



CCJE-BU(2021)1

Strasbourg, 21 January 2021

CONSULTATIVE COUNCIL OF EUROPEAN JUDGES (CCJE)

Questionnaire for the preparation of the CCJE Opinion No. 24 (2021):

“Evolution of the Councils for the Judiciary
and their role for independent and impartial judicial systems”

LATVIA

*Please in your answers do not send extracts of your legislation
but describe the situation in brief and concise manner.*

General

1. Is there a Council for the Judiciary in your judicial system?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
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2. What is the exact title/denomination of this body?
Tieslietu padome

3. This question should be answered by members from both legal systems with and without a Council for the Judiciary: Which department or body - for example the Council for the Judiciary (often denominated as High Judicial Council (HJC)) or Ministry of Justice (MoJ) - is responsible for or is in position to perform the following tasks? More than one institution might be involved, so more than one box can be ticked.

Defending and fostering the independence of judges and the judiciary/the rule of law	<input checked="" type="checkbox"/> HJC <input checked="" type="checkbox"/> MoJ <input checked="" type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board <input checked="" type="checkbox"/> Association of Judges <input type="checkbox"/> other, please specify
Defending judges/the judiciary against public attacks	<input checked="" type="checkbox"/> HJC <input type="checkbox"/> MoJ <input checked="" type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board

	<input checked="" type="checkbox"/> Association of Judges <input type="checkbox"/> other, please specify
Administration of the judiciary	<input checked="" type="checkbox"/> HJC <input checked="" type="checkbox"/> MoJ <input type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input checked="" type="checkbox"/> Judicial Administration Board (COURT ADMINISTRATION) <input type="checkbox"/> Association of Judges <input type="checkbox"/> other, please specify
Selection of new judges	<input checked="" type="checkbox"/> HJC <input type="checkbox"/> MoJ <input type="checkbox"/> Parliament <input type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board <input checked="" type="checkbox"/> A special Judicial Appointment Body <input type="checkbox"/> other, please specify
Selection of judges for promotion	<input checked="" type="checkbox"/> HJC <input type="checkbox"/> MoJ <input type="checkbox"/> Parliament <input type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board <input checked="" type="checkbox"/> A special Judicial Appointment Body <input type="checkbox"/> other, please specify
Evaluation of judges	<input type="checkbox"/> HJC <input type="checkbox"/> MoJ <input type="checkbox"/> Parliament <input type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board <input type="checkbox"/> Association of Judges <input checked="" type="checkbox"/> other, please specify Judicial Qualification Committee
Evaluation of court performance	<input checked="" type="checkbox"/> HJC <input checked="" type="checkbox"/> MoJ <input type="checkbox"/> Parliament <input type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board <input type="checkbox"/> Association of Judges <input type="checkbox"/> other, please specify
Conducting disciplinary procedures	<input type="checkbox"/> HJC <input type="checkbox"/> MoJ <input type="checkbox"/> Parliament <input type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board

	<input type="radio"/> Association of Judges <input checked="" type="radio"/> other, please specify (1) the Judicial Disciplinary Committee (2) Disciplinary Court.
Drafting and enforcing a code of ethics	<input type="radio"/> HJC <input type="radio"/> MoJ <input type="radio"/> Parliament <input type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts <input type="radio"/> Judicial Administration Board <input type="radio"/> Association of Judges <input checked="" type="radio"/> other, please specify Judicial Ethics Commission
Public relations/media coverage for the judiciary, or individual courts	<input checked="" type="radio"/> HJC <input type="radio"/> MoJ <input type="radio"/> Parliament <input checked="" type="radio"/> Court Presidents <input checked="" type="radio"/> bodies within individual courts <input type="radio"/> Judicial Administration Board <input type="radio"/> Association of Judges <input checked="" type="radio"/> other, please specify Court Administration hires a media specialist
Providing input on legislative projects	<input checked="" type="radio"/> HJC <input checked="" type="radio"/> MoJ <input checked="" type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts <input type="radio"/> Judicial Administration Board <input checked="" type="radio"/> Association of Judges <input checked="" type="radio"/> other, please specify Judges participate in working groups
Training of judges	<input checked="" type="radio"/> HJC <input type="radio"/> MoJ <input type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts <input checked="" type="radio"/> Judicial Administration Board (Court administration) <input type="radio"/> Association of Judges <input checked="" type="radio"/> other, please specify The Latvian Judicial Training Centre (LJTC) - Foundation, based on the agreement with the Court Administration
IT, including digitalisation of the judiciary and online hearings	<input type="radio"/> HJC <input checked="" type="radio"/> MoJ <input type="radio"/> Parliament <input type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts <input type="radio"/> Judicial Administration Board <input checked="" type="radio"/> other, please specify Court administration

