

In 2010, the Act on Judicial Appointments (205/2000, as amended by Act 741/2010) was supplemented with a new Chapter 3a, containing provisions on the nomination of candidates for offices of judges and members in international courts and in the Court of Justice of the European Union. The purpose of legislating on the issue was to enhance transparency and consistency in the Finnish decision-making procedures so that they will continue to ensure nominations of the best possible candidates.

In 2016, provisions concerning the nomination of candidates for offices of judges and members in international courts and in the Court of Justice of the European Union were included, largely unchanged, in a stand-alone new Act (676/2016, as amended by Act 37/2019), which entered into force on 1 January 2017.

According to the Act, vacant offices for which Finland intends to nominate a candidate must be announced and published in an appropriate manner. In principle, only persons who have submitted their application for the office concerned can be nominated as candidates.

In addition, the Act contains provisions on a special Panel of Experts that the Government appoints for the task of preparing such nominations, including the making of assessments of the applicants. The Panel has a mandate of six years at a time. It consists of nine members representing the Prime Minister's Office, the Ministry for Foreign Affairs, the Ministry of Justice, the Supreme Court, the Supreme Administrative Court and the Office of the Prosecutor General, the units engaged in legal education and research at universities and the Finnish Bar Association (the Panel also contains a second member representing the Ministry responsible for presenting a nomination for decision-making by the Government plenary, where relevant). Members of the Permanent Court of Arbitration appointed by Finland are automatically members of the Panel of Experts. Decisions concerning the nomination of a candidate for election to the International Court of Justice or to the International Criminal Court are made by the procedure provided for the nomination of candidates for the International Court of Justice.

In practice, the Panel of Experts examines, in the light of the criteria set for the judges and members of the various courts falling under the scope of application of the Act, the applications submitted for the office concerned. The Panel may interview eligible applicants and it may invite external experts, as well, to give their opinions on the applicants. The Panel may also, for example, test the applicants' language skills and take into account other relevant matters.

Further provisions concerning the appointment of the Panel of Experts and the fulfilment of its duties are laid down in a government decree (179/2017).

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