

Amendments to the law to extend authority of the Council of the Judiciary, reduction of requirements to anonymisation of court rulings and restoration of title of the Senate are conceptually supported

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The Council for the Judiciary conceptually supported range of amendments to the law “On Judicial Power” prepared by the Ministry of Justice, at the same time pointing out necessity to improve them, observing proposals both expressed in the sitting of the Council for the Judiciary and received from Heads of departments of the Supreme Court and other courts.

The most important changes envisaged by amendments to the law are related to reduction of role of the Minister of Justice and the legislator and increase of role of the Council for the Judiciary in issues related to promotion of judges, inter alia, appointment to and dismissal from the office of a Chair of a district (city) court and the Chair of a regional court, determination of procedure of selection, training and taking of qualification exam for candidate to the office of a judge and transfer of a judge to vacant judicial office also to the court of higher or lower level. It is also envisaged to involve the Council for the Judiciary in elaboration of plans on reorganisation of concrete courts and other issues related to development of judiciary more extensively.

The second important change is review of requirements to anonymisation in publishing of court rulings, which is excessively expanded currently. The draft law prepared envisages that judgements of cassation instance and of administrative courts might possible be published unanonymised, and judgements rendered in criminal cases on crimes against the humanity and peace, war crimes, genocide, crimes against the state and crimes in public institutions service – blotting data about victims and witnesses only.

Amendments to the law also envisage strengthening legal ground of implementation of concept of court houses and procedure, how incorporation of courts is organised.

Requirements for candidates to the office of a judge and restrictions for holding of the office of a judge are specified and structured.

Amendments to law envisage determination of opportunity and procedure of appeal against decisions of the Council for the Judiciary, ensuring that a judge concerned may appeal against the decision of the Council for the Judiciary on establishment, amendment or termination of legal relations, to the Disciplinary Court.

Finally, amendments to the law prepared by the Ministry of Justice envisage restoration of the title of the Senate to the highest court instance of the republic of Latvia. The title of the Senate was excluded from the title of the cassation instance court by amendments to the law “On Judicial Power” of 13 June 2013.

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