists in a culpable action or omission committed by the Constitutional Court Judges and personnel, in violation of legal norms, rules of organisation and functioning of the Constitutional Court, the resolutions of the Constitutional Court Plenum, internal regulations, individual regulations, individual employment contract, orders by the President, instructions from the superiors, or duties provided in the job description, as the case may be.</p> <p>Article 63. - (1) Disciplinary proceedings against a Judge of the Constitutional Court may be taken only based upon written notice, which must be signed. (2) Upon receiving such notice, the President of the Constitutional Court shall appoint, by his Order, a commission of disciplinary enquiry, made up of three Judges, to examine such notice. (3) If the notice refers to the President of the Constitutional Court, these three</p>

		<p>Judges shall be designated by the Court's Plenum, by means of drawing lots, and such shall be written down in a resolution. (4) One of the three Judges shall be appointed to chair over the commission of disciplinary enquiry. (5) Disciplinary enquiry shall be conducted within 30 days from the date it was ordered. The Commission of disciplinary enquiry may order extension of the deadline by no longer than 30 days, if there are reasonable grounds to justify this measure. (6) In order to conduct the disciplinary prior enquiry, the Judge shall be called before the disciplinary Commission by a written note specifying subject-matter, date, time and place of the meeting. (7) The Judge's failure to appear, without objective reasons, at the meeting convened under the terms of paragraph (6), or his/her refusal to make statements shall be recorded in minutes, and cannot impede on further conduct of enquiry. (8) During disciplinary prior enquiry, the Judge has the right to defence and argument all points in his / her defence, and to provide the Commission of enquiry with all evidence and reasons he/she deems necessary. (9) If the Commission of disciplinary enquiry considers that the notice is unfounded, it shall draw up a report proposing the Constitutional Court's Plenum to dismiss the case. Within 20 days of taking cognizance of the disciplinary Commission's report, the Plenum must decide on the proposal made therein, by a resolution which shall be communicated to the person under enquiry. (10) Where the Commission of disciplinary enquiry considers that the notice is properly founded, it shall prepare a report that has to be submitted, together with the case file, to the Constitutional Court Plenum. Within 20 days of taking cognizance of the disciplinary Commission's report, the Plenum must adjudicate the disciplinary action, by a resolution which shall be communicated to the person concerned no later than 5 days after adoption. The resolution shall take effect as of the day of communication. (11) A disciplinary action pursuant to paragraph (2) or (3), as applicable, may be initiated within the statutory period of limitations which is maximum one year as from when the Constitutional Court President or Plenum, as the case may be, have taken cognizance about the breach committed, but not later than two years as of the date when the breach was committed.</p> <p>Article 64. - (1) The Plenum of the Constitutional Court may apply to a Judge, depending on gravity of the breach committed, one of the following disciplinary sanctions: a) warning; b) reduction of gross monthly remuneration by up to 15% over a period of one to three months; c) termination of the term of office as a Judge of the Constitutional Court. (2) In the case of sanctions enforced according to paragraph (1), subparagraph c), the provisions of Articles 67 and 68 of Law no.47/1992, republished, shall be applied accordingly.</p> <p>Article 65. - The resolution establishing a disciplinary breach of duty and the sanction shall be adopted by a majority vote of Judges. (2) The resolution which orders a sanction shall comprise the following: a) description of the breach of duty subjected to disciplinary investigation and its legal classification; b) the legal ground for application of the sanction; c) the reasons for having dismissed the Judge's arguments in defence; d) the sanction imposed and the statement of reasons for the sanction application; e) the avenue of appeal, the deadline for filing an appeal against the resolution, and the competent court to adjudicate thereon. Article 66. - (1) The resolution provided under Article 65 can be appealed against within 15 days of communication. Jurisdiction to hear the appeal lies with the 5 Judges' panel of the High Court of Cassation and Justice. (2) An appeal suspends execution of the resolution by which the Constitutional Court Plenum has applied the disciplinary sanction. (3) Judgment rendered on the appeal provided under paragraph (1) shall be final and irrevocable.</p>
<p>SAN MARINO</p>	<p><u>Declaration on the Citizens' Rights and Fundamental Principles of San Marino Constitutional Order, 1974 (rev. 2002)</u></p> <p>Article 16 A Guarantors' Panel responsible for ensuring the constitutionality of rules is hereby established. The Panel shall be composed of three effective members and three substitute members. All members shall be elected for an initial period of four years by a two-thirds majority of the Great and General Council's members, from among university professors of legal subjects, magistrates, and law graduates with at least twenty years of experience in the field of law. After the first mandate, one third of the Panel's members shall be renewed every two years. The substitute members shall replace the effective ones whenever the latter are, for any reason, incompatible also on account of functions previously performed, or in case of impediments or absence.</p> <p>The Guarantors' Panel shall appoint its President for a two-year term, on the basis of the rotating principle, from among its effective members. The Guarantors' Panel shall:</p> <p>a) verify the conformity of laws, of regulations having force of law, as well as of customary rules having force of law, with the fundamental principles of the constitutional order set forth or mentioned in this Law, upon direct request of at least twenty members of the Great and General Council, of the Congress of State, of five Township Councils, of a number of citizens making up at least 1.5% of the electorate resulting from the latest and definitive annual revision of the electoral lists, and with reference to proceedings pending before the Republic's courts, upon request of judges</p>	<p><u>Law on Judicial Bodies. Establishment, definition and responsibilities, 2003</u> Guarantors' Panel on the Constitutionality of Rules</p> <p><u>General Regulation of the Guarantor's Panel</u> Article 21 - Revocation, removal, suspension of the members of the Panel</p> <ol style="list-style-type: none"> 1. If any of the grounds for revocation envisaged by Constitutional Law no. 67/2003 occur, the President of the Panel, either ex officio or upon notification by anyone, shall convene all the full and alternate members of the Panel no earlier than ten days and appoint a rapporteur. 2. The member of the Panel whose revocation is in question may submit statements and documents. 3. The member whose revocation is in question may also take part in the discussion; once the discussion is over, the Panel, not including the member whose revocation is in question, shall declare, by reasoned act and with the favourable vote of the absolute majority of the members in office, whether the grounds for revocation exist. 4. The decision shall be immediately communicated by the President to the Great and General Council. 5. For the purpose of implementing Articles 2 and 3 of Constitutional Law no. 67/2003, one or more members of the Panel, if they consider that there are valid reasons for removing or temporarily suspending another member of the Panel, shall ask the President, by means of a reasoned act, to convene a special meeting; the President shall convene the full and alternate members no earlier than ten days and appoint a rapporteur; the provisions of paragraphs 2 and 3 of this Article shall apply.

