

## Summary

# SPECIAL REVIEW OF THE GREEK NATIONAL COMMISSION FOR HUMAN RIGHTS TO THE INTERNATIONAL COORDINATING COMMITTEE OF NATIONAL HUMAN RIGHTS INSTITUTIONS

-November 2009-

\*\*\*For more exhaustive information on Greece National Commission for Human Rights (GNCHR) please refer to the Summary that was prepared by the ICC Secretariat in October 2007\*\*\*

## BACKGROUND

The Greek National Commission for Human Rights (GNCHR) first submitted its application for accreditation as a National Human Rights Institution (NHRI) to the International Coordinating Committee of National Institutions (ICC) in April 2000 and it received "A(R)" accreditation (i.e. with reservation status), based on the absence of an annual report in the supporting documentation. In April 2001, the GNCHR was reviewed; the reservation was lifted and the GNCHR was granted an "A" status.

On 6 July 2007, the GNCHR submitted its application for the re-accreditation. The "A" status was confirmed, but in this context the Sub-Committee (SCA) expressed concern regarding *adequate funding, in particular with regard to the process for the approval of core functions and to recruit staff*. The Sub-Committee also noted *the need for the NHRI to provide for adequate resources for staff, and for sufficient staffing*. The Sub-Committee refers to its General Observation on "Full time members".

The SCA noted that it would again consider this issue at its October 2009 session.

This summary includes a concise synopsis of the answers and comments provided by the GNCHR to the issues raised by the Sub-committee.

## DOCUMENTATION PROVIDED FOR THE SPECIAL REVIEW

To permit the ICC to make a determination as to the continuing compliance of the GNCHR with the Paris Principles, the following documentation was submitted by the GNCHR in support of its application:

- Letter from the Greek National Commission for Human Rights to Mr. Gianni Magazzeni (13<sup>th</sup> August 2009)
- Three documents that were mentioned in the Letter dated 13<sup>th</sup> August 2009:
  - Report of the the GNCHR to the Secretary General of the Government of July 2008 (in Greek);
  - Letter from the GNCHR to the Minister of the Interior of 1 July 2009 (in Greek);
  - Letter from the Secretary General of the Ministry of Interior to the GNCHR of 30 July 2009 (in Greek).

The 13<sup>th</sup> August 2009 correspondence submitted by GNCHR enounces actions undertaken to address the SCA's concerns. It is noted that, in preparing this summary, the Secretariat (the OHCHR National Institutions Unit) only referred to the 13<sup>th</sup> August letter (in English) while the rest of the documentation was not provided in any of the SCA's working languages. The Secretariat also notes that the GNCHR provided ad hoc clarification on the report.

## CLARIFICATION PROVIDED BY THE GNCHR ON THE ISSUES RAISED BY THE ICC

**1. Adequate funding, in particular with the regard of the process for the approval of the core functions and to recruit staff**

On June 2008, a letter to the Secretary General of the Government was addressed by the GNHRC. The aim of this correspondence was to raise the issue of the finances and administration of the Commission.

On July 2008, the GNHRC submitted to the Secretary General of the Government a report with a detailed mapping of the expenses of the Commission per year and by activity, including the budget of the year 2009. This action was undertaken with the purpose to request the creation of a new and separate budget line governing the financial resource of the Commission. The GNHRC provided ad hoc information on the content of the report, including the broad scope of the GNHRC's functions; and explained how having a separate budget would facilitate the GNHRC's functioning.

The President of the GNHRC, Mr. Kostis Papaioannou and the two Vice-Presidents, Ms Argyropoulou and Mr. Sicilianos, arranged a meeting with the Secretary General of the Government and two meetings with the Minister of the Interior, to advocate for the need and rationale for the creation of a separate budget line for the Commission.

On July 2009, the President of the GNCHR has reiterated its request to the Secretary General of the Government. A meeting of the President of the GNCHR with the Secretary General is scheduled in the near future, with the aim to capitalize this positive feedback.

In its letter, the GNCHR states that as explained in 2007, the budget provided by the Secretary General of the Government reach to pay the service of the core functions of the Commission and that of any other ad hoc activities (e.g. international missions, conferences, publications etc) as well for the remuneration of its staff, without hindrance. The commission is convinced that the establishment of a separate budget line to it would enhance its ability to plan ahead and implement its activities in an efficient manner.

Finally, the GNCHR informs that at present the Secretary General of the Ministry of Interior has explicitly requested the Secretary General of the Government to act for the creation of a separate budget line for the GNCHR. On September 4, the GNCHR was informed (through a letter copied to the Commission) that the Secretary General of the Government is requesting the creation a separate budget line to the Ministry of Finance. This being the final authority competent for the satisfaction of GNCHR's request, the GNCHR presumes that the creation of the budget line can be considered as certain; however, due to the early general election scheduled for October 4, and based on previous experience regarding implementation of decisions taken in between different administrations in Greece, the GNCHR surmises that this process may take some time,

Regarding the recruitment of the staff, the GNCHR affirms that, freely recruits the staff designated to it by the founding law and reiterates, that the State does not interfere to the process of recruitment. No documentary evidence was provided.

**2. The Sub-Committee also noted the need for the GNCHR to provide for adequate resources for staff, and for sufficient staffing. The Sub-Committee refers to its General Observation on "Full time members".**

The GNCHR argues that the composition of the Commission and the transparent appointment process of its members (as enshrined in the founding law), is the highest safeguard of independence.

The GNCHR states in its letter that the Commission is a broad collegial body that reflects the composition of the society and has an equally broad range of powers. The GNCHR has made important improvements in terms of expanding its activities areas, such as preventive action, monitoring places of detention, education and training activities, measurement of performance, and the GNCHR is doing its best to achieve these goals.