



September 4, 2026

To the attention of
The Committee on the Election of Judges
The Committee on Equality and Non-Discrimination
The Parliamentary Assembly of the Council of Europe

Re: Gender parity considerations in the upcoming election of judges to the European Court of Human Rights (Bosnia and Herzegovina, Spain and Switzerland)

We, the undersigned, are writing in connection with the forthcoming elections of judges to the European Court of Human Rights (ECtHR) in respect of Bosnia and Herzegovina, Spain and Switzerland. These elections provide an important opportunity for the Parliamentary Assembly of the Council of Europe (PACE) to advance gender balance in the composition of the Court and address the longstanding under-representation of women among its judges.

Achieving gender balance is a relevant consideration in the selection process, as stated in [Resolution 2648 \(2026\)](#), which affirms that, in light of the ongoing under-representation of women at the Court, *“the outcome of the national selection procedure must generally be a list of three candidates comprising at least one man and one woman. A single-sex list is acceptable when the candidates belong to the sex which is underrepresented in the Court (i.e., the sex to which under 40% of the total number of judges belong).”*

This is an important recognition that the composition of candidate lists must enable progress towards a more gender-balanced Court. **The Committee on the Election of Judges and the Assembly’s role is equally important at the subsequent stage of election.** Once States submit lists that make the election of women possible, the subsequent instances have the decisive role of ensuring that gender balance is effectively reflected in the final composition of the Court. Experience, and the current composition of the Court, demonstrates that the inclusion of women on mixed candidate lists does not, by itself, guarantee progress. Achieving gender parity therefore requires attention not only to who is nominated, but also to who is elected.

According to data from the [GQUAL campaign](#), the ECtHR currently comprises 45 judges: 29 men and 16 women, meaning that women account for only 35.5% of the Court. The historical imbalance is even greater. Since the Court’s establishment in 1959, 175 judicial terms have been held by men and only 54 by women, amounting to approximately 24% women overall. Among the three regional human rights courts (alongside the Inter-American Court of Human Rights and the African Court on Human and Peoples’ Rights), **the ECtHR is the largest, with 45 judges, yet currently has the lowest proportion of women.** It remains the only one of the three that has not achieved gender parity.

The elections concerning Bosnia and Herzegovina, Spain and Switzerland therefore present a concrete opportunity to make meaningful progress. Of the three judges whose terms are due to end, only the judge elected in respect of Spain is a woman. If these elections were to result again predominantly in the election of men, the Court would make little or no progress towards gender balance. By contrast, **if women were elected to all three seats, women’s representation on the Court would rise from 35.5% to 40%**, reaching the threshold that PACE itself uses to identify whether a sex is under-represented at the Court.



The historical composition of these three seats further illustrates the persistent imbalance. Bosnia and Herzegovina has had two judges elected since joining the Convention system, one woman and one man, with the current male judge serving since 2012. Spain has had seven judges since 1978, only one of whom – the current judge – has been a woman. Switzerland has had six judges since 1963, only two of whom have been women. Taken together, **only four of the sixteen judges historically elected in respect of these three States have been women.**

This pattern extends beyond the three elections currently before the Assembly. **No woman has ever served as the judge elected in respect of eleven current Council of Europe member States:** Albania, Andorra, Azerbaijan, Cyprus, France, Greece, Hungary, Italy, Liechtenstein, Luxembourg and the United Kingdom. This underscores that the under-representation of women at the ECtHR is not simply the result of individual election cycles, but reflects a longstanding structural imbalance that requires sustained attention throughout both nomination and election processes.

The lack of gender parity in international courts and bodies affects the right to equal opportunity in employment and in political and public participation, as recognized under the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the European Convention on Human Rights, and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

In its [General Recommendation No. 23](#), the CEDAW Committee recalled that “*states parties have the responsibility, where it is within their control, to appoint women to high-level decision-making positions.*” This guidance has since been reinforced by [General Recommendation No. 40](#), which underscores the importance of Article 8 of CEDAW as the legal basis for States’ obligation to guarantee women’s equality in access to international positions, including through measures that secure their nomination and appointment.

