

**STATEMENT OF COMPLIANCE WITH THE PARIS PRINCIPLES
OF THE GERMAN INSTITUTE FOR HUMAN RIGHTS
- NOVEMBER 2008 -**

I. BACKGROUND

At the April 2006 meeting of the International Coordinating Committee of National Institutions (ICC), it was agreed that members currently accredited with status A would have their accreditation renewed as part of a regular process of re-accreditation, commencing in October 2006 according to an agreed schedule. The German Institute for human rights (GIHR) is scheduled for a re-accreditation review in November 2008.

The GIHR first submitted its application for accreditation as a National Institution to the ICC in 2001. At this time it was granted an "A(R)" accreditation status. In 2002, the GIHR submitted its application for re-accreditation with the ICC and was also granted an "A(R)" accreditation status. In 2003, the GIHR was granted "A" status.

The following sections provide background information on the GIHR based on supporting documentation submitted by the Institute to the Secretariat of the ICC, in accordance with Article 3 of the ICC Rules of Procedure.

II. DOCUMENTATION PROVIDED IN SUPPORT OF THE APPLICATION

To permit the ICC to make a determination as to the compliance of the GIHR with the Paris Principles, the following documentation has been submitted by the Institute in support of its application:

- Unauthorized Translation by the German Institute for Human Rights of *Bundestag* Motion 14/4801 of 2000 on the Establishment of a German Institute for Human Rights (hereafter: "Motion 14/4801")
- The statutes of the GIHR of July 2007 (hereafter: "GIHR Statutes");
- Organizational Chart and Organigram of the GIHR (hereafter: "Organigram")
- Annual Financial Statement of the GIHR, 2007 (hereafter: "Budget");
- German Institute for Human Rights Annual Reports for 2005, 2006 and 2007 (hereafter: "Annual Reports" with year specified) in English and German;
- Statement of Compliance with the Paris Principles of the German Institute for Human Rights of July 2008 (hereafter: "Statement of Compliance");

In addition, the following documents describing the activities of the GIHR were also submitted to the ICC in hard copy:

- Pamphlet: "German Institute for Human Rights" (two copies)
- Study: "Soziale Menschenrechte ältere Personen in Pflege", by Valentin Aichele and Jakob Schneider (August 2006);
- Policy Paper: "Temporäre Arbeitsmigration in die Europäische Union: Menschenreichliche Anforderungen", by Petra Follmar-Otto (April 2007);
- Study: "Flüchtlingsfrauen – Verborgene Ressourcen", by Fadi Foda and Monika Kadur (December 2007);
- Study: "Border Management and Human Rights: A study of EU Law and the Law of the Sea", by Ruth Weinzierl and Urszula Lisson (December 2007)
- Essay: "Menschenwürde und Folterverbot: Eine Auseinandersetzung mit den jüngsten Vorstößen zur Aufweichung des Folterverbots", by Heiner Bielefeldt (March 2007);
- Essay: "Das neue internationale Übereinkommen zum Schutz aller Personen vor dem Verschwindenlassen", by Wolfgang S. Heinz (April 2008)
- Handbook: "Die Individualbeschwerde nach dem Fakultativprotokoll zum Zivilpakt: Ein Handbuch für die Praxis" by Bernhard Schäfer (October 2007)
- Handbook: "The Role of National Human Rights Institutions in the United Nations Treaty Body Process" by Amrei Müller and Frauke Seidensticker (December 2007)

III. CHARACTER OF THE NHRI

1. Establishment

GIHR was founded as a Registered Association (*eingetragener Verein*) on 7 March 2001. Its institutional operation started in October 2001. The foundation of the GIHR was based on a unanimous decision of the national legislator, i.e. the German Federal Parliament (*Deutscher Bundestag*) of 7 December 2000 (tabled 28 November 2000), which recommended the establishment of an independent German Institute for Human Rights. The recommendation resulted in Bundestag Motion 14/4801 on the Establishment of a German Institute for Human Rights (hereafter: "Motion 14/4801"). The German Federal Parliament's decision also defined the Institute's general mandate, detailing issues such as information and documentation, research, policy advice, domestic education in human rights, national and international cooperation.

According to Motion 14/4801, the GIHR's purpose, mandate, the composition of its internal bodies, its competencies and its obligations were to be set out in the Statutes of the GIHR Association (hereafter: the "GIHR Statutes"), adopted on 7 March 2001 by the Founding Assembly. Later, the Statutes were amended several times, and the most recent amendments were registered on 10 July 2007.

According to section 1 of the GIHR's Statement of Compliance, the GIHR was not founded by a formal act of legislation.

The Statement of Compliance asserts, however, that the GIHR's jurisdiction covers the whole of Germany (at section 1). The Institute also makes recommendations concerning aspects of German politics that affect persons living outside of Germany (i.e. foreign politics, defence politics, development cooperation, EU refugee directives, etc.)

2. Independence

Article 29 of the GIHR Statutes requires the Board of Directors of the GIHR to draw up an annual report and financial statements to be approved by the Board of Trustees (see Section 3.3.1 for further details about the Board of Directors and Board of Trustees), audited by the treasurer and submitted to the General Assembly for the purpose of discharging the Board of Directors.

The fifth paragraph of the section also details that the GIHR's fixed costs are to be borne by the German federal government, with subsequent analysis of whether an alternative mode of government financing of the GIHR is appropriate.

Paragraph 4 of section 6 of the same Motion specifies further that the GIHR "is to be established near the seat of government in order to guarantee close cooperation with ministries, the parliament, and non-governmental organisations."

The opening paragraph of Motion 14/4801 asserts the independence of the Commission in declaring that "[t]he German Bundestag expresses its support for the founding of an independent German Institute for Human Rights". Motion 14/4801 further provides in its second opening paragraph that the GIHR "shall act on its own initiative and independent of any guidelines and instructions of the Federal Government and other public and private actors". Article 6 of the motion of the Bundestag reaffirms that "the GIHR shall be politically independent and founded as an association".

The GIHR Statutes also refer to the Institution's political independence: paragraph three of the preamble as well as article 3 of the Statutes highlight that the GIHR is "politically independent" (article 3). Specifically, article 3 provides that the GIHR "Acts on its own initiative and independently of any requirements and instruction from the German Federal Government or other public and private agencies."

