

# Declaration on the Advancement of Women for the Position of Judges at the International Court of Justice:

proposed elements.

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COUR INTERNATIONALE DE JUSTICE

## **Declaration on the Advancement of Women for the Position of Judges at the International Court of Justice**

*We*, the undersigned, Member States of the United Nations, *reaffirm* the principle of peaceful settlement of disputes, as enshrined in the United Nations Charter and reiterated in the 1970 Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States, and the 1982 Manila Declaration on the Peaceful Settlement of International Disputes.

*We recognize* in this regard the important contribution of the International Court of Justice, the principal judicial organ of the United Nations, to fostering international peace and security - as its decisions promote stability and legal clarity amidst global conflicts.

*We realize* the essential role that women's participation in the judiciary plays in consolidating the work and enhancing the legitimacy of the International Court of Justice, in reflecting the principal legal systems of the world, as well as in strengthening the rule-based international order and in promoting multilateralism.

In this sense, *we note with concern* that only a small number of women have held the position of judges at the International Court of Justice, contrary to the United Nations serving as a driving force for the promotion of gender parity.

Therefore, reaffirming that the active participation of women at all levels of decision-making is essential for the achievement of equality, sustainable development, and peace, in the light of Articles 7 and 8 of the Convention on the Elimination of All Forms of Discrimination against Women, and of paragraph 18 of the resolution of the Congress of the Members of the Court of the Permanent Court of Arbitration, adopted on 14 June 2024, ***we strongly agree to:***

Enable access for the position of judges to the International Court of Justice for women across the entire UN membership by appointing members of the Permanent Court of Arbitration (in line with article 4 (2) of the Statute of the International Court of Justice – in the case of Members of the United Nations not represented in the Permanent Court of Arbitration, or in line with Article 44 of the Convention of The

Hague of 1907 for the pacific settlement of international disputes – in the case Members of the United Nations represented in the Permanent Court of Arbitration), which in turn constitute national groups and, respectively, nominate candidates for the election to the International Court of Justice.

Foster transparency, meritocracy, and gender equality, in the process of nomination of candidates for the position of Judges at the International Court of Justice by ensuring means of active dialogue between the national groups of the Permanent Court of Arbitration and their respective highest court of justice, legal faculties and schools of law, and their national academies and national sections of international academies devoted to the study of law.

Consciously advance women candidates, of high moral character, who possess the qualifications required for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law, in United Nations election processes.

Take into account the aspiration of achieving gender parity among the judiciary of the International Court of Justice during the election processes taking place at the United Nations General Assembly and the United Nations Security Council.