	<p>or the parties involved; b) in the cases envisaged by law, decide on the acceptability of referenda proposals; c) decide in case of conflicts between constitutional bodies; d) act as "Regency Syndicate". Additional functions may be established by a constitutional law. The constitutional law shall determine the responsibilities of the Guarantors' Panel and of its single members. A law passed by a qualified majority shall discipline incompatibilities, operation and organisation of the Panel, appeal forms and procedures, the effects of decisions and their implementation modalities. The annulment of unconstitutionality decisions, without prejudice to the immediate effects of the decision between the parties, shall become effective after six months. Within such period the Great and General Council may make laws on this matter in conformity with the unconstitutionality decisions.</p>	
SERBIA	<p><u>Constitution (2006)</u></p> <p>Article 174. Termination of the tenure of office of the Constitutional Court justice Tenure of office of the Constitutional Court justice shall terminate upon expiry of the period for which he/she had been elected or appointed, at his/her own request, after meeting the requirements regulated by the Law for obtaining the old age pension or by relief of duty. A justice of the Constitutional Court shall be relieved of duty if he/she violates the prohibition of the conflict of interest, permanently loses the ability to discharge the function of a justice of the Constitutional Court, or is convicted of a penalty of imprisonment or criminal offense which makes him/her ineligible for the post of the Constitutional Court justice. The National Assembly shall decide on the termination of a justice's tenure of office, on request of movers authorized for election, as well as on appointment for election of a justice of the Constitutional Court. An initiative to institute the proceedings of relieving of duty may be submitted by the Constitutional Court.</p>	<p><u>Law on the Constitutional Court (2007)</u></p> <p>Article 15 A Constitutional Court judge may be dismissed if he/she becomes a member of a political party, violates the prohibition of conflict of interest, suffers permanent loss of ability to perform the duty of a Constitutional Court judge, or is convicted to a prison sentence or convicted for a punishable offence rendering them him/her unworthy to serve as a Constitutional Court judge. Fulfilment of conditions for dismissal of a Constitutional Court judge of duty is determined by the Constitutional Court. Procedure for dismissal of Constitutional Court is initiated by the authorised propounders for the election, or appointment, of Constitutional Court judges. Initiative for commencement of dismissal procedure may be filed by the Constitutional Court.</p> <p>Article 19 For the duration of the procedure for determining whether requirements for dismissal a Constitutional Court judge have been fulfilled, the judge may be suspended from duty. Decision on suspending a Constitutional Court judge is passed at the proposal of the President of the Constitutional Court. Decision on suspension of the President of the Constitutional Court is passed at the proposal of at least three Constitutional Court judges. Decision on suspension is passed by the Constitutional Court, by majority vote of all judges, in accordance with the Rules of Procedure.</p>
SLOVAKIA	<p><u>Constitution (1992, rev. 2017)</u></p> <p>Article 102 The President appoints and recalls the judges of the Constitutional Court of the Slovak Republic, President and Vice-President of the Constitutional Court of the Slovak Republic; takes oath of the judges of the Constitutional Court of the Slovak Republic and the oath of the General Prosecutor,</p> <p>Article 138 The President of the Slovak Republic recalls a judge of the Constitutional Court on the basis of the effective court decision by which he was sentenced for a deliberate criminal act, or by which he was sentenced for a criminal act and the court did not rule in his case on a conditional suspended execution of the prison sentence, on the basis of a disciplinary decision by the Constitutional Court passed because of a deed that is incompatible with the execution of the post of a judge of the Constitutional Court, if the Constitutional Court declares that the judge has not been participating in Constitutional Court proceedings for over a year, or if he ceases to be eligible to be elected to the National Council of the Slovak Republic.</p>	<p><u>Law on the Constitutional Court (2018)</u></p> <p>§ 19 (1) The President of the Republic shall remove a judge of the Constitutional Court from office a) following a final conviction for an intentional crime or if the Constitutional Court judge has been convicted on the basis of a final decision and the court has not decided to suspend the prison sentence, b) following a disciplinary decision of the Constitutional Court for an act incompatible with the office of a Constitutional Court judge, c) if the Constitutional Court informs him/her that the Constitutional Court judge has not participated in the proceedings before the Constitutional Court for more than a year, or d) if the Constitutional Court judge ceased to be eligible to the National Council. (2) The office of the Constitutional Court judge ends on the day after the decision of the President of the Republic removing the former from office is delivered. (3) The President of the Constitutional Court shall immediately send to the President of the Republic a) any final judgment in which a court has convicted a Constitutional Court judge of an intentional crime, b) any final judgment in which a court has convicted a Constitutional Court judge of a crime and has not decided to suspend the prison sentence, c) any disciplinary decision of the Constitutional Court stating that a Constitutional Court judge has committed an act incompatible with the office of a Constitutional Court judge, d) notification that a Constitutional Court judge has not been participating in the proceedings before the Constitutional Court for more than a year, e) notification that a Constitutional Court judge ceased to be eligible to the National Council. (4) Any public authority which in carrying out its powers acquires information or passes a decision relevant for the fulfilling of the duties of the President of the Constitutional Court listed in par. 3 lit. a), b), or e), is obliged to immediately communicate the information or send the decision to the President of the Constitutional Court.</p> <p>§ 24 (1) A Constitutional Court judge may not be criminally or disciplinarily prosecuted for his/her decision-making in the exercise of his/her office, even after the end of his/her office.</p> <p>Disciplinary liability of Constitutional Court judges</p> <p>§ 27 (1) A judge of the Constitutional Court commits a disciplinary offence if he/she culpably violates the duties entailed in the exercise of the office of Constitutional Court judge or if he/she behaves in such a way as to disrupt or threaten the authority of the Constitutional Court, the trust in the</p>

