

WOMEN'S EQUAL AND INCLUSIVE REPRESENTATION IN THE MEMBERS OF THE PCA AND THE INTERNATIONAL COURT OF JUSTICE

Peace Palace, The Hague (auditorium)

Friday 14 June 2024, at 14:00pm

Organized by the GQUAL Campaign

Sponsored by the Embassies of Portugal, Latvia, Chile and the Ministry of Foreign Affairs of Thailand.

I. Introduction

It is a stark reality that women continue to be underrepresented in international decision-making systems, including in some key spaces where consequential decisions are adopted for individuals and societies and where States have a direct influence in determining those levels of representation. Examples include diplomatic posts, where [women are severely underrepresented](#) (with women, for instance, being only 39 % of heads and deputy heads of mission as of July 2023), as well as international peacekeeping missions (with women representing only 6.5% of military contingents as of April 2023). Women are also underrepresented in multilateral decision-making institutions, particularly as high-level representatives before international organizations. A Report on [Women in Multilateralism](#) published by GWL Voices found that only 13% of all elected leaders in 54 international organizations have been women since 1945. Additionally, at present, and despite some recent progress, 21 of these organizations have never elected a woman to the top job, with the UN Secretary-General post as the starkest example.

Within this context, underrepresentation is equally pervasive in international and regional tribunals and other bodies and mechanisms in charge of developing international law and human rights, including in the International Court of Justice (ICJ), the Members of the Permanent Court of Arbitration (PCA) and the International Law Commission (ILC). In the ICJ, in 80 years of history, only six

women have served as judges, contrasting with the 115 men judges. Four of those women are currently serving as judges. The next election at the ICJ will take place in 2026.

In the Permanent Court of Arbitration (PCA), available data on current members indicates that out of 82 countries that have nominated Members of the Court, 38 have nominated only men, and 26 countries have included only one female among the potential arbitrators. One country out of the 82 has nominated only women. Out of 280 Members of the Court, 67 are women, representing only 24%.

In the International Law Commission, currently there are 6 women serving out of a total of 34 members. This is the highest number of women in the history of the ILC. In 2018, the ILC celebrated 70 years of history, highlighting that in 70 years only 7 women had served in the Commission. It was not until the 21st century that the first two women entered the ILC, with the election of Xue Hanqin (China) and Paula Escarameia (Portugal) in 2001.

The representation of women in these key institutions is important for several reasons. First of all, it is a matter of equality. The lack of women in courts and bodies dealing with international law limits women's ability to participate on equal footing with men in international institutions deciding on significant issues for humanity.

Further, the lack of women impacts the legitimacy of international institutions and bodies dealing with international law, because it excludes the perspectives that represent 50% of the world's population.

States and PCA National Groups play a crucial role in the election of members for the ICJ. It is within their power to change the historic

Moderator: Alejandra Vicente, GQUAL Secretariat and Head of Law, Redress

Speakers:

Opening remarks by Ashwita Ambast, Legal Counsel at the Permanent Court of Arbitration

Prof. Patricia Galvão Teles, Member and Former President of the UN International Law Commission, Legal Advisor of the Portuguese Ministry of Foreign Affairs, Member of the Permanent Court of Arbitration

Prof. Liesbeth Lijnzaad, Judge at the International Tribunal for the Law of the Sea, Member of the Permanent Court of Arbitration

Judge Sergio Ugalde, Judge at the International Criminal Court, Member of the Permanent Court of Arbitration

Mrs. Suphanvasa Chotikajan Tang, Director General, Department of Treaties and Legal Affairs, Ministry of Foreign Affairs of Thailand

Prof. Concepción Escobar, Professor of Public International Law at the UNED, former Member of the International Law Commission and Member of the Permanent Court of Arbitration

Closing remarks by Solvita Āboltiņa, Ambassador Extraordinary and Plenipotentiary of the Republic of Latvia to the Kingdom of the Netherlands