

HELGA PEDER SEN



HER STORY :
THE FIRST WOMAN
ON THE BENCH OF THE
EUROPEAN COURT OF
HUMAN RIGHTS

1911

1980



24 June 1911

Born near Korsør
Nor, Denmark

1936

Master of Laws
degree from
the University of
Copenhagen

1936

Joined the Ministry
of Justice, serving in
several positions

1946–1947

Postgraduate
studies at Columbia
University in New York,
with funding from the
American Association
of University Women

1947–1948

Judge of the High
Court of Eastern
Denmark

1948–1956

Judge of the
Copenhagen District
Court (excluding
periods as Minister of
Justice)

1949–1950

Chair of the National
Council of Danish
Women

1949–1974

Delegate to the
General Conference
of UNESCO, ultimately
serving as Chair of
the Danish delegation

1950–1953

Minister of Justice

1950

Took part in the
United Nations
Commission on the
Status of Women

1951

Member of the
Danish Constitutional
Commission

1951

Appointed
Commander of
the Order of the
Dannebrog, becoming
the first woman to
receive that rank

1953–1964

Served as a member
of the Danish
Parliament, the
Folketinget, acting as
legal spokesperson
for her party

1956–1964

Judge of the High
Court of Eastern
Denmark

1963–1972

Member of the
Copyright Council

1964

Judge of the Supreme
Court of Denmark,
the second woman to
hold that office

1964–1973

Chair of the Board of
Representatives of
the Danish National
Arts Foundation

1970

Elected to the
Conciliation and
Good Offices
Commission set up
by UNESCO under the
Convention against
Discrimination in
Education

1971–1980

Judge of the
European Court of
Human Rights, the
first woman to hold
that position



1972-1980

Chair of the Danish
Press Board

1974-1980

Chair of the
Foundation for Trees
and the Environment

1975

Published the book *Le
Danemark a-t-il sauvé
Céline* in Danish and
in French

1976

Promoted to
Commander of
the Order of the
Dannebrog, 1st
Degree

1976

Awarded the
Gold Medal of the
Association of World
Peace Through Law

27 January 1980

Died near Korsør Nor,
Denmark



Group of judges, 1975



Helga Pedersen at the podium during an annual meeting in Flensburg in 1956

Photographer unknown / Archive of the Danish Central Library for South Schleswig

**A LAW
MAKER,
A LAW
ADMINISTRATOR,
A LAW
INTERPRETER**

|| I was Minister of Justice for three years – what you call the law administrator, though it also meant being a law initiator. And I have been a Justice of the Supreme Court of Denmark since 1964, after having been on three different occasions on the bench of lower courts – as such, you could say that I am an interpreter of the law. ||

Extract from an interview with Judge Helga Pedersen in the journal *Impact of Science on Society* (Vol. XXI, No. 3, July–September 1971)



HELGA PEDERSEN 1971 1980

THE FIRST WOMAN JUDGE AT THE EUROPEAN COURT OF HUMAN RIGHTS

In 1971, following a distinguished judicial career, Helga Pedersen became the first woman judge to serve on the European Court of Human Rights, twelve years after the Court began its work. She remained a judge at the Court until her death in 1980.

During her term of office, she was a member of several judicial formations which adopted landmark Grand Chamber judgments, including :

- *Golder v. the United Kingdom* (1975)
- *Engel and Others v. the Netherlands* (1976)
- *Handyside v. the United Kingdom* (1976)
- *Irlande v. the United Kingdom* (1978)
- *Tyrer v. the United Kingdom* (1978)
- *Marckx v. Belgium* (1979)

She also presided over the Chamber which delivered the landmark judgment in *Winterwerp v. the Netherlands* (1979) on arbitrary detention in psychiatric hospitals, which led to legal reforms whereby patients facing involuntary admission to a psychiatric hospital gained the right to be heard by the court ruling on their detention.

|| THANKS TO HER LONG EXPERIENCE AS A MAGISTRATE, THE WARMTH AND FORCEFULNESS OF HER CHARACTER, HER ATTENTION TO HUMAN REALITIES, HER OUTGOING NATURE AND UNENDING GOOD SENSE, SHE MADE A VITAL CONTRIBUTION TO THE WORK OF THE COURT. THE COURT IS PROUD TO HAVE HAD HELGA PEDERSEN AS ONE OF ITS MEMBERS, AND WILL ALWAYS REMEMBER HER WITH RESPECT AND EMOTION. ||

Gérard J. Wiarda, former President of the European Court of Human Rights announcing the death of Helga Pedersen. Excerpt from the book *Hele verden til spillerum : En bog om Helga Pedersen* ("The Whole World as a Playground—A Book about Helga Pedersen"), Gyldendal, p. 139.

HELGA PEDERSEN

MINISTER OF JUSTICE : A DEATH PENALTY ABOLITIONIST

On 30 October 1950, Helga Pedersen became Denmark's Minister of Justice in the coalition government led by Prime Minister Erik Eriksen, despite having no party affiliation at the time. A staunch opponent of the death penalty, she had demanded, before accepting the appointment, the right to recommend clemency in any future capital punishment cases.

During her time as Minister of Justice, no further death sentences were handed down and none were carried out. As Minister of Justice, she repealed rules under which criminal convictions automatically entailed ancillary penalties involving the loss of civil rights.

|| THAT WAS THE SORT OF PERSON SHE WAS. A PRACTICAL FARMER, WITH HER FEET FIRMLY PLANTED ON THE GROUND. AND AT THE SAME TIME, A CAPABLE MINISTER OF JUSTICE, WHO KNEW HER PROFESSION INSIDE OUT – AND MORE THAN THAT. ||

Professor W.E. v. Eyben, from the book *Hele verden til spillerum : En bog om Helga Pedersen* ("The Whole World as a Playground—A Book about Helga Pedersen"), Gyldendal, p. 36.





HELGA PEDERSEN

A VOICE FOR WOMEN'S RIGHTS

Helga Pedersen was deeply involved in furthering legal equality between women and men and promoting women's rights.

While serving as Minister of Justice, she worked to further this equality by reforming administrative practice so that women could be appointed to Orders, rather than merely receiving medals. In 1951, Helga Pedersen became the first woman to be appointed Commander of the Order of the Dannebrog. She was also a member of the Constitutional Commission of 1951. In that capacity, she supported the unconditional right of women to succeed to the throne. The 1953 Constitution ultimately introduced only conditional female succession, giving priority to male heirs.

She also served as Chair of the National Council of Danish Women, participated in the United Nations Commission on the Status of Women and acted as delegate to the General Conference of UNESCO, becoming Chair of the Danish delegation in 1962. Alongside nine women consultants, she contributed to a report for UNESCO's Director-General on the promotion of women through access to education, science and culture for the period 1967-1976. The report emphasised that complete equality between women and men – in both law and practice – was a prerequisite for development.

|| THIS LITTLE GLIMPSE INTO THE EVERYDAY LIFE OF THE COURT SEEMS TO ME SO CHARACTERISTIC OF HELGA – AT THE CENTRE OF THE CIRCLE, FESTIVE AND RADIANT, ALWAYS IN HIGH SPIRITS, IMPOS-SIBLE TO OVERLOOK OR IGNORE. ||

Mogens Hvidt, from the book *Hele verden til spillerum: En bog om Helga Pedersen* ("The Whole World as a Playground — A Book about Helga Pedersen"), Gyldendal, p. 9.