There are specific instances in which the GIHR is required to submit to the authority of the German government. Article 32 of the GIHR Statutes ("Tax Authority") requires the GIHR to report to the "relevant tax authority" for approval of any retrospective statutory provisions relating to tax relief. Article 33 ("Register of Associations") specifies that "[d]ecisions on amendments to the statutes or on disbanding the Association must be reported to the competent district court for entry in the register of Associations."

Under article 27(4) of the GIHR Statutes, "[n]o members of the Board of Trustees may take part in discussions and votes on matters in which they have a personal interest". Under article 27(5) members of the Board of Directors participate in meetings of the Board of Trustees in a purely advisory capacity, except in those cases in which the Trustees' meetings involve the appointment or dismissal of those members of the

Board of Directors who would otherwise attend the meeting. Article 21(1) of the GIHR Statutes further specifies that “Member of the Board of Trustees and the Board of Directors must be invited to Membership Assemblies.”

Article 7(2) of the GIHR States further provides that “[s]imultaneous membership of the Board of Trustees and the Board of Directors is inadmissible”, except in accordance with article 31(3) of the GIHR Statutes, which provides for the appointment of members to the Board of Directors by the Founding Assembly.

There is no provision in the GIHR Statutes excluding the legal liability of members for actions taken in their official capacity on behalf of the Institution.

3. Appointments processes and organizational infrastructure

3.1. Composition of the NHRI’s membership and appointment process

According to article 7 of GIHR Statutes, the GIHR is composed of four different bodies:

- the Board of Directors (2 persons);
- the Board of Trustees (16 persons, of whom 12 have voting rights);
- the General Assembly (9 parties are founding members; please see section 3.1.3 of this summary for details on the current membership of the General Assembly); and
- the Advisory Boards.

According to article 8(2) of the GIHR Statutes, both natural and legal persons are entitled to become *full members* of the Institution, provided that they have “demonstrated their commitment to the protection and promotion of human rights in a professional or voluntary capacity.”

Full members are required to pay membership fees to the Institution in accordance with a schedule set by the General Assembly. No information on the quantum of membership fees payable by the GIHR’s full members has been provided by the Institution.

Under article 8(3), such natural or legal persons are also entitled to be “*sponsoring members* without voting rights” if they “provide money, grants in kind or unpaid services to the Association without an ongoing obligation to pay fees.” (emphasis added)

3.1.1. Appointment & Composition of the Board of Directors

The Director and the Deputy Director (who collectively constitute the Board of Directors) are appointed by the Board of Trustees, on the basis of public job advertisements. According to GIHR Statutes, only one of the Directors should be lawyer and one of the two positions should be filled by a woman. The appointment is for a period of four years and reappointment is possible (GIHR Statutes, articles 31(1) and 31(4)). The Statutes do not further specify the appointment procedure. Cooperation of civil society is guaranteed by the fact that the majority of seats within the Board of Trustees are held by representatives of civil society organizations and independent human rights experts (see Section 3.3.1 for more details about the Board of Trustees).

According to article 23(1)(b) of the GIHR Statutes, the Board of Trustees can also dismiss the Director and/or the Deputy Director by a vote of the absolute majority of its members. The Statutes do not include any specific criteria for dismissal.

3.1.2. Appointment & Composition of the Board of Trustees

According to article 24(1) of GIHR Statutes, the Board of Trustees is a 16-person organ, twelve of whose members enjoy voting rights as full members of the Institution. The Board of Trustees’ composition is as follows:

- 3 delegates of *Forum Menschenrechte* (a network currently composed of approximately 50 human rights NGOs in Germany);
- 2 delegates of the Federal Parliament’s committee on human rights and humanitarian aid;
- 1 representative of the Federal Governments commissioner of migration, refugees and integration; and
- 6 additional members elected by the General Assembly (at least one person among these six persons should represent academia).

According to article 24(2) of the GIHR Statutes, “the Board of Trustees has 4 other members without voting rights, comprising one representative each of the Federal Foreign Office, the Federal Ministry for Justice and the Federal Ministry for Economic Cooperation and Development, and a representative nominated by the *Bundesrat* [the Second Chamber of the German parliament that represents the federal states].”

According to article 24(3) of the GIHR Statutes, the term of office for members of the Board of Trustees is four years.

Members of the Board of Trustees do not receive any remuneration; however, members are entitled to be reimbursed for travel and accommodation expenses associated with attending Board meetings (GIHR Statutes, article 24(6)). There is no indication that any of the members of the Board of Trustees serves full-time.

Section 3.2 of the Institution’s Statement of Compliance asserts that the process of appointing members of the Board of Trustees is transparent. According to the Statement of Compliance, representatives from the German government are delegates from their respective departments and committees, while *Forum Menschenrechte* elects three (3) persons to the Board of Trustees. Finally, the General Assembly of the GIHR elects the following six (6) members “according to their demonstrated human rights expertise.”

3.1.3. Appointment/Composition of the General Assembly:

Article 8 of the GIHR Statutes explains that the founding members of the General Assembly of the GIHR with voting rights are:

- 3 persons nominated by the *Forum Menschenrechte*;
- 2 members of the *Bundestag*’s Committee on Human Rights and Humanitarian Aid;
- 3 independent persons, with links to international organisations, academia and the media respectively; and
- 1 person nominated by the German Federal Government.

The GIHR Statutes also foresee the inclusion of additional Full Members with voting rights, and of Sponsoring Members without voting rights. Please see section 3.1 of this summary for further details on the general composition of the Institution.

According to article 6 of Motion 14/4801 the following parties are to be considered for membership in the association’s organs:

- (1) the Federal Government, represented through the Foreign Ministry, the Federal Ministry of Justice, and the Federal Ministry for Economic Cooperation and Development;
- (2) representatives of the German Bundestag;
- (3) representatives of the federal states;
- (4) representatives of non-governmental organisations; and
- (5) representatives from academia and legal practice; and representatives from business, unions and churches.

This article, however, does not apply exclusively to the General Assembly but to all of the GIHR’s organs.

Under article 9 of the GIHR Statutes, “the Board of Trustees decides whether to admit full and sponsoring members on the basis of applications in writing. It may make a decision, including a decision to reject an application, without stating reasons.” The Board’s decision must be ratified by the General Assembly of the GIHR’s membership. Rules for termination of membership and expulsion of a member are laid down in articles 10 and 11 of the GIHR Statutes. Membership in the GIHR Association is not time limited.

