



# Official Gazette A

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## Decree on the entry into force for Greenland of the Act on the Danish Institute for Human Rights – Denmark's National Human Rights Institution

WE MARGRETHE THE SECOND, Queen of Denmark by the grace of God, solemnly declare:

Pursuant to section 15 of Act no. 553 of 18 June 2012 on the Danish Institute for Human Rights – Denmark's National Human Rights Institution<sup>1)</sup> and section 5 of Act no. 656 of 12 June 2013 amending the Act on the Danish Institute for Human Rights – Denmark's National Human Rights Institution and the Act on the Danish Institute for International Studies<sup>2)</sup>, it is determined that the Act shall apply to Greenland as follows:

### Chapter 1

#### *Establishment and tasks*

1. With the aim of promoting and protecting human rights in accordance with the UN Paris Principles applicable to national human rights institutions, the Danish Institute for Human Rights – Denmark's National Human Rights Institution is established.

2. The Danish Institute for Human Rights – Denmark's National Human Rights Institution shall promote and protect human rights in peacetime and during armed conflicts, in particular by

- 1) monitoring and reporting on the human rights situation in Greenland,
- 2) conducting analysis and research in the field of human rights,
- 3) advising the Danish Parliament, the Danish Government, Inatsisartut (the Parliament of Greenland), Naalakkersuisut (the Government of Greenland), other public authorities and private actors, including the Human Rights Council of Greenland, on human rights,
- 4) promoting coordination and support for civil society organisations' work on human rights,
- 5) implementing and promoting human rights education,
- 6) providing information about human rights,
- 7) securing library facilities for human rights and
- 8) contributing to the implementation of human rights at home and abroad.

*Subsection (2).* (Shall not apply for Greenland)

*Subsection (3).* The Danish Institute for Human Rights – Denmark's National Human Rights Institution shall submit an annual report to Inatsisartut (the Parliament of Greenland) on the Institution's activities and any developments in the human rights situation in Greenland. The report shall be published by the Institution.

*Subsection (4).* The Institution shall base its activities on the freedoms of the Constitutional Act of Denmark and on the human rights recognised by the international community at any given time, in particular the human rights referred to in the UN Universal Declaration of Human Rights, UN conventions and Council of Europe conventions, as well as on obligations related to the OSCE Human Dimension.

*Subsection (5).* The Institution has freedom of research.

*Subsection (6).* The Institution's academic staff have freedom of research and may research freely within the Institution's research strategy framework during the time when they are not assigned to other tasks.

### Chapter 2

#### *The Institution's management*

#### *Board*

3. Danish Institute for Human Rights – Denmark's National Human Rights Institution is governed by a Board, which decides on all major issues concerning the Institution's professional field of work, finances and administration.

*Subsection (2).* The Board consists of 14 members who are appointed in their personal capacity as follows:

- 1) 6 members are appointed by the Danish Council for Human Rights, cf. (4).
- 2) 1 member is appointed by the Rector of the University of Copenhagen, cf. (5).
- 3) 1 member is appointed by the Rector of Aarhus University, cf. (5).
- 4) 1 member is appointed by the Rector of the University of Southern Denmark, cf. (5).
- 5) 1 member is appointed by the Rector of Aalborg University, cf. (5).
- 6) 2 members are appointed by the Rectors' Conference of Universities Denmark.

- 7) 1 member is elected by the employees of the Institution, cf. (6).
- 8) 1 member is appointed by the Human Rights Council of Greenland.

*Subsection (3).* The members of the Board are appointed for a 4-year term and can be reappointed for a further term. Thereafter, they can only be elected or appointed again once at least 4 years have passed.

*Subsection (4).* (Shall not apply for Greenland)

*Subsection (5).* It is endeavoured to ensure that at least two of the members appointed by the rectors of the University of Copenhagen, Aarhus University, the University of Southern Denmark and Aalborg University are affiliated with the legal professions.

*Subsection (6).* Election of an employee of the Institution takes place in accordance with the relevant provisions of the Danish Companies Act. Employee representatives are protected against dismissal and other deterioration of their conditions in the same way as union representatives in the same or a similar area.