		<p>Constitutional Court or the authority of the office of judge of the Constitutional Court.</p> <p>(2) The Plenum of the Constitutional Court shall examine the disciplinary liability of and decide on the disciplinary sanction for the judge of the Constitutional Court on a motion by the President of the Constitutional Court, which must be reasoned. The disciplinary proceedings shall commence on the day when the motion of the President of the Constitutional Court for commencement of disciplinary proceedings is delivered to the members of the Plenum of the Constitutional Court. If the motion for commencement of disciplinary proceedings is not delivered to all the members of the Plenum of the Constitutional Court on the same day, the disciplinary proceedings shall commence on that day on which the motion for commencement of disciplinary proceedings is delivered to the last judge of the Constitutional Court. If the delivery of the motion for commencement of disciplinary proceedings to the judge of the Constitutional Court against whom the motion is filed has failed or if the judge of the Constitutional Court against whom the motion is filed is the last judge to whom the motion is delivered, the disciplinary proceedings shall commence on the day on which the motion is delivered to the last other judge of the Constitutional Court.</p> <p>(3) A motion for commencement of disciplinary proceedings against the President of the Constitutional Court may only be filed by at least three fifths of members of the National Council. The motion must be reasoned and must contain the list of members who have filed it. The disciplinary proceedings shall commence on the day when the motion is delivered to the Constitutional Court.</p> <p>(4) A motion for commencement of disciplinary proceedings against a judge of the Constitutional Court or the President of the Constitutional Court may be filed if in the opinion of the person filing the motion the judge of the Constitutional Court or the President of the Constitutional Court has committed a disciplinary offence as defined in paragraph one above, or if there are serious circumstances related to those persons which objectively diminish the authority of the office of judge of the Constitutional Court or threaten the trust in the independent and impartial decision-making of the Constitutional Court.</p> <p>(5) A motion for commencement of disciplinary proceedings may be filed within six months from the day on which the person with the standing to file it learned about the circumstances which suggest that the judge of the Constitutional Court or the President of the Constitutional Court has committed a disciplinary offence as defined in paragraph one or that there are serious circumstances related to them which objectively diminishes the authority of the office of judge of the Constitutional Court or threatens the trust in the independent and impartial decision-making of the Constitutional Court.</p> <p>(6) Disciplinary proceedings may not be commenced after three years from the conduct of the judge of the Constitutional Court or the President of the Constitutional Court which gave rise to the filing of the motion for commencement of disciplinary proceedings.</p> <p>(7) If a motion for commencement of proceedings is filed against the President or Vice-President of the Constitutional Court, they shall have in the further stages of the disciplinary proceedings the status of judge of the Constitutional Court against whom a motion for disciplinary proceedings is directed.</p> <p>§ 28</p> <p>(1) The Plenum of the Constitutional Court shall hear the judge against whom the motion for commencement of disciplinary proceedings has been filed. The judge concerned must be allowed at the least during that hearing to become acquainted with the motion for commencement of disciplinary proceedings. The President of the Constitutional Court, if he/she has filed the motion, and the judge against whom the motion is directed shall take part in the deliberations of the Plenum of the Constitutional Court, except for the conference and voting of the Plenum of the Constitutional Court.</p> <p>(2) The Plenum of the Constitutional Court shall not admit the disciplinary motion for further proceedings if it finds that it is manifestly unfounded.</p> <p>(3) The Plenum of the Constitutional Court shall stay the proceedings if: a) it concerns a judge of the Constitutional Court in whose case earlier disciplinary proceedings for the same conduct ended with a decision of the Constitutional Court not admitting the motion for further proceedings or with one of the decisions of the Plenum of the Constitutional Court specified in paragraph 7 below, b) the time limit for filing a motion for commencement of disciplinary proceedings has elapsed, c) the disciplinary liability of the Constitutional Court judge has lapsed, d) the office of the judge of the Constitutional Court has ended.</p> <p>(4) If the Plenum of the Constitutional Court admits the motion and does not decide to stay the proceedings, it shall appoint a three-member disciplinary senate. The members of the disciplinary senate shall be selected randomly. The President of the Constitutional Court, if he/she has filed the motion, and the judge against whom the motion is directed may not be members of that disciplinary senate.</p> <p>(5) If the disciplinary senate concludes that the judge of the Constitutional Court has not committed the disciplinary offence, it shall propose to the Plenum that it acquit that judge.</p> <p>(6) If the disciplinary senate concludes that the judge of the Constitutional Court has committed the disciplinary offence, it shall propose to the Plenum that it should impose a disciplinary sanction specified in par. 7 lit. a) or d). If the disciplinary senate concludes that the Vice-President of the Constitutional Court has committed the disciplinary offence, it shall propose to the Plenum that it should impose a disciplinary sanction specified in par. 7 lit. b) or d). If the disciplinary senate concludes that the President of the Constitutional Court has committed the disciplinary offence, it shall propose to the Plenum that it should impose a disciplinary sanction specified in par. 7 lit. a), c) or d).</p> <p>(7) The Plenum of the Constitutional Court shall not be bound by the proposal of the disciplinary senate. The Plenum may decide to: a) impose the disciplinary sanction of admonition, b) propose to the President of the Republic that he/she recall the Vice-President of the Constitutional Court from the office of the Vice-President of the Constitutional Court, c) propose to the President of the Republic that he/she recall the President of the Constitutional Court from the office of the President of the Constitutional Court, d) propose to the President of the Republic that he/she recall the judge of the Constitutional Court for conduct incompatible with the office of the judge of the Constitutional Court, e) acquit the judge of the Constitutional Court.</p> <p>(8) In disciplinary proceedings the Plenum and disciplinary senates of the Constitutional Court shall decide with a ruling.</p> <p>(9) The disciplinary sanction imposed on a judge of the Constitutional Court shall be enforced by the President of the Constitutional Court by admonishing the judge of the Constitutional Court or by delivering the ruling of the Constitutional Court proposing the recall of the judge of the</p>
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		<p>Constitutional Court for conduct incompatible with the office of the judge of the Constitutional Court or the recall of the Vice-President of the Constitutional Court from the office of the Vice-President of the Constitutional Court to the President of the Republic. The disciplinary sanction imposed on the President of the Constitutional Court shall be enforced by the Vice-President of the Constitutional Court by admonishing the President of the Constitutional Court or by delivering to the President of the Republic the ruling of the Constitutional Court proposing the recall of the President of the Constitutional Court from the office of the President of the Constitutional Court or his/her recall from the office of judge of the Constitutional Court for conduct incompatible with the office of judge of the Constitutional Court.</p> <p>(10) For the purposes of assessing the disciplinary liability, Part One of the Criminal Code and for the purposes of disciplinary proceedings the Criminal Procedure Code shall apply accordingly, unless paragraphs one to nine and § 27 stipulate otherwise, or something different follows from the nature of the matter.</p> <p>CHAPTER TWENTY - THE POWERS OF THE CONSTITUTIONAL COURT IN DISCIPLINARY MATTERS AND MATTERS RELATED TO IMMUNITIES</p> <p>Title One - Disciplinary matters</p> <p>§ 221 - Locus standi to file a motion for commencement of disciplinary proceedings A motion for commencement of disciplinary proceedings under Article 136 par. 3 of the Constitution against the President of the Supreme Court, the Vice-President of the Supreme Court or the Prosecutor General may be filed by: a) at least three fifths of members of the National Council, b) the President of the Republic.</p> <p>§ 222 - Time limit for filing a motion for commencement of disciplinary proceedings A motion for commencement of disciplinary proceedings may be filed within six months from the day on which the petitioner gained knowledge of facts which in his/her opinion suggest that the person against whom the motion for commencement of disciplinary proceedings has been filed has committed a disciplinary offence, and no later than within two years from the conduct of the person against whom the motion for commencement of disciplinary proceedings has been filed which led the petitioner to file the motion on commencement of disciplinary proceedings. Decision-making</p> <p>§ 223 - Application of provisions of separate regulations (1) The provisions of the separate regulation on disciplinary liability of judges which regulates the scope of disciplinary liability of judges, disciplinary offences, disciplinary measures, extinction of the disciplinary responsibility of judges, suspension of disciplinary proceedings and decisions of disciplinary boards shall apply accordingly to the disciplinary liability of the President of the Supreme Court and the Vice-President of the Supreme Court. (2) The provisions of the separate regulation on disciplinary liability of prosecutors which regulates the scope of disciplinary liability, disciplinary offences, disciplinary measures and the way of imposing them, inadmissibility of disciplinary proceedings, deciding without oral hearing, suspension of disciplinary proceedings and decisions of disciplinary boards shall apply accordingly to the disciplinary proceedings against the Prosecutor General.</p> <p>§ 224 The Constitutional Court shall decide on the motion for commencement of disciplinary proceedings with a ruling.</p> <p>§ 225 The ruling of the Constitutional Court shall become final on the day on which the Constitutional Court decides on the motion for commencement of disciplinary proceedings. The written version of the ruling of the Constitutional Court must be immediately served on the affected person.</p>
<p>SLOVENIA</p>	<p>Constitution (1991, rev. 2016)</p> <p>Article 164. Early Termination of Office of a Constitutional Court Judge A Constitutional Court judge may be subject to early termination of office in a manner provided by law only: if the judge himself so requests, if the judge is punished by imprisonment for a criminal offence, or due to permanent loss of capacity to perform his office.</p>	<p>Constitutional Court Act (2007)</p> <p>Article 19 (1) Upon the proposal of the President of the Republic, the National Assembly dismisses a Constitutional Court judge before the expiration of his term of office in the instances determined by the Constitution. (2) The President of the Constitutional Court notifies the President of the Republic of the occurrence of an instance referred to in the preceding paragraph. (3) If a Constitutional Court judge himself requests dismissal, the President of the Constitutional Court sends his request to the President of the Republic. The President of the Republic proposes the dismissal of the Constitutional Court judge to the National Assembly, which dismisses the Constitutional Court judge on the day proposed by the Constitutional Court judge. (4) When a Constitutional Court judge is dismissed due to a final conviction for a criminal offence and punished by imprisonment or due to permanent loss of capacity to perform his office, the office of the Constitutional Court judge is terminated the next day after the publication of the decision on dismissal in the Official Gazette of the Republic of Slovenia.</p>
<p>SPAIN</p>	<p>Constitution (1978, rev. 2024)</p> <p>Article 159 1. The Constitutional Court shall consist of twelve members appointed by the King. Of these, four shall be nominated by Congress by a majority of three-fifths of its members, four shall be nominated by the Senate with the</p>	<p>Organic Law of the Constitutional Court (1979)</p> <p>Article 23 1. The following shall be grounds for dismissal of Judges of the Constitutional Court: firstly, resignation accepted by the President of the Court; secondly, expiry of their term of office; thirdly, existence of any of the grounds of disability applicable to members of the Judiciary; fourthly, any incompatibility that may arise; fifthly, failure to perform the duties of their office with the requisite diligence; sixthly, failure to maintain the reserve</p>

