



UNITED NATIONS OFFICE OF LEGAL AFFAIRS

Seven Women in Seventy Years: A Roundtable Discussion on Achieving Gender Parity at the International Law Commission

Opening Remarks

by

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Madam Moderator,
Distinguished members of the International Law Commission,
Ladies and gentlemen,

It is an honor for me to open the round table discussion on achieving gender parity on the International Law Commission. I would like to thank the Permanent Missions of China, Finland, Portugal, Spain, Sweden and Turkey for organizing this side event.

I am delighted to make a few remarks ahead of the discussion on a topic, gender parity, which is a priority for me, and as you know, for the Secretary-General. The 70th anniversary of the International Law Commission provides an opportunity for reflection on a number of issues, including its membership. On that front, the figures, as they relate to gender parity, are disappointing and frankly not reflective of the realities in international law.

The first female candidate, Ms Olga Nuñez de Saballos of Nicaragua, was nominated for membership as far back as 1966. The next nomination of female candidates during a regular election came 25 years later, in 1991, when Ms. Mwangala Beatrice Kamuwanga of Zambia and Ms. Renata Szafarz of Poland were nominated. None of these female candidates were elected.

In 2001, more than 50 years after the establishment of the Commission, the General Assembly elected the Commission's first female members: Ms Paula Escarameia of Portugal and Ms Hanqin Xue of China. After that, there was a slight increase in female membership - in the 2006 election, Ms Escarameia and Ms Xue were re-elected and Ms Marie Jacobsson of Sweden was elected. In 2010,



sadly, Ms Escarameia passed away and the casual vacancy was filled by Ms Concepción Escobar Hernández of Spain.

In the 2011 election, although four female candidates were nominated, including Ms. Noor Farida Ariffin of Malaysia and Ms. María del Luján Flores of Uruguay, only Ms Escobar Hernández and Ms Jacobsson were elected. Four female candidates were elected in the 2016 election - Ms Escobar Hernández, Ms Patrícia Galvão Teles of Portugal, Ms Marja Lehto of Finland and Ms Nilüfer Oral of Turkey – all of whom I am delighted to see here today.

From the time of its establishment 70 years ago, the Commission has had 229 members. As I have attempted to briefly describe, only seven of these members have been women. That represents just 3% overall. At present, in 2018, at the peak of representation, women make up less than 12% of the current membership.

As we all know, members of the Commission are nominated by Member States, followed by a vote in the General Assembly. It is therefore not for me as the United Nations Legal Counsel to tell Member States how to go about nominating and electing more women to the Commission. I will state however, that 12% female membership is not a reflection of the talent in the current legal world. Indeed, there is no shortage of qualified female international lawyers.

I am pleased to report, for example, that 54% of the professional posts in the United Nations Office of Legal Affairs are held by women, including at the most senior level of D2.

The importance of reaching gender parity on the Commission cannot be overstated. Not only would such parity reflect today's world, it would ensure that the critical initial step of the selection of topics, as well as their consideration, are approached from a broader perspective.

Member States are not blind to the gender disparity generally, and have called on themselves to bridge the gap.

En effet, dans sa résolution 71/323 du 8 septembre 2017 sur la *Revitalisation des travaux de l'Assemblée générale*, l'Assemblée a souligné « qu'il faut promouvoir et garantir l'équilibre entre les sexes dans l'ensemble du système des Nations Unies ».



L'Assemblée a invité « à cet égard les États Membres à envisager de présenter des candidates au poste de président de l'Assemblée générale » et a engagé « ses futurs présidents à continuer de veiller au respect de l'équilibre entre les sexes et de l'équilibre géographique au sein de leur Bureau ».

Par ailleurs, les Etats membres sont conscients de leur responsabilité à ce sujet. En effet, dans sa résolution 72/147 du 19 décembre 2017 sur la *Suite donnée à la quatrième Conférence mondiale sur les femmes et application intégrale de la Déclaration et du programme d'actions de Beijing et des textes issus de la vingt-troisième session extraordinaire de l'Assemblée générale*, l'Assemblée générale a réaffirmé « que c'est aux gouvernements qu'il incombe au premier chef d'assurer l'égalité des sexes et l'autonomisation des femmes ... ».

To achieve gender equality, as mandated by sustainable development goal 5, we each have our roles to play – as educators, advocates, mentors and policy makers.

In this regard, as many of you are aware, the Codification Division of the Office of Legal Affairs has, for more than half of a century, organized and conducted Regional Courses in international law as well as the International Law Fellowship Programme under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

These Courses aim to provide a better knowledge of international law “as a means for strengthening international peace and security and promoting friendly relations and co-operation among States”.

Women are strongly encouraged to apply for fellowships and I am pleased to report that over the last nine years, overall, there has been equal participation of men and women in the Regional Courses and the International Law Fellowship Programme. We are also committed to increasing the number of female lecturers to achieve parity and can attest that there is no shortage of experts in international law who also happen to be women.

It is essential for the young participants of the Courses– in Africa, in Latin America and the Caribbean and in Asia Pacific – to see such experts in the front of the room as they effectively serve as role models of what is possible.

Another important component of the Programme of Assistance is the Audiovisual Library of International Law which provides high quality international law training to an unlimited number of recipients around the world free of charge. One of our major objectives and achievements in the past several years has been to bridge the



gender gap between male and female lecturers whose work is featured on the Library.

Since its launch in 2008 until 2016, only 63 of the 392 lectures were recorded by female lecturers. From 2016 until today, 48 of the 124 lectures were recorded by female lecturers – that is about 40%. Notably, in observance of International Women’s Day this year, the Audiovisual Library launched a lecture by Professor H el ene Tigroudja of the University of Aix-Marseille on “Women’s Rights and The Elimination of Discrimination” (*« Droits des femmes et  limination des discriminations »*).

These are some examples of the steps that my Office has taken, through the implementation of the General Assembly mandates, to contribute not only to achieving parity on the International Law Commission but also toward the achievement of sustainable development goal 5 by 2030.

Finally, I would be remiss if I failed to mention that the International Law Commission has directly benefitted from the important contributions of many female members of the Office of Legal Affairs through the years. For example, the important position of Secretary of the Commission was twice held admirably by women: Ms Manoush Arsanjani and Ms Jacqueline Dauchy.

[Conclusion]

Distinguished Members of the International Law Commission

Ladies and Gentlemen,

As sustainable development goal 5 indicates, gender equality is a necessary foundation for a peaceful, prosperous and sustainable world. The achievement of this goal requires the participation of all of us - as mentors, educators, advocates and policy makers - so that, by 2030, equal representation on bodies like the Commission will be not only a reality but the norm. Given the pool of talent available, I am confident that this can be achieved.

I look forward to hearing from the distinguished speakers who will no doubt provide interesting insights based on their personal experience as members of the International Law Commission.

I thank you for your kind attention.