<p>The allocation of financial resources to the judiciary including individual courts In regard to the Supreme Court</p>	<p><input type="radio"/> HJC <input checked="" type="radio"/> MoJ <input checked="" type="radio"/> Parliament <input type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts <input type="radio"/> Judicial Administration Board <input checked="" type="radio"/> other, please specify Court Administration</p>
<p>Salaries of judges</p>	<p><input type="radio"/> HJC <input type="radio"/> MoJ <input checked="" type="radio"/> Parliament <input type="radio"/> Court Presidents <input type="radio"/> Bodies within individual courts <input type="radio"/> Judicial Administration Board <input type="radio"/> other, please specify</p>

- If there is a Council for the Judiciary in your country, has it other duties not mentioned here? Is it in a position to appoint or remove presidents of courts to and from the office?
Yes
Is there additional information that would be useful to understand the role of the Council for the Judiciary within your country?
Please, find additional information below:

Functions

The Council for the Judiciary provides an opinion:

- On budget requests of courts
- On the candidates for the position of a judge of the Constitutional Court (provides opinion to the Saeima (Parliament))
- On the candidates for the position of a judge of the Supreme Court (provides opinion to the Plenary Session of the Supreme Court)

The Council for the Judiciary submits proposals to the Saeima (Parliament):

- On the total number of judges in the district (city) courts, in Administrative District Court, Regional Court, Administrative Regional Court and the Senate (Supreme Court).
- On dismissal of the Chief Justice of the Supreme Court from the office of his/her own will or due to appointment in other office.
- On dismissal of judges from the post due to state of health, if that forbids to continue work of a judge or if he/she received negative statement in re-assessment of professional activity of a judge.
- On the most suitable candidate for the position of the Prosecutor General (Section 89.¹¹, Paragraph 4.¹ of the Law "On Judicial Power")

Decisions of the Council for the Judiciary in conceptual and organisational issues related to court system:

- Development and approval of Regulation of the Council for the Judiciary
- Approval of Regulation of the Judges' Conference
- Convocation of the Judges' Conference, setting issues to be included in agenda
- Approval of Regulation of the Judicial Ethics Commission
- Approval of Regulation of the Judicial Qualifications Committee
- Approval of Procedure for using of judge's robe and insignia
- Approval of sample of judge's identification card
- Determination of district (city) courts and land registry offices, as well as the area of activity and location of district (city) courts, their courthouses and land registry offices.

- Determination of the area of activity of regional courts and courthouses of regional courts.
- Determination of number of judges in every district (city) court (upon the proposal of the Minister of Justice).
- Determination of number of judges in every regional court (upon the proposal of the Minister of Justice).
- Determination of number of judges in Departments of the Senate (upon the proposal of the Chief Justice of the Supreme Court).
- Adoption of decisions on the transfer of a vacant judge's position within the area of court's activity (upon the proposal of the Minister of Justice)
- In case of reorganization of a district (city) court, approves plan of reorganization of the court and decides on transfer of a judge of this court (also without his or her consent) to work to another district (city) court in the same area of activity of the regional court or in another area of activity of the regional court, if reorganized district (city) court is merged with district (city) court located in the area of activity of another regional court
- Determination of the procedure for judges' selection, traineeships and qualification examinations
- Approval of regulations of competition for selection of candidates for the post of a judge
- Determination of content and procedure for assessing judges' professional knowledge and samples of documents necessary for assessment
- Approval of judges' list, pursuant to which regular assessment of judges' professional knowledge will be performed successively
- Approval of basic principles for judges' specialisation
- Approval of procedure for determining the work-load of a case
- Examination of information submitted by Chairs of courts about standard of terms of review of cases in courts
- Confirmation of the contents of curricula for judges, employees of courts and land registry offices (upon the proposal of the Chief Justice of the Supreme Court or the Minister of Justice)
- Hearing out of annual report on work prepared by the Court Administration
- Development of guidelines in connection with other organizational issues of courts