Similarly, gender under-representation affects the legitimacy and effectiveness of international courts and bodies. The absence of women in all their diversity in international courts fails to reflect the diversity present in our societies and erodes public trust in the mandate of these bodies to uphold universal values. Without gender diversity and parity, international courts risk overlooking issues and perspectives that should form part of their legal and political agenda.

This principle has also been recognized within the Council of Europe. The [Committee of Ministers](#) has emphasized that “*[b]alanced participation of women and men in political and public decision-making implies defining and adopting concerted strategies as well as a global and transparent intervention involving not only the government, but also a wide range of actors.*” PACE, given its responsibility for electing ECtHR judges, is one of those key actors.

Against this background, we respectfully call on the Committee on the Election of Judges and the Parliamentary Assembly to give due and meaningful weight to gender equality in the forthcoming elections and, in light of women’s historic and continued under-representation at the Court, to use these elections as an opportunity to increase the number of women judges. In particular, we encourage PACE to:

- Take the Court’s current and historical gender imbalance into account when considering and voting on candidates;
- Give particular consideration to the election of women from candidate lists that make such an election possible with, of course, due regard for the candidate’s professional excellence in the



field of human rights and her career trajectory and with a view to bringing the Court closer to gender parity;

- Prioritize the election of women judges, especially in relation to countries that have had none or very few women judges elected at the Court; and
- Continue strengthening its policies and practices so that progress achieved at the national nomination stage is effectively translated into progress in the Court's overall composition, reflecting the diversity of the societies under its jurisdiction.

Further, in light of PACE's renewed efforts to increase awareness and transparency around judicial elections through [Resolution 2648](#) (2026), we encourage PACE to ensure that information campaigns include international and regional standards on gender parity and women's equal representation in international decision making. Such initiatives can play an important role in broadening the pool of potential women candidates while reinforcing the shared responsibility of States and the Assembly to achieve gender parity in the Court.

We thank you for your consideration and remain available to discuss this matter in further detail.

Sincerely,

GQUAL Campaign

ENDORSEMENTS:

- **Associação Inspiring Girls Portugal**
- **Associação Portuguesa de Estudos sobre as Mulheres (APEM)**
- **Diakonia**
- **Dignidade**
- **Cyril Ritchie**, Vice-President of the Union of International Associations, former President of CoNGO (Conference of NGOs in Consultative Relationship with the United Nations), former Executive Director of the International Council of Voluntary Agencies.
- **European Center for Constitutional and Human Rights (ECCHR)**
- **European Women Lawyers Association (EWLA)**
- **European Women's Lobby (EWL)**
- **EOS - Associação de Estudos, Cooperação e Desenvolvimento**
- **Fundación Internacional Baltasar Garzón (FIBGAR)**
- **Fundación LEGATUM**
- **Fondazione Brodolini**
- **Gender Justice Practitioner Hub**
- **Iridia, Centre per la Defensa dels Drets Humans**
- **International Association of Women Judges (IAWJ)**. The IAWJ supports GQUAL's efforts to ensure that women are represented in international courts and bodies, especially where women have been historically excluded but are well qualified.
- **Laurence Burgorgue-Larsen**, Professor of Public Law at the Sorbonne Law School (University of Paris 1), current member of the International Commission of Jurists, former constitutional judge in Andorra.
- **MEDUSA Derechos Humanos | Abogadas y Consultoras**
- **Mulheres à Obra**

- 
- **Mónica Araújo de Albuquerque**, Psicóloga, Coordinator of the AMCV's Sexual Violence Crisis Centre.
 - **NGO-Coordination post Beijing Switzerland**
 - **Observatório de Violência Obstétrica em Portugal**
 - **Paula Barros**, Vice-Chancellor for Research, Innovation and Postgraduate Studies at Alberto Hurtado University. PhD in Sociology and Social Research Methodology.
 - **Plataforma Portuguesa para os Direitos das Mulheres (PpDM)**
 - **Red Jurídica Sociedad Cooperativa**
 - **REDRESS Trust**
 - **Ruth Marín Rubio**, Professor of Law, University of Seville/Unesco Chairholder in Human Rights and Interculturalism, Universidad Internacional de Andalucía
 - **Women's Initiatives for Gender Justice (WIGJ)**
 - **Women's Link Worldwide**
 - **World Organisation Against Torture (OMCT)**