	<p>same majority, two shall be nominated by the Government, and two by the General Council of the judiciary.</p> <p>2. The members of the Constitutional Court shall be appointed from among Magistrates and Prosecutors, University professors, public officials and lawyers, all of whom must be jurists of recognized standing with at least fifteen years' experience in the exercise of their professions.</p> <p>3. The members of the Constitutional Court shall be appointed for a period of nine years and shall be renewed by thirds every three years.</p> <p>4. Membership of the Constitutional Court is incompatible with: any representative function, any political or administrative office, a management role in a political party or trade union or any employment in their service, a career as a Judge or Prosecutor, and any professional or commercial activity whatsoever.</p> <p>Furthermore, the disabilities relative to the members of the judiciary shall also be applicable to the Members of the Constitutional Court.</p> <p>5. The members of the Constitutional Court shall be independent and irremovable during their term of office.</p>	<p>pertaining to their office; seventhly, being found responsible in civil proceedings for malicious acts or being convicted of a malicious or a seriously negligent crime.</p> <p>2. The ending or vacancy of the office of Judge of the Constitutional Court shall be decreed by the President in the first and second cases as well as in the event of decease. In the other cases, the full Court shall rule by a simple majority in the third and fourth cases and by a three-quarters majority of its members in the remaining cases.</p>
<p>SWEDEN</p>	<p><i>Sweden has four documents containing constitutional provisions:</i></p> <ul style="list-style-type: none"> • <i>the 1974 Instrument of Government (which contains the central provisions and corresponds most closely to the constitution of other countries);</i> • <i>the 1810 Act of Succession (which regulates the order in which descendants of the present King shall succeed to the throne);</i> • <i>the 1949 Freedom of the Press Act (which contains the principle of the public nature of official documents and rules about the right to produce and disseminate printed matter);</i> • <i>the 1991 Fundamental Law on Freedom of Expression (which is a fundamental law for media other than print media).</i> <p><i>There is also a law called the Riksdag Act, which contains provisions for the work of the Riksdag (Parliament). The Riksdag Act is not a fundamental law, though special rules govern its amendment.</i></p> <p><u>The Instrument of Government (1974:152)</u></p> <p>Chapter 11. Administration of justice</p> <p>Part 4. Legal status of permanent salaried judges</p> <p>Art 7</p> <p>A person who has been appointed a permanent salaried judge may be removed from office only if: he or she has shown himself or herself through a criminal act or through gross or repeated neglect of his or her official duties to be manifestly unfit to hold the office; or he or she has reached the applicable retirement age or is otherwise obliged by law to resign on grounds of protracted loss of working capacity.</p> <p>If organisational considerations so dictate, a person who has been appointed a permanent salaried judge may be transferred to another judicial office of equal status.</p> <p>Art 8</p> <p>Legal proceedings regarding a criminal act committed in the performance of an appointment as a member of the Supreme Court or the Supreme Administrative Court are instituted in the Supreme Court. The Supreme Administrative Court examines whether a member of the Supreme Court shall be removed or suspended from duty or obliged to undergo medical examination. If such proceedings concern a member of the Supreme Administrative Court, the matter is examined by the Supreme Court. Proceedings according to paragraphs one and two are initiated by the Parliamentary Ombudsmen or the Chancellor of Justice.</p> <p>Art 9</p> <p>If a permanent salaried judge has been removed from office by means of a decision of a public authority other than a court of law it shall be</p>	<p><i>There is no list of specifically described acts. Judges, as well as other state employees, can be subject to disciplinary sanctions according to the Public Employment Act (Section 14). A disciplinary sanction for neglect of duty may be imposed upon a judge who intentionally or by carelessness neglects his or her duties in the employment. If the neglect, having regard to all the circumstances, is minor, a sanction may not be issued. Justices of the Supreme Court and Supreme Administrative Court, however, are exempt from the disciplinary sanctions in the Public Employment Act (Section 3). Matters of suspension or removal from office (criminal grounds) concerning Justices are tried by The Supreme Court and the Supreme Administrative Court (the Instrument of Government, Chapter 11, Section 8). The Supreme Court tries matters concerning Justices of the Supreme Administrative Court, and vice versa. Such proceedings may only be initiated by the Parliamentary Ombudsmen or the Chancellor of Justice.</i></p>