According to section 3.1 of the Institution’s Statement of Compliance, as of June 2008 the GIHR was composed of 18 members, of whom 16 are natural persons and 2 are legal persons. The natural members include a former head of the German section of Amnesty International, retired civil servants who have a key responsibility for human rights within a ministry, and representatives of academia, political parties or their attached foundations. The 2 legal persons are *Misereor* (a large Catholic development aid organization with a strong human rights component) and *action courage* (an NGO specialized in combating racism and other forms of discrimination).

According to the Statement of Compliance, the GIHR has not yet had any sponsoring members (section 3.1). Members of the GIHR do not receive any remuneration or reimbursement of travel and accommodation expenses when attending the General Assembly or any other GIHR event.

3.1.4. Appointment of the Advisory Boards:

According to article 28 of the GIHR Statutes, “the Board of Trustees may appoint advisory boards to advise it and the Board of Directors on specific subjects and projects. The Board of Trustees will specify the composition, duties and working method of these advisory boards in Standing Orders.”

3.1.5. Appointment & Composition of Staff:

Article 23(1)(f) of the GIHR Statutes provides that the Board of Directors is responsible for drafting staffing plans. According to section 3.1 of the Institution’s Statement of Compliance, the Board of Directors is free to hire and dismiss its own staff.

The Statement of Compliance asserts at section 3.2 that staff members hold academic degrees in law, philosophy, political science, history, pedagogy, economy, or Islamic sciences, and represent professions such as university teachers, lawyers, librarians, managers, economists, secretaries or journalists. Eight (8) of the positions are established on a permanent basis, while all the other positions are contractual in nature and are time-limited with the option of extension through renewal.

According to section 3.1 of the Institution’s Statement of Compliance, both of the GIHR’s Directors and the vast majority of the staff work full time. There are also a number of part time staff and interns. Directors and staff members receive adequate remuneration. In the case of staff, remuneration is established in accordance with the tariffs regulation of the public service (TVÖD = *Tarifvertrag des Öffentlichen Dienstes*). Remuneration for the GIHR’s Directors is set according to the civil service pay (Statement of Compliance, section 3.1).

3.2. Pluralism

3.2.1. Pluralism of the Board of Directors

According to section 3.2 of the Institution’s Statement of Compliance, one of the Institution’s two directors must be lawyer, and one of the Directors “should be filled by a woman.”

3.2.2. Pluralism of the Board of Trustees

According to section 3.2 of the Institution’s Statement of Compliance, the following parties compose the GIHR’s Board of Trustees:

- Chair: **Ms. Anja Klug** (Senior Legal Consultant, UNHCR, Geneva),
- Deputy Chair: **Prof. Dr. Eibe Riedel** (Professor of International Law and Vice Chair of the UN ESC Rights Committee),
- Deputy Chair: **Dr. Rainer Huhle** (Human Rights Centre Nuremberg, representing *Forum Menschenrechte*);
- **Prof. Dr. Eckart Klein** (Professor of International Law, Director of Human Rights Centre at the University of Potsdam; former member of the UN Human Rights Committee);
- **Dr. Ulla Mikota** (Federal Ministry for Development Cooperation);
- **Mr. Günter Nooke** (Federal Government Commissioner for Human Rights Policy and Humanitarian Aid at the Federal Foreign Office);
- **Dr. Michael Meier-Borst** (Expert on the right of asylum in Germany and Europe for the German Federal Government Commissioner for Migration, Refugees, and Integration);
- **Dr. Hanna Beate Schöpp-Schilling** (Expert member of the Committee on the Elimination of Discrimination against Women);
- **Ms. Erika Steinbach** (Member of the German parliament, spokesperson for human rights and humanitarian aid of the CDU/CSU parliamentary party);
- **Dr. Constanze Stelzenmüller** (Director of the Berlin Office of the German Marshall Fund of the United States);
- **Christoph Strässer** (Member of the German parliament, spokesman for human rights and humanitarian aid of the SPD parliamentary party);
- **Mr. Reinhard Stuth** (State secretary, Commissioner for Federal, European and Foreign Affairs of the Free and Hanseatic City of Hamburg [Bundesrat = Second Chamber]);

- **Dr. Almut Wittling-Vogel** (Human Rights Commissioner of the Federal Government at the Federal Ministry of Justice; in this capacity also representative of the Federal Republic of Germany at the European Court of Human Rights, Strasbourg);
- **Ms. Barbara Unmüßig** (Member of the Executive Board of the Heinrich-Böll-Foundation);
- **Mr. Michael Windfuhr** (Diakonisches Werk, representing *Forum Menschenrechte*);
- **Ms. Beate Ziegler** (Coordinator of *Forum Menschenrechte*).

According to section 3.2 of the Institution's Statement of Compliance, there is equal representation of men and women on the Institution's Board of Trustees.

3.2.3. Pluralism of the General Assembly

According to section 3.2 of the Institution's Statement of Compliance only 25% of the GIHR's general membership is female, "a situation not satisfactory concerning the purpose of pluralism and gender balance."

3.2.4. Pluralism of the Advisory Boards

While under the GIHR Statutes the Institution is empowered to appoint additional advisory boards, according to section 2 of the Institution's Statement of Compliance, no additional such Boards have been established. No further information is provided on the pluralism of the advisory boards.

3.2.5. Pluralism of Staff

Section 3.1.5 of this summary provides an overview of the pluralism of the Institution's staff. Although the Institution notes at section 3.2 of its Statement of Compliance that the permanent employees of the GIHR are diverse in respect of their educational and professional backgrounds, religion, sexual orientation and gender, it nonetheless acknowledges that "ethnic diversity (e.g. persons with a migration background [immigrants]) has, up to now, only been represented among persons with time limited contracts and interns."

3.3. Organisational infrastructure

3.3.1. Organisational Structure

GIHR Association is composed of the following four bodies:

- the Board of Directors,
- the Board of Trustees,
- the General Assembly,
- Advisory Boards.