Decisions of the Council for the Judiciary related to issues of judicial careers:

- Determination of a concrete district (city) court with the corresponding place of performance of judge's duties in the area of activity of the court (pursuant to decision of the Saeima on the appointment of a judge as a judge of a district (city) court)
- Determination of a concrete regional court or its courthouse with the corresponding place of performance of judge's duties in the area of activity of the court (pursuant to decision of the Saeima on the appointment of a judge as a judge of regional court)
- Decision on transferring of a judge to work within the same court instance (pursuant to recommendation of the Minister of Justice)
- Transfer of a judge to another place of performance of judge' duties within the area of court activity (at the proposal of the Minister of Justice, with the consent of the judge)
- Transfer of a judge to a higher court instance (to regional court - based on a positive opinion of the Judicial Qualification Committee; to the Supreme Court - upon a recommendation of the Chief Justice of the Supreme Court, based on a positive opinion of the general meeting of a corresponding department of the Senate)
- Transfer of a judge to a lower court instance (with the consent of the judge)
- In case of vacant post or temporary absence of a judge of a district (city) court the Council for the Judiciary may instruct a judge of another district (city) court, the Judge Emeritus or the judge of a regional court (upon recommendation of the Minister of Justice) to execute duties of a judge for the period not exceeding two years
- In case of vacant post or temporary absence of a judge of a regional court, the Council for the Judiciary may instruct a judge of another regional court or judge of a district (city) court to substitute the judge absent (upon recommendation of the Minister of

Justice, on the basis of positive statement of the Judicial Qualification Committee) for the period not exceeding two years

- In case of vacant post or temporary absence of a judge of the Senate, the Council for the Judiciary may instruct a judge of a regional court (upon recommendation of the Chief Justice of the Supreme Court, on the basis of positive statement of the respective department of the Senate) to substitute a judge for the period not exceeding two years
- Approval of the criteria for the preparation of the opinion of the general meeting of the Senate's judges on a candidate for a position of a judge of the Supreme Court or on a judge applying to replace a judge of the Supreme Court (upon the proposal of the Chief Justice of the Supreme Court).
- Appointment of the chair of the district (city) court and the chair of the regional court for a term of five years and releases the chair of the court from office prematurely on his own choice or at the recommendation of the Minister of Justice if the chair of a court has committed gross violations or is unable to perform his duties to ensure the quality management of the administrative work of the court.
- Granting the title of the Judge Emeritus to a judge who has worked in good faith and has terminated the duties of a judge.

Applications to the Constitutional Court

In cases and procedures specified by the Constitutional Court Law, the Council for the Judiciary may submit an application regarding the initiation of a matter to the Constitutional Court, appealing against compliance of legal standards to the Constitution, if those touch upon issues related to judiciary.

- If there is no Council for the Judiciary in your country, are there other important institutions, and formal or informal rules which are necessary to understand how the judiciary functions in your country?

Legal basis

4. Please explain which legal sources regulate the following aspects of the Council for the Judiciary in your legal system

Existence of a Council for the Judiciary	<input type="radio"/> Constitution <input checked="" type="radio"/> Law <input type="radio"/> other, please specify
Composition	<input type="radio"/> Constitution <input checked="" type="radio"/> Law <input type="radio"/> other, please specify
Selection of members including tenure and removal during tenure	<input type="radio"/> Constitution <input checked="" type="radio"/> Law <input type="radio"/> other, please specify
Tasks	<input type="radio"/> Constitution <input checked="" type="radio"/> Law <input type="radio"/> other, please specify
Resources, funding, administration	<input type="radio"/> Constitution <input checked="" type="radio"/> Law <input type="radio"/> other, please specify
Independence	<input type="radio"/> Constitution <input checked="" type="radio"/> Law <input type="radio"/> other, please specify

- Are there other formal or informal rules which are necessary to understand the role and functioning of the Council for the Judiciary in your country?

No. All the functions and legal regulation is provided by law "On Judicial Power"

Composition and Membership

5. The composition of the Council for the Judiciary:

- How many members are there?