	<p>possible for him or her to call for the decision to be examined before a court of law. A court conducting such an examination shall include a permanent salaried judge. The same applies to any decision as a result of which a permanent salaried judge is suspended from duty, ordered to undergo examination by a medical practitioner or subject to a disciplinary sanction.</p>	
<p>SWITZERLAND</p>	<p><u>Federal Constitution of the Swiss Confederation (1999)</u></p> <p>Chapter 4: Federal Supreme Court and other Judicial Authorities Article 188 Role 1 The Federal Supreme Court is the highest federal judicial authority. 2 The statute shall regulate its organization and its procedure. 3 The Federal Supreme Court shall provide for its own administration. 4 When judges of the Federal Supreme Court are elected, the Federal Parliament shall ensure that the official languages will be represented.</p> <p>Article 189 Constitutional Jurisdiction 1 The Federal Supreme Court shall have jurisdiction over: a. Complaints about violations of constitutional rights; b. Complaints about violations of the autonomy of Municipalities, and of other guarantees granted by the Cantons to public corporate bodies; c. Complaints about violations of international or intercantonal treaties; d. Public law disputes between the Confederation and Cantons, or amongst Cantons. e. local autonomy and other guarantees by the Cantons to public law institutions; f. federal and cantonal provisions regarding political rights. 1bis ... (repealed) 2 The Court adjudicates disputes between the Federation and Cantons or between Cantons. 3 The law may provide for additional jurisdiction of the Federal Court. 4 Acts by the Federal Parliament and the Federal Council cannot be disputed in front of the Federal Court. Exceptions are determined by law.</p>	<p>There is no provision on suspension or removal of federal judges for disciplinary misconduct.</p>
<p>TURKEY</p>	<p><u>Constitution (1982, rev. 2017)</u></p> <p>ARTICLE 147 Membership in the Constitutional Court shall terminate automatically if a member is convicted of an offence requiring his/her dismissal from the judicial profession, and by a decision of an absolute majority of the total number of members of the Constitutional Court if it is definitely established that he/she is unable to perform his/her duties on account of ill-health.</p> <p>ARTICLE 148 The Constitutional Court in its capacity as the Supreme Court shall try, for offences relating to their functions, the President of the Republic, the Speaker of the Grand National Assembly of Turkey, Vice-Presidents of the Republic, Ministers, presidents and members of the Constitutional Court, Court of Cassation, Council of State, Council of Judges and Prosecutors, Court of Accounts, and Chief Public Prosecutors and Deputy Public Prosecutors.</p>	<p><u>Law on establishment and Rules of procedure of the Constitutional Court (2011)</u></p> <p>CHAPTER TWO - Provisions on Disciplinary Proceedings, Offenses and Sanctions ARTICLE 16 - Examination and investigation of the President and members (1) The authorization to launch an investigation for the offenses, allegedly committed by the President or members due to or during performance of their duties, personal offenses and disciplinary offenses, shall be granted by the General Assembly. In flagrante delicto cases which fall into the jurisdiction of the heavy felony court, however, the investigation shall be conducted in accordance with general provisions. (2) The President does not process reports of offense and complaints made without a signature, address or a real name or those which do not pertain to specific events or causes and those which do not include evidence and basis for allegations. However, necessary examination and research shall be carried out if such reports and complaints originate from concrete evidence. (3) When necessary, the President may assign one of the members with the task of preliminary examination before bringing the issue before the General Assembly. The member, assigned to carry out necessary examination on whether an investigation should be opened, shall report the situation to the President in writing after completion of his/her examination. (4) The matter shall be included in the agenda by the President and deliberated at the General Assembly. The member, against whom the proceedings are carried out, may not take part in the deliberation. In case the General Assembly decides that institution of an investigation is not necessary, the decision is notified to the related member and the persons that have filed the report of offense and complaint. (5) If a decision to institute an investigation is rendered, the General Assembly elects three persons amongst members to set up an Investigation Committee. The Investigation Committee is chaired by the senior member. The Investigation Committee is vested with all the powers conferred upon the Public Prosecutor by the Criminal Procedure Code dated 4/12/2004 and numbered 5271. The proceedings requested by the Committee concerning the investigation performed locally (and) immediately by competent judicial bodies. (6) Principles relating to institution of preliminary examinations, election of members of the Investigation Committee, conducting of investigations and rendering other necessary decisions are regulated by the Internal Regulation. (7) In case the aforementioned manners and behaviors pertain to the President, proceedings which are supposed to be carried out by the President are conducted by the senior deputy president.</p>

