

Superior Council of Magistracy announces possible constitutional conflict with Government over 2024 budget

The Superior Council of Magistracy (CSM) said on Thursday that the 2024 draft budget is "in flagrant contradiction" with the Constitution and the Convention for the Protection of Human Rights and Fundamental Freedoms, on the grounds that it is "deeply discriminatory".

"The Superior Council of Magistracy, in view of the information presented in the public space regarding the Government's intention to adopt some measures likely to affect the rights of personnel in the justice system, as well as the draft Emergency Ordinance on some fiscal-budgetary measures in the field of public expenditure, aimed at fiscal consolidation, combating tax evasion, amending and supplementing some normative acts as well as extending some deadlines, put up for public debate by the Ministry of Finance, has communicated to the minister of Justice, Alina-Stefania Gorghiu, the institutional position in the sense that a firm intervention is necessary to prompt the executive authority to re-evaluate such an approach, so that the fundamental principles of the functioning of the rule of law are respected," says CSM in a press release sent to AGERPRES on Thursday.

Article VIII, paragraph 1 of the draft normative act states that: "Payment of the amounts established by way of rights of a salary nature for the personnel of the justice system by final court decisions and administrative acts issued prior to the entry into force of the provisions of OUG 99/2023, for their implementation and unpaid by 31 December shall be carried out through the issuance of payment titles according to the provisions of the present ordinance to be redeemed by the Ministry of Finance, in equal annual instalments over a period of 7 years," which is blatantly unconstitutional, says the CSM.

According to the CSM, the budget of the courts included in the 2024 draft budget law, as it was published, is much undersized in relation to the budget submitted by the courts for assent by the Council, which is required by law.

Clerks with court and prosecutors' officers are protesting on Thursday, dissatisfied that the necessary funds have not been provided for the full payment of salaries and other salary entitlements.