EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

European Committee on Legal Cooperation

Strengthening Judicial Independence: Career and training of judges

Speech by Ivana Jelić

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Chair and Members of the European Committee on Legal Co-operation,

President and Members of the Consultative Council of European Judges,

Dear Judges, Colleagues,

Ladies and Gentlemen,

It is a pleasure and a privilege to be invited to speak to you today. I would like to offer you my reflections on gender equality in the judiciary – particularly, the challenges in achieving gender balance in senior judicial positions, and how career paths and appointment processes can help make senior judicial roles equally accessible.

I wish talk about three things: *first*, WHAT has been achieved; *second*, WHY having women in high judicial office is important for strengthening judicial independence; and *third*, HOW we can make better progress.

WHAT

Much has been achieved in terms of gender equality in the European judiciary in recent years.

The "First Thematic Review", adopted in June by the European Committee on Legal Cooperation, notes that "[t]here has been notable progress in the average proportion of women among professional judges" in the Council of Europe.[1]

Moreover, the "average percentage of female court presidents has increased from 33% in 2012 to 42% in 2022".[2]

And, according to the European Institute for Gender Equality, last year, the share of women among supreme courts judges in the EU reached an all-time high ratio of 45.5%, up from just one-third twenty years ago.[3]

[1] Council of Europe, *Follow-up to the Council of Europe Plan of Action on strengthening judicial independence and impartiality (Sofia Action Plan): Thematic Review focused on the Career and Training of Judges* (as adopted by the European Committee on Legal Co-operation (CDCJ) at its 106th plenary meeting (2-4 June 2026), para. 30.
[2] Council of Europe, *Follow-up to the Council of Europe Plan of Action on strengthening judicial independence and impartiality (Sofia Action Plan): Thematic Review focused on the Career and Training of Judges* (as adopted by the European Committee on Legal Co-operation (CDCJ) at its 106th plenary meeting (2-4 June 2026), para. 30.
[3] European Institute for Gender Equality, Gender equality in Judiciary: progress made but challenges remain (19 May 2026).

Looking at my own Court, we have certainly come a long way:

In the first 39 years of its existence, until it became permanent in 1998, the Court had only three women judges.[4]

The first one was Helga Pedersen, elected in 1971 in respect of Denmark. We have recently opened at the Court an exhibition dedicated to her legacy, which I very much recommend to you all.

In 2011, the Court had 19 women judges – its highest-ever ratio (41%).[5]

Over the last decade, 10 member States have had for the first time a woman Judge elected in respect of each. I am privileged to be among them.[6]

But, as found by the Thematic Review, "[g]ender inequalities persist at the higher (…) levels".[7]

The number of female judges of the European Court has fallen again in recent years.[8]

Today, there are 16 women out of the 45 sitting Judges. In December, with the arrival of the new Judge elected in respect of Bosnia and Herzegovina, we will be 17.

There have been 18 presidents in the Court's history, and only one of them has been a woman.

There are still 11 member States in respect of which a woman Judge has never been elected.[9]

This shows that gender parity, in Strasbourg, and also in other international jurisdictions, is still some way off.

WHY

To the question of why achieving gender balance in senior judicial roles is so important, I have the following answers.

First, it is a matter of *legitimacy*. The judiciary should be a reflection of the Member States' diversity and the population of the societies they serve. Visibly representative justice inspires greater public trust in the rule of law and lends authority to court decisions.

Second, it is a matter of *credibility*. The European Court, as well as superior domestic courts, are often faced with legal issues related to domestic and gender-based violence, or bodily integrity and autonomy. Women judges bring unique perspectives to these discussions.

Thirdly, it is a matter of *principle*. As Justice Ruth Bader Ginsburg famously said: "Women belong in all places where decisions are being made. It shouldn't be that women are the exception."[10] Also, as found by the Committee of Ministers, '[g]ender equality is (…) a requirement for the achievement of social justice and a [*conditio*] *sine qua non* of democracy".[11]

And, finally – women in high judicial office serve as a source of inspiration for all girls and young women aspiring to a career in law, providing them with role models they can look up to.

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[4] Stéphanie Hennette Vauchez, 'More Women – But Which Women? The Rule and the Politics of Gender Balance at the European Court of Human Rights' (2015) 26 EJIL 195, p. 200, https://doi.org/10.1093/ejil/chv004

[5] European Institute for Gender Equality, Gender equality in Judiciary: progress made but challenges remain (19 May 2026).

[6] Andorra, Czech Republic, Iceland, Malta, Republic of Moldova, Montenegro, Poland, Portugal, Slovenia, Spain. *N.B.*: Women judges elected in respect of Slovakia and Türkiye were elected earlier than the last decade.

[7] Council of Europe, *Follow-up to the Council of Europe Plan of Action on strengthening judicial independence and impartiality (Sofia Action Plan): Thematic Review focused on the Career and Training of Judges* (as adopted by the European Committee on Legal Co-operation (CDCJ) at its 106th plenary meeting (2-4 June 2026), para. 30.

[8] Stéphanie Hennette Vauchez, 'More Women – But Which Women? The Rule and the Politics of Gender Balance at the European Court of Human Rights' (2015) 26 EJIL 195, p. 200.