ARTICLE 18 - Disciplinary investigation proceedings

(1) A disciplinary investigation shall be initiated in accordance with the rules laid down in Article 16 against the President or members due to manner and behaviors, which are incompatible with the dignity and honor of the judgeship or which are interrupting (court) services. The General Assembly decides whether or not to institute a disciplinary investigation based on available information and evidence and nature of the alleged manner and behavior.

(2) Criminal investigations and prosecutions are not an impediment for separately initiating and executing disciplinary proceedings. Disciplinary investigations cannot be initiated in case one year has lapsed after the acts calling for a disciplinary investigation have been found out. No disciplinary punishment may be pronounced in case five years have lapsed after the acts calling for a disciplinary sanction. In case an act requiring a disciplinary punishment is also an offense for which a longer period of prescription is provided by the law and if a criminal investigation or prosecution is instituted, the prescription periods and not the time-limit set forth in this paragraph shall apply. In cases where the General Assembly decides to wait for the result of the prosecution, the power to punish shall be barred by prescription one year after the judgment of the trying court has become final.

(3) In case the General Assembly decides to initiate a disciplinary investigation, the Investigation Committee shall collect information and conclusive evidence relevant to the matter, hear necessary persons under oath, and by declaring the attributed manner and behavior invites the concerned party to present defense within a set period of time no less than fifteen days. The concerned party is authorized to examine the investigation documentation from the moment s/he is requested to present defense.

(4) Public administrations, public officials, other real and legal persons including banks are amenable to respond to the questions raised and demands made by the Investigation Committee.

(5) After the examination, the Investigation Committee shall develop a report which includes the information and evidence it has obtained and its considerations about whether a disciplinary punishment is necessary in the light of such information and evidence, and shall submit the report and appendices to the Presidency to be presented to the General Assembly.

(6) The President notifies the result of the investigation in written to the concerned (person) and invites him/her to present oral or written defense before the General Assembly within a set period of time no less than five days.

(7) Depending on the result of the disciplinary investigation, the General Assembly may decide to extend the investigation if it deems necessary, or to revoke the file if it establishes that the attributed manner and behavior are not substantiated, or to render a disciplinary punishment consistent with the act if it deems the attributed manner or behavior has occurred.

ARTICLE 19 - Disciplinary punishments and their enforcement

(1) In case the President and the members are engaged in official or private duties other than their main functions, or if it is determined that their manner and behaviors are in contrast with their oath or the dignity and honor of membership and lead to interruption of service, a warning, a reprimand or an invitation to withdrawal from membership shall be pronounced depending on the nature of the act.

(2) The decision of invitation to withdrawal from membership shall be rendered by a two-thirds majority of the General Assembly.

(3) The concerned person may apply to the General Assembly against the decision of the General Assembly on disciplinary punishment with a request to re-examine it within ten days after date of notification. The decision as a result of re-examination of the General Assembly is final. The General Assembly's decision is notified to the concerned person and enforced by the President.

(4) After a decision of withdrawal is rendered, in case the concerned person fails to withdraw from membership within one month after the date of notification, s/he is deemed resigned and on leave within the mentioned period.

Internal Regulations of the Constitutional Court (2012)**Decision to initiate a disciplinary investigation**

ARTICLE 16- Initiation of an investigation against the justices on grounds of their disciplinary actions shall be conditional upon the decision of the Plenary.

