

CODE OF JUDICIAL ETHICS

One of the basic principles of the *Satversme* (Constitution) of the Republic of Latvia is the rule of law and equality of all people before the law and the court. Human rights are exercised without any discrimination, and everyone can defend their rights as well as their legitimate interests in a fair trial. Judges have a central role in ensuring a fair trial and the rule of law. In a democratic society, public confidence in the judiciary as a whole and in individual judges is crucial. The judge must be independent and impartial, with high-level professional competence, moral authority, integrity and with an impeccable reputation.

Being aware of the fact that the promotion and maintenance of high ethical standards for judges is a matter of responsibility of each judge, Latvian judges have adopted the Code of Judicial Ethics and undertake to respect the principles enshrined therein.

Canon I

Independence

An independent judiciary, governed only by law, is an integral part of a democratic society. Judicial independence is a precondition for the rule of law and one of the fundamental guarantees of a fair trial. Judicial independence means both institutional independence, where the judge is independent of other branches of state power, and individual independence, where the judge is independent of the participants in the proceedings, society as a whole and other influences.

1.1. The judge shall respect his office and the independence of the judiciary.

1.2. The judge shall perform his or her duties independently, independently assessing the facts and in accordance with a deep understanding of the law, free from any direct or indirect external influence, instigation, pressure, threat or interference.

1.3. The judge is free from the undue influence of the legislator and the executive and creates corresponding image of himself or herself.

1.4. The judge promotes and defends the guarantees prescribed and necessary for the position of a judge.

1.5. Through his position, the judge affirms and promotes high judicial ethical standards in order to strengthen public confidence in the judiciary.

1.6. The judge does not allow that family, social, political or other relationships affect the actions of the judge during the administration of justice.

1.7. In deciding cases, a judge is not influenced by the interests of individuals, public protests or fear of criticism.

Canon II
Integrity and dignity

The integrity and dignity of the judge strengthens and increases public confidence in the judiciary.

2.1. A judge respects and abides by the law, treats his position, duties, participants in proceedings, colleagues and the general public in good faith and with dignity.

2.2. A judge, both in the performance of his or her official duties and when acting outside them, acts in such a way as to promote public confidence in the judiciary.

2.3. The judge shall ensure that his actions are comprehensible in the opinion of a reasonable, informed and free from prejudice observer.

2.4. The performance of a judge's direct duties is primary in comparison with others actions performed by a judge.

2.5. A judge shall perform his or her duties conscientiously, diligently and with a sense of responsibility.

2.6. The judge is patient, balanced and unhurried, yet efficient and decisive in adjudicating a case.

2.7. A judge does not take advantage of the prestige of a judicial institution to satisfy his or her own or another person private interests.

2.8. When a judge receives reliable information that another judge has violated the norms of professional ethics, he or she acts in accordance with the principles of ethics.

Canon III
Impartiality

The right to a fair trial includes the right to judicial impartiality. This applies not only to court decisions themselves, but also to the decision-making process.

3.1. A judge shall perform his or her judicial duties objectively, neutrally and without prejudice.

3.2. The judge shall avoid words and speeches, gestures or other actions that might be perceived as bias or prejudice.

3.3. The judge is not separated from the society in which he or she lives. The judge shall perform extrajudicial activities in such a way that it does not create doubts about the judge's ability to perform the duties of a judge objectively.

3.4. The judge does not allow the impression of any person being in a special position that could allow to influence the judge.

3.5. The judge shall refuse to take part in any legal proceedings in which he or she is unable to decide the matter objectively or in which he or she might be perceived as non-objective.

3.6. The judge shall act in such a way as to minimize the number of cases in which he or she should withdraw from the proceedings.

3.7. The judge does not allow *ex parte* negotiations on the course of proceedings.

3.8. The judge does not provide public comments on the pending case, which could affect the outcome of the case.

Canon IV

Competence

The effective operation of the court is based on the professional skills and knowledge of the judge.

4.1. The judge shall constantly develop and update his or her professional skills and knowledge.

4.2. The judge shall make every effort to maintain and develop the knowledge, skills and personal abilities necessary for the proper performance of judicial duties.

4.3. The judge shall perform his or her duties in a timely and thorough manner, with a deep understanding of the law and the facts of the case.

4.4. The judge shall ensure order during the court hearing, shall be patient, respectful and polite towards the participants in the proceedings and others with whom the judge comes into contact while performing his or her official duties. The judge shall require the same behaviour from the participants in the proceedings, court employees and other persons who are under the direction or control of the judge.

Canon V
Compliance

The conduct of a judge in all his or her activities must be such as to strengthen the authority of the judiciary.

5.1. The judge is subject to constant public attention, so he or she must accept such behavioural restrictions that may seem burdensome to any other person. The prohibition of misconduct applies both to the professional activities of the judge and to his or her private life.

5.2. The judge shall not disclose confidential information obtained while performing of his or her official duties.

5.3. The judge may present reports, speeches, publish, give lectures and participate in other extrajudicial events, provided that this does not affect the performance of the judicial duties.