Board of Directors	The role of the Board of Directors is summarized in article 30 of GIHR Statutes, as follows: "The Board of Directors represents the Association judicially and extra-judicially. It conducts the Institute's business. Further details are laid down in the Standing Orders for the Board of Directors." The Board of Directors is accountable to the Board of Trustees.
Board of Trustees	The duties and competences of the Board of Trustees are laid down in article 23(1) of GIHR Statutes as follows: <ul style="list-style-type: none"> (a) To decide on the admission of full members in accordance with § 8 Paragraph 2 in conjunction with § 9 and of sponsoring members of the Association in accordance with § 8 Paragraph 3 in conjunction with § 9 and to take decisions on the expulsion of a member in accordance with § 11, (b) To appoint and dismiss the Board of Directors and to supervise the work of the Board of Directors, (c) To represent the Association to the Board of Directors judicially and extra-judicially, (d) To adopt guidelines for the Institute's work, (e) To adopt medium- and long-term plans drawn up by the Board of Directors,

	<p>(f) To adopt business, financial, staffing and investment plans drafted by the Board of Directors,</p> <p>(g) To approve the financial statements and the annual report of the Board of Directors and make recommendations to the General Assembly concerning the discharge of the Board of Directors,</p> <p>(h) To approve decisions of the Board of Directors and actions of fundamental significance before they are carried out,</p> <p>(i) To issue Standing Orders for the Board of Trustees and the Board of Directors,</p> <p>(j) To appoint and recall members of advisory boards set up for specific subjects or projects.</p> <p>23(2) The Standing Orders for the Board of Trustees specify the types and levels of legal transactions that require its approval in accordance with § 23.1(h). In exceptional cases, approval may be obtained by written consent in lieu of a board meeting.</p> <p>23(3) By request of the Chair or the Board of Trustees the Board of Directors must inform him/ her or it of all matters pertaining to the conduct of the Institute's business.”</p> <p>Under article 23(1)(g), the Board of Trustees is accountable to the General Assembly.</p>
<p>General Assembly</p>	<p>The membership of the GIHR Association forms the General Assembly (please see section 3.1 of this summary for further details).</p> <p>According to article 12 of GIHR Statutes, “the General Assembly has the following duties:</p> <ol style="list-style-type: none"> 1. To make recommendations on principles of the Association's work, 2. To take decisions on amendments to the statutes, 3. To accept the financial statements and annual report, 4. To take decisions on discharging the Board of Directors, 5. To confirm decisions by the Board of Trustees on admitting new members, 6. To decide on appeals by expelled members against expulsion decisions by the Board of Trustees, 7. To elect the six additional members of the Board of Trustees who are not otherwise specified in the statutes. In electing these six members by secret ballot the Institute's diverse areas of activity must be taken into account, as must ideological and political plurality. Members are elected by the majority of votes cast, 8. To lay down membership fee rates and due dates for payment in a list of membership fees, 9. To appoint the treasurer.”
<p>Advisory Boards</p>	<p>As mentioned in Section 3.1, GIHR Statutes provide the possibility of appointing one or more Advisory Boards. According to the Statement of compliance, such optional advisory bodies up until now have not been established.</p> <p>Concerning the budget, article 6 of the Motion states that: “The Federal Government finances the institute's fixed costs... At the latest, it will be examined following the establishment phase whether another budgeting form is advisable, for example through the German Bundestag. In the beginning phase, the financing level should allow for five academic employees in addition to experts and clerical assistants, and reach up to DM 3 million. There will be a further DM 750,000 for initial furnishings. Individual projects require the securing of separate national and international public and private project financing.”</p> <p>According to the Statement of compliance, the core budget (i.e. DM 3 million) is provided by three Federal ministries: Federal Ministry of Justice (40%), Federal Ministry for Foreign Affairs (30%), Federal Ministry for Economic Cooperation and Development (30%). In addition, the GIHR</p>

	<p>receives third party money, which is project-based and earmarked. The Income of the GIHR is, today, composed of Federal Grants, membership fees, third-party funding and some income generated by speeches and seminars etc (cf. article 5 of GIHR Statutes).</p> <p>The Institute is free to decide, within the framework of public budget regulations, how to spend the money. The Board of Directors presents annual expenditure proposals for adoption to the Board of Trustees. Similarly, the financial statement (annual accounts), in combination with the annual report, is submitted by the Board of Directors and adopted by the Board of Trustees. The Board of Trustees then recommends acceptance of both the annual report and the financial statement to the General Assembly who then discharges the Board of Directors (article 23.1 (f), 23.1(g)).</p>
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3.3.2 Staffing

According to the Organization and Organigram of the GIHR (henceforth the organizational chart), the staff is composed of:

- A) Board of Directors
- B) Thematic Experts:
 - o Thematic Experts with a focus on human rights within Germany (report to the Director)
 - o Thematic Experts with a focus on human rights in international context (report to the Deputy Director): Expert on international political developments, security; Head of Department and expert on Development Policy
- C) Administration/ Communication/ Library

According to section 3.3.3 of the Institution's Statement of Compliance, a reorganisation of the office is scheduled to take place in the second half of 2008. For further details on pluralism in the context of staff recruitment, please see sections 3.1 and 3.2 of this summary.

3.3.3 Regular meetings

Meetings are held by the General Assembly, the Board of Trustees, and the Board of Directors

Board of Directors	<p>Under article 30 of the GIHR Statutes, further details of the duties of the GIHR's Board of Directors are provided in the Standing Orders for the Board of Directors. No further details are provided on the frequency of meetings of the Board of Directors. Article 31 of the GIHR Statutes provides that, in the event of disagreement between the Board of Directors, the Chair of the Board of Directors will decide.</p>
Board of Trustees	<p>Under article 27 of the GIHR Statutes, the Board of Trustees is to hold at least two meetings per year. Meetings are to be convened by the Chair of the Board of Trustees. Meetings may also be convened if one-third of either (a) the Board of Trustees or (b) the General Assembly makes such a request in writing.</p> <p>Under the Statutes, decisions are taken by the Board of Trustees the majority of members present at the meeting who possess voting rights, with the Chair holding a casting vote in the event of deadlock. According to article 24(1) of the GIHR Statutes, twelve members of the Board of Trustee possess voting rights.</p> <p>According to article 27(6), all decisions taken by the Board of Trustees must be recorded, and the minutes signed by both the Chair of the Board and the person who recorded the minutes. "On request dissenting views must be minuted."</p>
General Assembly	<p>Under article 13 of the GIHR Statutes, the General Assembly is to hold at least one plenary meeting each year; "[t]his must be held by no later than six months after the end of a financial year and will</p>