4. The Board elects one chairperson from among its members.

*Subsection (2).* The Board determines its own rules of procedure.

*Subsection (3).* The Board prepares articles of association for the Institution, which are to be approved by the Minister for Foreign Affairs.

*Subsection (4).* The Board may appoint special committees as needed.

5. (Shall not apply for Greenland)

#### *The Executive Director*

6. The Board shall, after public advertisement, appoint an Executive Director to be responsible for the day-to-day management of the Institution in professional, financial and administrative matters.

*Subsection (2).* The Executive Director attends Board meetings without voting rights.

#### Chapter 3

##### *Finance, accounting and auditing, etc.*

7. The Danish Institute for Human Rights – Denmark's National Human Rights Institution is an independent, self-governing institution within the public administration.

*Subsection (2).* The state provides an annual subsidy for the Institution's operations and activities.

8. In accordance with its purpose, the Institution may receive income from foundations, donations, etc. and may conduct income-generating enterprise, grant-funded research enterprise and other grant-funded activities, including consulting and advising, to the extent that this is compatible with the fulfilment of the Institution's other tasks.

*Subsection (2).* In accordance with its purpose, the Institution may enter into multi-year agreements with public authorities for the fulfilment of specific tasks.

9. The Institution applies the state accounting rules according to the Ministry of Finance's Executive Order on State Accounting. The Institution's financial year is the fiscal year. At the end of the financial year, the Institution's annual report is drawn up and signed by the Board and the Executive Director.

*Subsection (2).* The Institution's annual report is audited in accordance with good public auditing practices by the Auditor General, cf. sections 2 and 3 of the Danish Act on the Audit of State Accounts, etc.

#### Chapter 4

##### *Discontinuance*

10. The Institution can only be discontinued by law.

*Subsection (2).* If the Institution is discontinued as a self-governing institution, its buildings, facilities, equipment, assets and liabilities shall be transferred to the state.

#### Chapter 5

##### *Entry into force, etc.*

11. The Decree shall enter into force on 15 May 2014.

*Subsection (2).* The Act on the Establishment of the Danish Centre for International Studies and Human Rights, cf. Act no. 411 of 6 June 2002, as enacted by Decree no. 414 of 30 May 2005, is repealed.

*Subsection (3).* The Danish Institute for Human Rights – Denmark's National Human Rights Institution shall take over all the assets and liabilities and assume all the rights and obligations pertaining to the Danish Institute for Human Rights at the entry into force of the Act. The Minister for Foreign Affairs shall distribute all assets, liabilities, rights and obligations of the Danish Centre for International Studies and Human Rights between the Danish Institute for Human Rights – Danish National Human Rights Institution and the Danish Institute for International Studies, depending on which of the two institutions' mandates the individual right or obligation concerns. The Executive Director of the Danish Institute for Human Rights shall continue until the end of their contract period.

*Subsection (4).* (Shall not apply for Greenland)

*Subsection (5).* (Shall not apply for Greenland)

*Subsection (6).* (Shall not apply for Greenland)

*Subsection (7).* (Shall not apply for Greenland)

*Subsection (8).* (Shall not apply for Greenland)

*Subsection (9).* (Shall not apply for Greenland)

12. (Shall not apply for Greenland)

13. (Shall not apply for Greenland)

14. (Shall not apply for Greenland)

15. (Shall not apply for Greenland)

*Given in Copenhagen, 23 April 2014*

Under Our Royal Hand and Seal

MARGRETHE R.

/ Martin Lidegaard

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- 1) The provision reads as follows: "The Act shall not apply for the Faroe Islands and Greenland, but may by royal decree be enacted in whole or in part for the Faroe Islands and Greenland with the amendments required by Faroese and Greenlandic conditions."
  - 2) The provision reads as follows: "The Act shall not apply for the Faroe Islands and Greenland, but may by royal decree be enacted in whole or in part for the Faroe Islands and Greenland with the amendments required by Faroese and Greenlandic conditions."