

## Appointment Mechanisms of Higher Judiciary in other Democracies

Country	No. Of Members	Members' Background	Appointment of Members	Nature of recommendation-Binding or non-binding
<b>England and Wales</b>	15	Judges, Lawyers and Public	Open competition & selection by Judicial Council	Recommendations can be rejected only once
<b>France</b>	12 including President of Republic and Minister of Justice ex-officio	Judges, Lawyers, Prosecutors and three laymen	Executive, Legislature and Judiciary	In theory non-binding, but President is limited to Council's recommendation. Binding for lower courts.
<b>Canada</b>	8	Judiciary, Executive and laymen	Executive, Judiciary and the Bar	Non-Binding but Judicial appointments are made only through Committee's recommendations
<b>Germany</b>	32	State Ministers of Justice and appointees of federal legislature	State and Federal Legislature (both upper and lower house and the executive).	Non-Binding
<b>South Africa</b>	23	Ministers, Legislators, Lawyers, Law Professors and Judges	Executive, Legislature, Judiciary, Members of the legal profession like teachers etc.	For the Supreme Court it is non-binding, though President can ask for a new list only once. Binding for lower courts.
<b>Denmark</b>	6	Supreme Court Judges, local court judges, and members of the public	Minister of Justice based on recommendations from legal (SC and lower court plenary) and public associations of high repute.	Binding in practice
<b>Ireland</b>	10	Chief Justice as the President, Judges, Lawyers and non-judicial members	Nomination by Chairman of Bar Council or President of the Law Society, and three laymen appointed by the Minister for Justice and Equity	Binding on the Government
<b>Ontario</b>	24	Lawyers, Judges & laymen	Nomination and selection by judges and minister	Non-Binding but judicial appointments are made only through committee's recommendations
<b>New York</b>	12	Lawyers, laymen, Representatives of political parties.	Executive, legislature, judiciary	Only through committee's recommendations* Appointments differ from State to State, with no Appointments Commission at the Federal Supreme Court level.

Source: Research &amp; Advocacy Division, FDR

Sept 2015