



Resolution 1426 (2005)¹

Candidates for the European Court of Human Rights

Parliamentary Assembly

1. The Parliamentary Assembly has developed and adopted a procedure for examining candidatures for the European Court of Human Rights, laying down detailed criteria.
2. Noting the continued existence of a clear imbalance between the sexes in the membership of the Court, the Assembly, in [Resolution 1366 \(2004\)](#) and [Recommendation 1649 \(2004\)](#) on candidates for the European Court of Human Rights, stressed the importance of restoring the balance and decided accordingly “not to consider lists of candidates where (...) the list does not include at least one candidate of each sex”.
3. The Assembly notes that women are clearly still under-represented in the Court today, as only 11 of the 44 judges currently in office are women.
4. The wording of paragraph 3.ii of the resolution quoted above effectively excludes any consideration of an all-female list of candidates, even if this would obviously contribute to furthering the Assembly's purpose of achieving a more balanced representation of both sexes in the Court.
5. Accordingly, the Assembly decides to introduce a special rule for considering candidatures for the European Court of Human Rights regarding the under-represented sex in the Court and to amend paragraph 3.ii of [Resolution 1366 \(2004\)](#) as follows :
6. “3. The Assembly decides not to consider lists of candidates where :
7. (...)
8. ii. the list does not include at least one candidate of each sex, except when the candidates belong to the sex which is under-represented in the Court, that is the sex to which under 40% of the total number of judges belong.”

1. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 18 March 2005 (see [Doc. 10454](#), report of the Committee on Legal Affairs and Human Rights, rapporteur : Mr McNamara ; and [Doc. 10461](#), opinion of the Committee on Equal Opportunities for Women and Men, rapporteur : Ms Oskina).