	<p>be chaired by the Board of Trustees". The article further specifies that members must receive a written invitation to the General Assembly meeting at least six weeks before the date of the General Assembly meeting (GIHR Statutes, article 13(2)). Motions to the General Assembly are to be submitted in advance of each meeting (GIHR Statutes, article 14).</p> <p>Under the GIHR Statutes, each full member of the GIHR has one vote at meetings of the General Assembly. Decisions are taken by vote of the majority of members present at the meeting who possess voting rights, unless the GIHR Statutes provide otherwise. Proxy voting is allowed in the General Assembly meetings (GIHR Statutes, article 16).</p> <p>Further rules on the procedure applicable to meeting of the General Assembly of the GIHR are provided at articles 15 ("Extraordinary Membership Assembly"), 17 ("General Assembly Quorum"), 18 ("Amendments to the Statutes"), 19 ("Supplementary Agenda Items"), 20 ("Minutes"), 21 ("Attendance at the General Assembly") and 22 ("Disbandment of the Association") of the GIHR Statutes.</p>
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4. Relations with Civil Society and human rights institutions

4.1. Formal Relationships with Civil Society

According to section 6 ("Supporting dialogue and cooperation in Germany") of Motion 14/4801, the GIHR is expected to actively exchange knowledge in the area of human rights; in this regard "cooperation with existing state and non-state actors [is] in the fore." (Motion 14/4801, section 5). The Motion asserts that committees of the GIHR will be composed of representatives from civil society (Motion 14/4801, section 6). This section is reproduced at article 2(2)(f) of the GIHR Statutes.

The formal participation of civil society in the activities of the GIHR is also addressed in the context of the representativeness of the membership of the Institution. For further details on the participation of civil society in the Boards of the GIHR, please see sections 3.1.2 ("Appointment and Composition of the Board of Trustees"), 3.1.3 ("Appointment and Composition of the General Assembly") and 3.2.2 ("Pluralism of the Board of Trustees") of this summary, as well as article 24 of the GIHR Statutes.

According to section 4.1 of the Institution's Statement of Compliance, NGOs "receive invitations to all conferences, workshops, seminars and other (public or non-public) events organized by the Institute." Conferences and lectures are also organized in cooperation with civil society organizations.

Section 4.1 of the Statement of Compliance further asserts that the Institution actively involves civil society organizations in its efforts "to enhance treaty body reporting mechanisms in Germany... Whenever a German State report to one of the treaty bodies is finalized and available, the Institute convenes NGOs in order to sensitize them about the options and methods of effective parallel reporting." The Statement of Compliance further asserts that, since 2004, the GIHR has attempted to promote effective follow-up on the Concluding Observations of the UN's treaty bodies by holding "conference to which civil society experts as well as representatives of the Government...and members of parliament are invited."

Notably, article 6(1) of the GIHR Statutes formally enshrines the following relationship between the GIHR and one particular civil society organization:

If the Association is disbanded or if the aims that make it eligible for tax relief are discontinued, its assets will accrue to the German section of amnesty international (amnesty international Sektion der Bundesrepublik Deutschland e.V.), which must use them directly and exclusively for the tax relief-eligible aims of promoting science and research and learning and education.

4.2. Regular Consultations

The opening paragraph of Motion 14/4801 provides that the GIHR “shall work...complement existing state and non-state institutions, working in a supporting role and in close connection with them.” Section 3 of Motion 14/4801 (“Policy advice”) provides that the GIHR is capable of providing advice to “representatives of politics and society in human rights questions”.

According to section 4.2 of the Institution’s Statement of Compliance, Germany has traditionally created specialized commissioners, whose “diverse structures and competences” have created “resulting problems of transparency.” According to the Statement of Compliance, the GIHR has maintained close contact in particular with “the Commissioner on Asylum, Migration and Integration”.

Section 4.2 of the Statement of Compliance further details that the GIHR has maintained close contact with the German Federal Antidiscrimination Bureau since that body’s founding in 2007, conducting joint internal workshops in the autumn of 2007, and a “common two day public seminar on human rights and antidiscrimination policies” in June 2008.¹

4.3. Cooperation with the United Nations, regional and national institutions

According to section 5 (“International cooperation”) of Motion 14/4801, the GIHR is expected to actively exchange knowledge in the area of human rights; “[a]t the same time, the international work of the institute exists through exchange with other similar institutions abroad, as well as through substantively following the human rights mechanisms of the EU, Council of Europe, OSCE and UN.” This section is reproduced at article 2(2)(e) of the GIHR Statutes.

Article 2(2)(a) of the GIHR Statutes also provide that the GIHR will keep internet-based records and information databases, and will create a specialist human rights library containing in particular records of “[m]ultilateral treaties and conventions”, decisions from the European courts and international tribunals, UN and Council of Europe resolutions, resolutions and documents from the European Parliaments and the *Bundestag*, and information on human rights situations in Germany and abroad.

As discussed at section 4.1 of this summary (“Formal Relationships With Civil Society”), the GIHR asserts in its Statement of Compliance that it attempts to promote follow up of the Concluding Observations of the UN’s Treaty Bodies. Section 4.3 of the GIHR Statement of Compliance asserts that the Institution has made the General Comments and Concluding Observations of the UN Treaty Bodies available in German in a single volume, complemented by “commentaries about how to understand and use the General Comments.”

Section 4.3 of the Institution’s Statement of Compliance also notes that the GIHR is a member of the ICC and the European Coordination Committee (ECC), and regularly attends meetings of both organizations, at which representatives of the United Nations, the Council of Europe and the Organization for Security and Cooperation in Europe are present. The Statement also asserts that the GIHR has supported the development of NHRIs in other European countries (Switzerland, the Netherlands, and Austria) and has established relationships with “a number of UN special rapporteurs. In particular, “[a] senior staff member of the Institute, Dr. Wolfgang Heinz, was recently elected to the Advisory Committee to the Human Rights Council” of the UN.

The GIHR has also published a handbook on “The Role of National Human Rights Institutions in the United Nations Treaty Body Process” by Amrei Müller and Frauke Seidensticker (December 2007).

5. Accessibility

5.1. Procedures and mechanisms to ensure accessibility

No legal provisions mandating the accessibility of the Institution is provided in either Motion 14/4801 or in the GIHR Statutes. The GIHR’s Statement of Compliance, however, provides detailed statements on the Institution’s efforts in respect of accessibility.