In accordance with Article 89¹ of the law "On Judicial Power", the composition of the Judicial Council consists of 15 members – eight permanent members (officials) and seven elected members.

The Judicial Council has the following permanent members:

- 1) The Chief Justice of the Supreme Court;
- 2) The President of the Constitutional Court;
- 3) The Minister of Justice;
- 4) The Chairperson of the Legal Affairs Committee of the Saeima;
- 5) The Prosecutor General;
- 6) The Chair of the Latvian Council of Sworn Advocates;
- 7) The Chair of the Latvian Council of Sworn Notaries;
- 8) The Chair of the Latvian Council of Sworn Bailiffs.

A permanent member (official) may authorise another person for the participation in a meeting of the Judicial Council.

The Judicial Council has following elected members:

- 1) A judge elected by the Plenary Session of the Supreme Court; and
- 2) Six judges elected by a conference of judges.

The Judicial Conference elects one member of the Judicial Council from among judges of Land Registry offices; three members are elected from among judges of district (city) courts and two judges are elected from among judges of regional courts.

The term of office of an elected member of the Judicial Council shall be four years. The member may be re-elected, but not more than twice in succession. The status of an elected member of the Judicial Council may not be consistent with the fulfilment of the duties of a member of the Judicial Disciplinary Committee, a member of the Disciplinary Court, a member of the Judicial Qualification Committee or a member of the Judicial Ethics Commission.

The Ombudsman and the Director of the Court Administration or the authorised representatives thereof, a representative delegated by an expert in jurisprudence approved by the Latvian Academy of Sciences, as well as representatives from associations of judges may participate in the work of the Judicial Council in an advisory capacity.

- Are there ex-officio members?

Please, find the answer above.

- How many members must be judges? Do they need specific qualifications or experiences, must they come from different court systems or instances?

Please, find the answer above.

- Can/must non-judges be members of the Council? Please specify (number, qualification/specific functions)

Please, find the answer above.

6. Please describe the procedure of appointment:

- Who nominates the members? (judges or other institutions or authorities – please specify)

The candidates can apply themselves or they are nominated by the court, or members of the court.

- Please describe the appointment system

The Judicial Council has following elected members:

- 1) A judge elected by the Plenary Session of the Supreme Court; and
- 2) Six judges elected by a conference of judges.

The Judicial Conference elects one member of the Judicial Council from among judges of Land Registry offices; three members are elected from among judges of district (city) courts and two judges are elected from among judges of regional courts.

- If members are elected by Parliament, are these members elected with a simple or qualified majority?

N/A

7. How is integrity and independence of members ensured in the selection process and during their time on the Council?

These issues are covered by law “On Judicial Power”:

Article 89.⁴ Restriction for the Elected Members of the Judicial Council

The status of an elected member of the Judicial Council may not be combined with the fulfilment of the duties of a member of the Judicial Disciplinary Committee, a member of the Disciplinary Court, a member of the Judicial Qualification Committee or a member of the Judicial Ethics Commission.

Article 89.⁵ Suspension and Recusal of a Member of the Judicial Council

(1) The Judicial Council shall suspend an elected member of the Judicial Council from the fulfilment of the duties of a member of the Judicial Council, if the Minister for Justice or the President of the Supreme Court has suspended the relevant judge from the fulfilment of the duties of the office of a judge in accordance with Section 84 of this Law.

(2) If a member of the Judicial Council considers that there are circumstances which could give rise to justifiable doubt as to his or her impartiality in deciding any matter, he or she shall recuse themselves from participation in the deciding of the relevant matter.

(3) When the matter of submitting the application of the Judicial Council on the initiation of a case to the Constitutional Court is being decided, the President of the Constitutional Court shall not participate in the deciding of this matter.

8. How is the President and/or Vice-President of the Council selected and appointed?

These issues are covered by law “On Judicial Power”:

Section 89.⁷ Chair of the Judicial Council

(1) The President of the Supreme Court is the Chair of the Judicial Council.

(2) The Chair of the Judicial Council shall:

- 1) lead the work of the Judicial Council;
- 2) convene meetings of the Judicial Council and determine their agenda;
- 3) represent the Judicial Council and sign decisions and other documents of the Judicial Council.