Disciplinary investigation procedure

ARTICLE 17- (1) If a notification or complaint is brought forward due to the acts of the justices which constitute a disciplinary offence, or if such a situation is learned about, an action shall be taken according to the following provisions: a) The President shall not process complaints and notifications that are anonymous, unsigned, lack a specific address, do not pertain to a particular incident or cause, or lack substantiated evidence or grounds. Nevertheless, if such complaints and notifications are substantiated by material evidence, the necessary examinations and investigations shall be conducted; b) When deemed necessary, the President may assign a justice to conduct a preliminary examination before referring the matter to the Plenary. The assigned justice must be more senior than the Vice-President or the justice in respect of whom the examination is carried out. In case of an examination carried out against the most senior justice, this duty shall be assigned to the senior Vice-President; c) The assigned justice can request all kinds of information and documents regarding the examination from the person concerned through the Presidency as per Article 62 of the Code; ç) After completing her/his examination, the assigned justice shall prepare a preliminary examination report containing the facts, claims and evidence; and submit it to the President without declaring her/his own opinion; d) The President shall incorporate the preliminary examination report into the agenda and it shall be deliberated by the Plenary. The justice against whom an action has been taken cannot participate in these deliberations; e) If the Plenary concludes that there are no grounds for initiating an investigation, the reasoned decision shall be communicated to the justice concerned and to those who have brought forward the notification and the complaint; f) If it is decided that an investigation be launched, the Plenary shall elect three justices by secret ballot to establish the Investigation Board; g) At the end of the voting at the Plenary, the votes received by each of the justices shall be written next to their names,

		<p>and three candidates with the highest number of votes shall be elected as the Board members. In the event of equality of votes, the most senior justice shall be elected. The senior justice shall chair the Investigation Board; g) The Investigation Board shall collect the relevant information and evidence, and hear under oath the individuals required to be heard; h) Pursuant to Article 18 § 4 of the Code, the Investigation Board can make requests relating to the investigation from public administrations, public officials, and other natural and legal persons; i) The Investigation Board, having notified the person concerned of the imputed act or action, shall invite the her/him to submit her/his defence within the allowed period that will not be shorter than 15 days. The person concerned can examine the investigation documents since the time when her/his defence has been requested; i) At the end of the examination, the Investigation Board shall prepare a report containing the collected information and evidence, as well as its opinion as to whether there are grounds for imposing a disciplinary punishment, and submit the report and its annexes to the Presidency for its communication to the Plenary; j) The President shall notify in writing the outcome of the investigation to the person concerned and invite her/him to submit her/his oral or written defence before the Plenary within the period the former will determine, which will not be shorter than 5 days; and k) The Plenary, according to the outcome of the disciplinary investigation, may order the extension of the investigation, if necessary; order the closure of the file, if it does not find the imputed act or action proven; and otherwise, decide on the applicable disciplinary punishment.</p> <p>(2) In cases where it has been observed or learned that the President has displayed the aforementioned behaviour and conduct, the actions incumbent on the President shall be carried out by the most senior Vice-President.</p> <p>Concurrent conduct of criminal and disciplinary investigations ARTICLE 18- Criminal investigations and prosecutions shall not impede the separate conduct of disciplinary actions.</p> <p>Statute of limitations in disciplinary investigations ARTICLE 19- (1) If one year has elapsed since the date on which the acts subject to a disciplinary investigation were aware of, a disciplinary investigation cannot be initiated. No disciplinary punishment shall be imposed in cases where five years have elapsed since the imputed act was committed. (2) If the act subject to a disciplinary punishment also constitutes a crime, if a longer period of statute of limitations is prescribed in the law regarding this crime, and if a criminal investigation or prosecution has been initiated, the statute of limitations pertaining to the case shall be applied instead of the period stipulated in Paragraph (1). (3) For those regarding whom the Plenary has decided that the outcome of the criminal prosecution shall be awaited, the authority to impose a punishment shall become subject to the statute of limitations if one year elapsed since the finalisation of the trial court's decision.</p> <p>Acts subject to a disciplinary punishment and the disciplinary punishments ARTICLE 20- (1) If the President, Vice-Presidents and justices assume any official or private task beyond their primary duties, or if they engage in conducts contrary to the oath they have taken or to the honour and dignity befitting the judicial profession, thereby causing a disruption of services, they may be subject to disciplinary punishments such as a warning, reprimand or a motion to withdraw from the office of justice, depending on the severity of the act. (2) The disciplinary punishments of warning and reprimand shall be imposed by an absolute majority of the Plenary.</p> <p>Motion to withdraw from the office of justice ARTICLE 21- (1) The imposition of the punishment of an invitation to withdraw from office the office of justice requires a two-thirds majority vote of the Plenary. (2) The justice who has been invited to withdraw from the office of justice shall be deemed to have resigned, if she/he does not abide by the decision within one month from the date of notification, and she/he shall be considered as on leave during this period.</p> <p>Objection to disciplinary punishments ARTICLE 22- (1) The person concerned may file an application to the Plenary for a review of the decision within 10 days from the date of communication of the decision to her/him. The decision resulting from the Plenary's subsequent review shall be final. The President shall notify the individual concerned and ensure the enforcement of the Plenary's decision. (2) The decision to be issued after the review by the Plenary shall be final. The decision of the Plenary shall be notified to the person concerned and executed by the President.</p>
<p style="text-align: center;">UKRAINE</p>	<p><u>Constitution (1996, rev. 2019)</u></p> <p>Article 148. The Constitutional Court of Ukraine shall comprise eighteen judges of the Constitutional Court of Ukraine. The President of Ukraine, the Verkhovna Rada of Ukraine, and the Congress of Judges of Ukraine each shall appoint six judges to the Constitutional Court of Ukraine. The selection of candidates for the position of a judge of the Constitutional Court of Ukraine shall be carried out on a competitive basis in the manner prescribed by law. A citizen of Ukraine who has command of the state language, has</p>	<p><u>Law On the Constitutional Court of Ukraine (2017)</u></p> <p>Article 21. Dismissal of a Constitutional Court judge 1. Grounds for dismissal of a Constitutional Court judge shall include: 1) inability to exercise his or her powers for reasons of health, which shall be evidenced by a medical report from a medical board established by a central executive healthcare authority that establishes and implements public policy in the healthcare field upon the application of the Chairman of the Court, or, in his or her absence, by the Deputy Chairman of the Court, or, in the absence of both, by a judge acting as the Chairman of the Court; 2) their violation of incompatibility requirements, as defined in parts 3 and 4 Article 11 of this Law. The issue of the breach by judge of incompatibility requirements shall be considered at a special plenary session of the Court, subject to the availability of an opinion by the Standing Commission of the Court on Regulations and Ethics. Should the circumstances that evidence the breach by a judge of incompatibility requirements be confirmed, such judge shall be warned of the need to remedy such circumstances within the term determined by the Court.</p>