According to section 5.1 of the GIHR’s Statement of Compliance, the GIHR is situated in the Berlin city centre and is open to the public “[d]uring office hours” (the exact opening hours of the Institution are not

¹ According to section 4.2 of the Statement of Compliance, the Federal Antidiscrimination Bureau is charged with “monitoring the implementation of 4 EU antidiscrimination directives.”

given). The Library at the GIHR is publicly accessible five days a week, and the premises are accessible to persons in wheelchairs. The Statement further asserts that the GIHR has made sign language interpretation available for persons with hearing impairments since autumn of 2007.

Section 5.1 of the Statement of Compliance also asserts that the GIHR is in the process of revising its website to increase its accessibility to users. Additionally, the GIHR asserts in the Statement that the GIHR Secretary provides quasi-legal services to persons who come to the GIHR claiming their human rights have been violated. “She informs these persons about legal options in general, and about advisory services in their respective region, offered by public services or by private actors.”

Chapter 9 of the GIHR's 2007 Annual Report also describes the Institution's library facilities and its website:

Library	<ul style="list-style-type: none"> • According to page 12 of the GIHR's Annual Report, the Institution's library is a reference library that contains resources covering different thematic areas of human rights law and policy (“international security policy, migration and human rights, protection against discrimination, women's rights, human rights in development cooperation, and economic, social and cultural rights”). • According to the 2007 Annual Report, the library is the largest collection of human rights education materials in Germany. According to the Report, of the GIHR library's 6000 material, 740 new publications were acquired in 2007, and access to online journals was expanded, in partnership with Berlin's state library. • According to the Annual Report, the GIHR's library also organizes public readings at the Institution, and held two such readings in May and September of 2007.
Website	<ul style="list-style-type: none"> • According to page 12 of the 2007 Annual Report the website of the GIHR provides information on the objectives and activities of the Institution and features links giving access to documents related to Germany's reporting to the UN's Treaty Body. The website also features an online research portal for journalists and a section on thematic dossiers (currently there is only on dossier on temporary migration which was posted to the GIHR website in December 2007). The website also publishes a monthly newsletter that, according to the 2007 Annual Report, has 3600 subscribers (page 13). • The GIHR asserts in the 2007 Annual Report that “[t]he work of making the Institute's website barrier-free was thoroughly prepared in 2007, and the project is due to be completed in 2008.”

5.2. Procedures and mechanisms for addressing public opinion

According to section 5.2 of the GIHR's Statement of Compliance, the GIHR has increased its public profile somewhat in recent years through the activities of its press and communications unit, which is “composed of three persons from a journalistic background.” The Institution has published information on human rights in various paper formats (please see the list of documents given at section II of this summary). According to section 5.2 of the Statement, the majority of the GIHR's publications (in particular the Annual Reports) are in German, with some publications in English directed towards an international audience.

5.3. Working Groups

According to section 5.3 of the GIHR's Statement of Compliance, there are no long-term Working Groups in the GIHR – rather, members of the Institution's staff form ad hoc task-orientated groups on a short-term basis. The Statement also clarifies that the GIHR has no regional offices.

IV. COMPETENCE AND RESPONSIBILITIES

6. General Jurisdiction and Functions

6.1. Mandate to promote and protect human rights.

Article 2(1) of the GIHR Statutes provides that the GIHR's mandate is to "inform on the situation of human rights in Germany and abroad and contribute toward the prevention of human rights violations and towards the promotion and protection of human rights."

Motion 14/4801 provides an overview of the GIHR's mandate at the following sections:

1. Information and documentation	"Through online documentation of existing data, access to information shall be improved for parliamentarians, ministries, non-governmental organisations, academia, journalists, legal practitioners and interested members of the public. Additionally, the "Legal Information System for the Federal Republic of Germany" (JURIS) shall be offered and computerised access to the library associations in Germany established. Also planned is the establishment of a subject-specific library with a collection of fundamental works, treaties, jurisprudence, resolutions of international organs of human rights protection, and parliamentary decisions on human rights."
2. Research	"The research area of the institute shall contribute to the capability of human rights work. Especially conducive in this matter are studies in which strategies are developed on the prevention, avoidance and management of situations of human rights abuse. Valuable synergies shall be produced through cooperation with existing scientific institutions, to which commissions also can be given, with other policy advising institutions, as well as with political foundations."
3. Policy advice	"The institute's emphasis on application enables it to advise inter alia representatives of politics and society in human rights questions and recommend strategies of action. This can happen on its own initiative or in response to requests. Academia and politics should engage in a constant dialogue and exchange of views regarding questions of human rights. Events organised by the human rights institute can support this dialogue."
4. Domestic education in human rights	"Access to information is important; no less important is the early and emotional anchoring of the significance of human rights in hearts and minds in order to contribute to a critical public in Germany that is enlightened about human rights considerations. Human rights education shall primarily take place in subsidiary support of other institutions."
5. International cooperation	"The institute will be active abroad when this is necessary for the proper fulfilment of its duties and for the exchange in experience and knowledge in human rights. Possible fields of work are in the areas of civil society and state administration, in which cooperation with existing state and non-state actors are in the fore. At the same time, the international work of the institute exists through exchange with other similar institutions abroad, as well as through substantively following human rights mechanisms of the EU, Council of Europe, OSCE and UN." The GIHR will meet with the UN High Commissioner for Human Rights, Ms. Navanathem Pillay in October 2008, during the High Commissioner's official visit to Germany.
6. Supporting dialogue and cooperation in	"State and non-state institutions and organisations that are involved in Germany in human rights have their specific organisation, areas of focus and work methods. Without changing proven structures,

Germany	<p>the human rights institute could act in the medium term as a catalyst beyond the described tasks and strengthen human rights work through communication and public relations work.</p> <p>The German Institute for Human Rights shall be politically independent and founded as an association. In the majority, committees will be constituted from representatives of non-state, civil society areas. In these, the plurality of world and political views among state and non-state offices involved in human rights questions shall be reflected.”</p>
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The GIHR Statutes reproduce the sections of Motion 14/4801 above at article 2(2).

6.2. The mandate in practice

According to section 6.2 of the GIHR’s Statement of Compliance, the Institution practically exercises its mandate by holding conferences, meetings and workshops; issuing publications (policy papers, handbooks and studies); giving advice and issuing opinions to government ministries and committees in the *Bundestag*; offering human rights training to lawyers, NGOs, and specific groups as well as the general public; and by making publications and information available in the GIHR’s library and on the Internet.