Section 89.⁸ Deputy Chair of the Judicial Council

(1) The Judicial Council shall elect a Deputy Chair of the Judicial Council from among the judges represented therein.

(2) The Deputy Chair of the Judicial Council shall fulfil the duties of the Chair of the Judicial Council in the absence thereof, as well as fulfil other duties determined by the Chair of the Judicial Council.

9. What is the term of office for a member of the Council?

These issues are covered by law "On Judicial Power":

Article 89.³ Term of Office of the Members of the Judicial Council

(1) The term of office of an elected member of the Judicial Council shall be four years. A member of the Judicial Council may be re-elected, but for not more than two consecutive times.

(2) If the powers of an elected member of the Judicial Council for some reason expire before the end of the term of office, another member of the Judicial Council shall be elected at the next meeting of the Judges' Conference for the term of office specified in Paragraph one of this Section.

10. May a member be removed from office against his/her will and, if so, under what circumstances?

These issues are covered by law "On Judicial Power":

Section 89.⁶ Expiry of the Powers of a Member of the Judicial Council

(1) The powers of an elected member of the Judicial Council shall expire if:

1) his or her term of office as a member of the Judicial Council is terminated;

2) his or her powers as a judge have terminated;

3) he or she renounces the fulfilment of the duties of a member of the Judicial Council, notifying the Chair of the Judicial Council thereof in writing.

(2) The powers of a permanent member (official) of the Judicial Council shall expire if his or her official powers have expired.

(3) If a judge who has been elected to the composition of the Judicial Council is transferred to a court of a different level, he or she shall retain the powers as a member of the Judicial Council until the next Judges' Conference, at which another representative from the court of the corresponding level is elected.

Resources and management

11. Which body provides funding for the Council for the Judiciary?	O MoJ O Parliament X other, if so specify The Supreme Court Law "On Judicial Power" Article 89. ¹⁰ Ensuring the Work of the Judicial Council The work of the Judicial Council shall be ensured by the secretariat of the Judicial Council which is a division of the Supreme Court.
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12. Is the administration of the Council for the Judiciary independent from other branches of government?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
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Relations within the Council for the Judiciary and within the judiciary

13. Have there been any severe internal conflicts within the Council for the Judiciary that have seriously affected its functioning? If yes, what was the character of these conflicts and have they been solved?
No such conflicts have ever occurred.
14. Have there been conflicts between the Council for the Judiciary and the judiciary? Have judges felt that the Council for the Judiciary did not represent their interests? If yes, why and has the conflict been solved?
No such conflicts have ever occurred.

Relations with other branches of government, governmental bodies, civil society and media

15. Have there been conflicts between the Council for the Judiciary and the executive or legislative? If yes, what was the character of these conflicts and have they been solved?

There have been different opinions on the necessity and implementation of judicial reforms. The opinion of the judiciary has not been heard by the executive and legislative powers.

1. Example: The creation of the new Economic Court

As rightly put by the European Commission 2020 Rule of Law Report Country Chapter on the rule of law situation in Latvia, "this reform proved controversial, as the Council for the Judiciary issued two opinions against establishing a separate 'economic court', stating there is no evidence that it would bring improvements in quality and efficiency. In their opinion, a reform of the criminal procedure, as well as specialisation of judges within the existing courts (notably in cases of economic and financial crime) would be a more suitable solution.

2. On January 22, 2021, the Minister of Justice Janis Bordans gave a statement to the media on the course and result of the proceedings in the so-called "M case". In the article on the DELFI portal titled "Bordans is indignant about the judgement in the M and O case; he questions the professionalism of the judge"; it is stated by the Minister that "In a situation where there is a case that has a major impact on the public's confidence in the judiciary, this case, as a result of the judge's deliberate action, reaches a judge regarding whom the facts are known and the judges themselves have established that judge is not having the best reputation, nor he has the highest evaluation of professional work in the judiciary."

In this situation, the Judicial Council 20.02.2021 issued a RESOLUTION STATING FOLLOWING:

1. A full judgment is not yet available in the case in question. Consequently, it is not possible at present for anyone who has not taken part in the proceedings to express a reasoned opinion on the quality of this judgment. In addition, this judgment is not in force and can be appealed before a higher court.
2. A distinction must be made between criticism of a judgment, a court or a judge and insults. Criticism means expressing a civilized, concrete and reasoned opinion about

shortcomings and mistakes. Dislike of the outcome of the judgment does not in itself give rise to criticism, especially if it is not followed by a reasoned justification. (..)