	<p>reached the age of forty as of the day of the appointment, has higher legal education and at least fifteen years of professional experience in the field of law, high moral character, and is a lawyer with a recognised level of competence shall be eligible to become a judge of the Constitutional Court of Ukraine.</p> <p>A judge of the Constitutional Court of Ukraine may not belong to political parties or trade unions, take part in any political activity, hold a representative mandate, hold any other paid offices, perform other remunerated work except for research, teaching, or creative activities.</p> <p>A judge of the Constitutional Court of Ukraine shall be appointed for a single and non-renewable nine-year term.</p> <p>A judge of the Constitutional Court of Ukraine shall assume his/her powers from the day he/she takes an oath at a special plenary meeting of the Court.</p> <p>The President of the Constitutional Court of Ukraine shall be elected at a special plenary meeting of the Court from among its judges by secret ballot only for one three-year term.</p> <p>Article 149¹ The authority of a judge of the Constitutional Court of Ukraine shall be terminated in case of: termination of the term of his or her office; his or her attainment of the age of seventy; termination of Ukraine's citizenship or acquiring by him or her the citizenship of another state; taking effect of a court's decision on recognition him or her missing or declaration him or her dead, or on recognition to be legally incapable or partially legally incapable; taking effect of a guilty verdict against him or her for committing a crime; death of a judge of the Constitutional Court of Ukraine.</p> <p>The grounds for dismissal of a judge of the Constitutional Court of Ukraine are the following: inability to exercise his or her authority for health reasons; violation by him or her of incompatibility requirements; commission by him or her of a serious disciplinary offence, flagrant or permanent disregard of his or her duties which are incompatible with the status of judge of the Court or has proved non-conformity with being in the office; submission by a judge of statement of resignation or of voluntary dismissal from office. Dismissal of a judge of the Constitutional Court of Ukraine from his or her office is decided by not less than two-thirds of its constitutional composition.</p>	<p>Where the judge has failed to remedy the circumstances which evidence the violation of incompatibility requirements, within the term determined by the Court, the Court shall adopt a decision on his or her dismissal;</p> <p>3) committing substantial disciplinary offence, gross or systematic disregard of his or her duties, incompatible with the status of a Constitutional Court judge or his or her incompatibility with the position occupied. The issues of dismissal of a judge on these grounds shall be considered at a special plenary session of the Court, subject to the availability of an opinion by the Standing Commission of the Court on Regulations and Ethics;</p> <p>4) the submission by him/her of a statement of resignation or of voluntary dismissal from office.</p> <p>The decision to dismiss a Constitutional Court judge shall be approved by the Court by at least two-thirds of its constitutional composition.</p> <p>2. A Constitutional Court judge shall be entitled to submit his or her statement of resignation after at least four years of service in the position of a Constitutional Court judge, or statement of resignation for health reasons, irrespective of years of service, or statement on voluntary dismissal irrespective of motives.</p> <p>3. In case a Constitutional Court judge submits his or her statement of resignation or that of voluntary dismissal, he or she shall continue to exercise his or her powers until a relevant decision on his or her dismissal is adopted at a special plenary meeting of the Court.</p> <p>The Court shall adopt a decision to dismiss a Constitutional Court judge from office within one month from the date of receipt of the relevant statement.</p> <p>Article 32. Organisation Structure of the Court ... 3. The Chairman of the Court, ... shall act in the representative, managerial and administrative capacity.</p> <p>Rules of procedure of the Constitutional Court of Ukraine</p> <p>§ 19. Early dismissal from office, termination of powers of the President of the Court and the Deputy President of the Court 1. The President of the Court, the Deputy President of the Court shall be dismissed from office by the Court upon their applications. ... The President of the Court, the Deputy President of the Court, respectively, may not preside over the session of the Court at which an application for dismissal from the office of the President of the Court, the Deputy President of the Court is being considered.</p> <p>3. The decision on early dismissal from the office of the President of the Court, the Deputy President of the Court shall be deemed adopted if the majority of the judges of the Constitutional Court from its constitutional composition voted for it. Such a decision shall be adopted in the form of a resolution of the Court.</p> <p>4. The dismissal of a Judge from office or the termination of his powers, as well as the expiration of the term for which the Judge was elected as the President of the Court or Deputy President of the Court, constitutes the termination of his powers in the relevant administrative position.</p>
<p>UNITED KINGDOM</p>	<p>UK Supreme Court <i>For historical reasons, as a state made up of several separate jurisdictions, the United Kingdom does not have a single unified legal system. Instead, there is one system for England and Wales, another for Scotland, and a third for Northern Ireland. In most cases, the Supreme Court sits above all of these as the final court of appeal. The Constitutional Reform Act 2005 made provision for the creation of a Supreme Court for the United Kingdom. The Supreme Court was established to achieve a complete separation between the United Kingdom's senior Judges and the Upper House of Parliament, emphasising the independence of the Law Lords and increasing the transparency between Parliament and the courts. The Supreme Court: is the final court of appeal for all United Kingdom civil cases, and criminal cases from England, Wales and Northern Ireland; hears appeals on arguable points of law of general public importance; concentrates on cases of the greatest public and constitutional importance.</i></p> <p>Constitutional Reform Act (2005)</p> <p>23. The Supreme Court (1)There is to be a Supreme Court of the United Kingdom. (2)The Court consists of the persons appointed as its judges by Her Majesty... (3)Her Majesty may from time to time by Order in Council amend subsection (2) so as to increase or further increase the maximum full-time equivalent number of judges of the Court.... (5)Her Majesty may by letters patent appoint one of the judges to be President and one to be Deputy President of the Court. (6)The judges other than the President and Deputy President are to be styled "Justices of the Supreme Court".</p> <p>33. Tenure A judge of the Supreme Court holds that office during good behaviour, but may be removed from it on the address of both Houses of Parliament.</p> <p>35. Resignation and retirement (1)A judge of the Supreme Court may at any time resign that office by giving the Lord Chancellor notice in writing to that effect. (2)The President or Deputy President of the Court may at any time resign that office (whether or not he resigns his office as a judge) by giving the Lord Chancellor notice in writing to that effect.</p>	