The Statement of Compliance also asserts that the GIHR’s work falls primarily under the following thematic headings:

- Human Rights in the Context of a Societal Learning Processes;
- Strengthening Human Rights Institutions in Europe and Internationally;
- Protection from Discrimination;
- Economic, Social and Cultural Human Rights;
- Human Rights in Security Policy;
- Contemporary Forms of Slavery;
- Human Rights of Refugees and Migrants; and
- Human Rights and Development Cooperation.

For further discussion of the activities of the GIHR in the areas of national legislation, education and research, and international cooperation, please see section V of this summary, which gives an overview of the Institution’s 2007 Annual Report and the activities of the Institution which come under specific thematic headings.

6.3. Functions regarding national legislation

Section 3 of Motion 14/4801 lays the basis for the GIHR to “advise *inter alia* representatives of politics and society in human rights questions and recommend strategies of action” either “on its own initiative or in response to requests.” This is reproduced at article 2(2)(c) of the GIHR Statutes.

The Statement of Compliance asserts at section 6.3 that, while the GIHR “does not have a specific mandate regarding national legislation”, the Institution nonetheless actively comments on the degree to which German national legislation and EU legislation comply with international human rights standards. Specifically, the GIHR asserts that it has executed this function in respect of the EU Antidiscrimination Directives (please see section 4.2 of this summary for further details). According to section 6.3 of the Statement of Compliance, the GIHR has also “participated in a number of parliamentary hearings on the amendment of [Germany’s] Residence Act”.

6.4. Encouraging ratification and implementation on international standards

As discussed at sections 4.1 and 4.2 of this summary, the GIHR asserts in its Statement of Compliance that it encourages follow up action in respect of the Concluding Observation of the UN’s Treaty Bodies. In particular, the GIHR asserts that it has promoted the ratification and implementation of standards in respect of the following international human rights conventions:

Optional Protocol to the Convention Against Torture	According to section 6.4 of its Statement of Compliance, the GIHR has critiqued the German government for its failure to
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(OPCAT)	<p>ratify the OPCAT, which it signed in September 2006. The GIHR comments that the German government's proposed National Preventive Mechanism "[falls] far short of the normative and infrastructural requirements set out in the Protocol".</p> <p>The GIHR has "published a 350-page volume "covering all relevant areas of application to the OPCAT in Germany" and involved Mr. Manfred Nowak, the UN's Special Rapporteur in its activities surrounding the promotion of appropriate mechanisms to implement the OPCAT upon its ratification. The Statement also notes that one of the GIHR's members, Wolfgang Heinz, serves as the German representative on the European Committee for the Prevention of Torture.</p>
Convention on the Rights of Persons with Disabilities (CRPD)	<p>According to section 6.4 of its Statement of Compliance, the GIHR asserts that it has publicized the imminent ratification of the CRPD by the German government through "publications, public statements [and] workshops... The Institute has criticized the official German translation of the Convention and has pointed to the need [to facilitate the] active participation of civil society (in particular NGOs of persons with disabilities) in the process of ratification."</p>
Convention on the Rights of the Child (CRC)	<p>According to section 6.4 of the GIHR's Statement of Compliance, "[t]he Institute has repeatedly demanded [the] removal of the German interpretative declaration attached to the ratification [of the CRC] in which the government states that the Convention will not affect existing regulations in the German residence legislation."</p>
Convention on the Elimination of Discrimination against Women (CEDAW)	<p>According to Chapter 3 of the GIHR's 2007 Annual Report, in December 2007 the Institution staged a seminar to motivate German civil society to undertake parallel reporting on the degree to which Germany was meeting its reporting obligations under CEDAW.</p>

6.5. Programmes for teaching and research

Section 4 of Motion 14/4801 ("Domestic education in human rights") asserts that the GIHR's educational activities will "primarily take place in subsidiary support of other institutions." This is reproduced verbatim at article 2(2)(d) of the GIHR Statutes. The GIHR Statutes envisage the participation of the Institution in the following ways:

- Its establishment as a national coordinating centre for human rights education in line with United Nations guidelines set out in Document A/52/469 Addendum 1;
- Drawing up teaching programmes and materials for human rights education in sensitive areas such as police authorities, prison services and psychiatric establishments;
- Drawing up ideas for school curricula;
- Involvement in developing competences in human rights-related issues and themes for experts engaged in civil conflict resolution; and
- Human rights-related events, seminars and symposia.

The GIHR provides more detailed examples of its education-related activities at section 6.5 of its Statement of Compliance:

2004	<p>The GIHR established its "Autumn Academy", "a one week intensive introduction to the international human rights systems." The lecture series consists of 10-12 weekly lectures held bi-annually</p> <p>The Academy's programming is open to all interested parties and the lectures are delivered by the staff and experts of the Institute.</p>
2005	<p>Funding from the Gesellschaft für Technische Zusammenarbeit (GTZ), Germany's Technical Cooperation Agency, was used by the GIHR to offer a</p>

	specialized program with the goal of “[establishing] a human rights based approach in development cooperation.” For further information on this program, please refer to the discussion of chapter 8 of the GIHR’s 2007 Annual Report at section V of this summary.
January 2007	The GIHR published a study on “Human Rights Education for the Police” that continues to be employed in the training programs of German police academies. According to the Institution’s 2007 Annual Report, the GIHR held an experts meeting to mark the publication; the meeting was attended by “Bundestag deputies, researchers and a high-ranking representative of the Berlin police” (page 3) and focused on “effective way to integrate human rights training into the everyday work of the police [and included] a critical discussion of ‘cop culture’”. The GIHR asserts in the Statement of Compliance that it has been engaged in human rights training for the police for more than 5 years.
April 2007	According to page 3 of its 2007 Annual Report, the GIHR has specifically targeted journalists through training courses “on the theme of fundamental data protection rights in the EU.”
December 2007	The GIHR began acting as the German focal point for the European Fundamental Rights Agency within the FRALEX network. In this role, the GIHR is charged with “[collecting] data on specific themes (such as... homophobia, child trafficking, implementation of anti-racism legislation, etc.)”

The GIHR’s Statement of Compliance further asserts at section 6.5 that the Institution has provided specific training for social workers.

Chapter 1 of the Institution’s 2007 Annual Report describes the activities of the GIHR in the area of human rights education. The 2007 Annual Report describes a series of seminars held by the GIHR with human rights organizations in the Czech Republic, Poland and Russia in 2007, in which “[e]ducators and staff of human rights organizations were given specific introductions to the methods and didactics of human rights education, provided with support in planning their own activities, and assisted in networking.” (page 3)

The 2007 Annual Report also describes the Council of Europe’s KOMPASS human rights education handbook, which was published in English at the start of 2008 and which the GIHR translated into German, with key contextualizations and adjustments (page 6).