16. What legal and political means may the Council of Judiciary in your judicial system employ if it feels that its constitutional role has been infringed?
The Judicial Council may issue a resolutions, write an opinion to all the involved institutions. It can organize meetings, initiate public discussions.
17. How does the Council for the Judiciary in your judicial system interact with anti-corruption bodies?
No direct cooperation.
18. How does the Council for the Judiciary in your judicial system interact with NGOs?
Involvement of Judicial NGOs – participation in the meetings of the Judicial Council, issuing opinions. No other NGOs are involved.
19. How does the Council for the Judiciary in your judicial system interact with associations of judges?
Involvement of association of judges – participation in the meetings of the Judicial Council.
20. How does the Council for the Judiciary in your judicial system interact with media?
The media division within the Supreme Court ensures all the communication. Besides, once a year a Media Day is organized inviting all the journalists. In addition, twice per year a Bulletin is issued covering the most important news, articles related to the Judicial Council, independence of judiciary.
21. What, if any, is the role of the Council for the Judiciary in the vetting of judges?
Evaluation of judges is the responsibility of the Judicial Qualification committee.

Challenges, developments

22. Does the Council for the Judiciary in your judiciary face particular challenges? If so, what is the character of these challenges? These challenges might have arisen – among other reasons - because of political and economic developments, societal changes, corruption, the Covid-19 pandemic or technological challenges such as the digitalisation of the judiciary.
 - The Rule of Law report¹ points out that “the Council for the Judiciary is experiencing a shortage of human resources, which could impede the exercise of its new powers.” The Judicial Council has 4 employees.
 - On 13 November, 2020 the Judicial Council heard a report from the working group on the causes of the long litigation and proposals to remedy it. At its February meeting, the Judicial Council called on the Supreme Court to set up a working group to analyze the causes of lengthy proceedings in Latvian civil, criminal and administrative cases, develop proposals to address these causes, and examine the findings of the European Court of Human Rights. The Report was sent to all judges of Latvia, the involved ministries, as well as other involved parties (police, lawyers, prosecutors etc)

¹ COMMISSION STAFF WORKING DOCUMENT 2020 Rule of Law Report Country Chapter on the rule of law situation in Latvia, SWD/2020/313 final

23. Has the role of the Council for the Judiciary in your judicial system changed in recent years? If so, how?

After having been granted additional powers with a view to strengthening judicial independence, the Council for the Judiciary adopted a new procedure for selecting candidate judges. In 2018, amendments to the Law on the Judicial Power entered into force, transferring a number of competences from the executive and the legislature to the Council for the Judiciary. This concerned, notably, the powers to appoint court presidents (previously by the Minister for Justice), to transfer a judge (previously by the Parliament), to approve judicial training (previously by the Court Administration, a body under the Ministry for Justice), and to determine the procedure for selecting candidate judges (previously by the Cabinet of Ministers).² In April 2020, the Council developed and approved a new procedure for the selection of candidate-judges of district (city) and regional courts.³ Candidate judges are selected through an open competition organised by a commission established by the Council for three years, which is composed of three senators (Supreme Court judges), three judges of regional courts, and three judges of district (city) courts.

24. Have there been reforms concerning the Council for the Judiciary in your judicial system recently? If so, what were the objectives of these reforms and have they been successful?

Yes, the amendments to the law "On Judicial Power". Please, see the details above. In addition: on 29.01.2021 the Judicial Council discussed the project of the Strategy for following years. Adoption of the strategy is planned in spring 2021.

25. In case your judicial system does not have one, is there a discussion to introduce a Council for the Judiciary? If so, what are the arguments made in favour and against the introduction of a Council for the Judiciary. Do you think that there are challenges in your judicial system a Council for the Judiciary might help to solve? Is it likely that such a Council will be introduced?

N/A

² COMMISSION STAFF WORKING DOCUMENT 2020 Rule of Law Report Country Chapter on the rule of law situation in Latvia, SWD/2020/313 final

³ Procedure became applicable as of June 2020, when the amendments to the Law on Judicial Power entered into force.