[9] Albania, Azerbaijan, Cyprus, France, Greece, Hungary, Italy, Liechtenstein, Luxembourg, Serbia and the UK.

[10] See also, Section President Šimáčková addresses international "Women in Law" conference in Lithuania - ECHR - ECHR / CEDH.

[11] Recommendation CM/Rec(2007)17 of the Committee of Ministers to member States on gender equality standards and mechanism (Adopted by the Committee of Ministers on 21 November 2007 at the 1011th meeting of the Ministers' Deputies), para. 1.

HOW

There are three areas in particular that I suggest we focus on how to improve gender balance in the judiciary.

First:

PROCEDURAL MEASURES.

According to findings included in your Committee's Thematic Review, "one quarter of states have specific provisions in place to facilitate gender equality in the recruitment and promotion procedures of judges."[12]

Also, "[n]ine member states have similar targeted provisions for the appointment procedures of court presidents."[13]

One quarter, and nine – out of the 46 member states – that is clearly not enough.

Similarly, since 2004, the Council of Europe has in place a policy that requires Member States, in principle, to include at least one candidate of each sex in the list of three candidates for election to the post of Judge of the Court. (Some exceptions are made for smaller states.)

Whenever – as is the case today – one sex is underrepresented on the Court's bench, states with upcoming elections might consider putting forward a single-sex list – a possibility that is explicitly foreseen by another PACE Resolution (1426) of 2005.[14]

The second focus area is related to:

INSTITUTIONAL SUPPORT.

Policies and procedures are only the first step.

In order to *attract* women to senior judicial positions and to *keep* them, the structural inequalities need to be addressed - so to prevent women from taking up senior posts in the first place.

For instance, many female judges continue to assume primary caregiving responsibilities.[15] Is enough being done to level the playing field by supporting them and their families?

It also means adopting long-term thinking to improving access for women to senior judicial roles, by developing opportunities early in their careers.

Only by being exposed to the same opportunities for growth as men, women can acquire the skills and track record of achievement that they will need to evidence when they apply for competitive senior positions.

My final point is about

CULTURAL CHANGE.

How do we change patterns of behaviour to improve gender equality?

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[12] Council of Europe, *Follow-up to the Council of Europe Plan of Action on strengthening judicial independence and impartiality (Sofia Action Plan): Thematic Review focused on the Career and Training of Judges* (as adopted by the European Committee on Legal Co-operation (CDCJ) at its 106th plenary meeting (2-4 June 2026), para. 29 (emphasis added).

[13] Council of Europe, *Follow-up to the Council of Europe Plan of Action on strengthening judicial independence and impartiality (Sofia Action Plan): Thematic Review focused on the Career and Training of Judges* (as adopted by the European Committee on Legal Co-operation (CDCJ) at its 106th plenary meeting (2-4 June 2026), para. 29 (emphasis added).

[14] Council of Europe Parliamentary Assembly, Procedure for the election of judges to the European Court of Human Rights: Memorandum prepared by the Secretary General of the Assembly (SG-AS (2026) 01, 10 August 2026), para. 23: "*The committee shall also reject a single-sex list unless 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, at the time of the Secretary General's letter inviting presentation of a list.*"

[15] Interview with Judge Jelić, Do European courts reflect the societies they serve? Women's representation in the EU judiciary (Euronews, March 2026); Catherine Kessedjian, 'Gender Equality in the Judiciary – with an Emphasis on International Judiciary' in Elisa Fornalé (ed), *Gender Equality in the Mirror: Reflecting on Power, Participation and Global Justice* (Brill Nijhoff 2022) 195–210, p. 203.

Here again, three ideas:

First, through mandatory training on gender equality. Systematic and mandatory gender-sensitive training is essential for building fair and effective justice.

Again, as found by your Committee's Report, referring to CEPEJ findings, "in-service training on gender equality is *mandatory* in only five countries and *optional* in 37 others."[16]

These trainings are not an administrative formality. They are structural safeguards.

Second, through anti-stereotype training.[17] Stereotypes and bias compromise equality. They are embedded in our societies, including in judicial recruitment and appointment processes. We must not let them blind us. This is relevant particularly for those who make decisions on career progression.

Third, and this is crucial: we must detect and challenge the unwritten laws of gender inequality that permeate social interactions, and foster a culture of support, both formal and informal.

The commitment of men in this endeavour is just as important as that of women.

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Thank you for giving me the floor, and once again – many congratulations on the very informative and, hopefully, impactful first Thematic Review.

I very much look forward to our discussions.

[16] Council of Europe, *Follow-up to the Council of Europe Plan of Action on strengthening judicial independence and impartiality (Sofia Action Plan): Thematic Review focused on the Career and Training of Judges* (as adopted by the European Committee on Legal Co-operation (CDCJ) at its 106th plenary meeting (2-4 June 2026), para. 86 (emphasis added).

[17] Report by the European Committee on Legal Co-operation (CDCJ) to the Secretary General of the Council of Europe, *Review of the Implementation of the Council of Europe Plan of Action on Strengthening Judicial Independence and Impartiality* (Council of Europe, November 2022), paras. 211, 216.