6.6. General powers

For further details on the general advisory powers of the GIHR, please see generally sections 5.1, 5.2, and 6 of this summary.

6.7. Power to gather information

According to section 6.7 of the Institution’s Statement of Compliance, the GIHR is not empowered to gather information. Article 2(2)(b) of the GIHR Statutes speaks exclusively to the Institution’s research functions (please see section 6.1 of this summary for further details of the specific components of the GIHR’s research capacity).

7. Quasi-jurisdictional competence

The GIHR does not have any quasi-judicial powers.

V. SUMMARY OF THE ANNUAL REPORT

The GIHR included copies of its Annual Reports for 2005, 2006 and 2007 as enclosures with its Statement of Compliance. The discussion below refers exclusively to the **2007 Annual Report**, which is divided into the following chapters:

<p>1. Human Rights in the Context of a Societal Learning Processes (pages 3-4)</p>	<p>This section discusses the GIHR's activities in the area of public and targeted education in human rights, and refers specifically to the following activities:</p> <ul style="list-style-type: none"> - Targeted human rights training for specific groups (police officers and journalists); - Human rights education for youth (using the Council of Europe's KOMPASS handbook); - GIHR Autumn Academy (for further details on this activity, please refer to section 6.5 of this summary); and - GIHR Lecture Series (held in the summer of 2007, and featuring the participation of the centre for International Peace Operations in Berlin).
<p>2. Strengthening Human Rights Institutions in Europe and Internationally (pages 4-6)</p>	<p>In the area of "Supporting National Human Rights Institutions", the GIHR describes its work in facilitating exchanges of information between the press and communications officers of European NHRIs in 2006 and 2007.</p> <p>At the European level, the chapter discusses the GIHR's international outreach work, in particular its efforts to continue the Arab-European NHRI dialogue commenced in April 2007, and also discusses the Institution's participation on the European Committee for the Prevention of Torture. With regard to the European Union, the GIHR is charged with preparing the German country reports for the EU's Agency for Fundamental Rights.</p> <p>The chapter also describes the GIHR's UN-related activities, notably its presence at sessions of the Human Rights Council.</p>
<p>3. Protection from Discrimination (pages 6-7)</p>	<p>Chapter 3 of the GIHR's 2007 Annual Report details the Institution's activities in the area of discrimination prevention, including workshops on the use of the word "race" in public discourse (October 2007), and a consultation on Germany's National Plan of Action against Racism held in November 2007.</p> <p>Additional activities discussed in this chapter include the Institution's encouragement of parallel reporting by NGOs to both the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women (December 2007).</p>
<p>4. Economic, Social and Cultural Human Rights (pages 7-8)</p>	<p>The GIHR has engaged in activities concerning access to healthcare for undocumented migrants in Germany; the right to clean water and sanitation (a seminar on the topic was held in June 2007), and raised concerns about the German-language translation of the Convention on the Rights of Persons with Disabilities.</p> <p>The GIHR also held a conference in November 2007 on "Infirmity and Protection against Discrimination".</p>
<p>5. Human Rights in Security Policy (pages 8-9)</p>	<p>The GIHR's 2007 Annual Report describes the Institution's activities regarding the evaluation of German security legislation; and its publication of a study on European security and defense policy. The GIHR has also held discussions with representatives from the German armed forces.</p> <p>The chapter also describes the work of the GIHR in providing human rights training to the Iraqi security forces; notably, the GIHR presented a study on human rights and anti-terrorism in April of 2007, and participated in consultations hosted by the UN Special Rapporteur on Human Rights</p>

	and Counter-Terrorism in the Netherlands in October 2007.
6. Contemporary Forms of Slavery (pages 9-10)	The chapter describes the GIHR's activities relating to the prevention of forced marriages in Germany. The 2008 Yearbook on Human Rights in Germany, co-edited by the GIHR, also focused on the issue of contemporary forms of slavery.
7. Human Rights of Refugees and Migrants (pages 10-11)	<p>The GIHR released a study on the International Convention on the Protection of the Rights of Migrant Workers in March 2007, and published a paper on temporary migration in the European Union in April 2007 (the paper, entitled "<i>Temporäre Arbeitsmigration in die Europäische Union: Menschenreichliche Anforderungen</i>", was included by the Institution as an enclosure with its Statement of Compliance). A further publication, "Border Management and Human Rights: A study of EU Law and the Law of the Sea", was released by the GIHR in December 2007. The 2007 Annual Report also describes the GIHR's monitoring of the German government's implementation of the EU's Directives relating to immigration and asylum.</p> <p>In its capacity as a representative of the European forum on NHRIs, the GIHR has participated in meetings of the Council of Europe's working group on the preservation of human rights in accelerated asylum procedures.</p>
8. Human Rights and Development Cooperation (pages 11-12)	<p>The chapter describes the GIHR's work to mainstream human rights into Germany's development cooperation programming, in partnership with the Gesellschaft für Technische Zusammenarbeit (GTZ), Germany's Technical Cooperation Agency. According to page 11 of the GIHR's 2007 Annual Report, "The Institute has played a role in integrating human rights issues in training programmes at both the Federal Ministry of Economic Cooperation and Development and the GTZ." According to the GIHR, "[h]uman rights are now part of the standard preparations for new staff of these institutions".</p> <p>The GIHR also prepared six seminars on human rights, democratization and good governance at the <i>Vorbereitungsstätte für Entwicklungszusammenarbeit</i>, Germany's training centre for international development experts.</p> <p>The GIHR also conducted an Arabic-language train-the-trainer session for staff of the Iraqi security forces. Finally, the GIHR's website contains a German-language portal on human rights in the context of development cooperation.</p>
9. Library and Website (pages)	This chapter discusses the Institution's library and website. For further details on this section of the GIHR's Annual Report, please see section 5.1 of this summary.
10. Annex (pages 14-16)	The Annex to the GIHR's 2007 Annual Report contains the information on the Institution's permanent staff and administration, as well as a list of the members of the GIHR's Board of Trustees as at 31 December 2007 (please see section 3.2.2 of this summary for the list of the GIHR's Trustees).