

Act governing the Establishment of the Danish Centre for International Studies and Human Rights

WE, MARGRETHE THE SECOND, by the Grace of God Queen of Denmark, do make known that:
The Danish Folketing has passed the following Act, which has received the Royal Assent:

Chapter 1

Establishment and objective

Section 1. For the purpose of strengthening research, analysis and information activities in Denmark relating to international matters, these being understood as the areas of foreign affairs, security and development policy, conflict, holocaust, genocide and politically motivated mass killings, as well as human rights at home and abroad, a Danish Centre for International Studies and Human Rights is established.

Subsection 2. The Centre comprises the following independent entities:

- 1) The Institute for International Studies, including the activities so far incumbent upon the Danish Institute of International Affairs, the Centre for Development Research and the Copenhagen Peace Research Institute. The previous activities of the Danish Centre for Holocaust and Genocide Studies comprise a special section in the Institute.
- 2) The Danish Institute for Human Rights, including the activities of the Danish Centre for Human Rights to date.

Section 2. The Institute for International Studies works for the achievement of its objective by the following:

- 1) To undertake, promote and coordinate independent research on international affairs.
- 2) To conduct analyses and statements upon request from Parliament, the government or on its own initiative, as well as to follow international development with a view to assessing the foreign and security policy situation in a broad political and economic context, including the position of Denmark in relation to development policy issues. Unless otherwise decided in each individual case, the aforementioned analyses and statements fall within the sphere of responsibility of the Board of the Institute.
- 3) To communicate research results, analyses and knowledge and to carry out documentation- and information activities, including library, on international affairs.
- 4) To participate in research education in collaboration with other research institutions, including the enhancement of research capacity in developing countries as well as to undertake supplementary education for the users of the Institute.
- 5) To function as a link between Danish and international research environments within the sphere of work of the Institute.

Subsection 2. The Danish Institute for Human Rights shall in the execution of its activities take its outset in the human rights recognised at any given time by the international society, including in

particular those laid down in the United Nations Universal Declaration, conventions adopted by the United Nations and the Council of Europe, and the civil rights contained in the Danish Constitution. The Institute shall work to strengthen research and information relating to human rights in times of peace and under armed conflict, in particular:

- 1) To carry out an independent and autonomous Danish research effort in the area of human rights.
- 2) To advise Parliament and the government on Denmark's obligations in the area of human rights.
- 3) To conduct and promote education at all levels in relation to human rights, including public information.
- 4) To promote equal treatment of all persons without discrimination on the basis of race or ethnic origin, including the provision of assistance to victims of discrimination to have their complaints dealt with, with due regard for the rights of the victims, the associations, the organisations and other legal entities, to initiate independent analyses on discrimination and to publish reports and to make recommendations on issues relating to discrimination.
- 5) To provide information on human rights to volunteer organisations, researchers, public authorities and the interested public.
- 6) To ensure modern publicly accessible library and documentation facilities relating to human rights.
- 7) To support volunteer organisations and others in collecting human rights documentation.
- 8) To promote the coordination between and assisting the volunteer organisations' work in the area of human rights.
- 9) To support and strengthen Nordic and other international cooperation in the area of human rights.
- 10) To contribute to the implementation of human rights domestically as well as internationally.

Section 3. The Centre is an independent self-governing institution

Subsection 2. The state contributes annually to covering the costs relating to the running of the Centre.

Section 4. In accordance with its objective the Centre may receive funding from funds, donations and other sources, and may carry out income generating activities, subsidised research and other activities financed by subvention, including consultancies and counselling, to the extent that it is compatible with the performance of the Centre's other obligations.

Subsection 2. In accordance with its objective the Centre can enter into perennial agreements with public authorities for the execution of concrete assignments.

Chapter 2

The Management of the Centre and the Institutes

Section 5. The Danish Centre for International Studies and Human Rights is governed by a Centre Board, deciding on all essential matters relating to the administration and finance of the Centre.

Subsection 2. The Institute for International Studies and the Danish Institute for Human Rights are each led by an Institute Board, which is responsible for all matters relating to substance and professional issues, including research strategy and tasks falling within the area specified for each Institute, cf. section 2.

Subsection 3. The Centre Board comprises a chairman, to be appointed by the Minister of Foreign Affairs, the Chair of the Board of the Institute for International Studies, the Chair of the Board of the Danish Institute for Human Rights, two members appointed by the Board of the Institute for International Studies, two members appointed by the Board of the Danish Institute for Human Rights and two members selected by the Centre staff.

Section 6. The Board of the Institute for International Studies consists of 11 members appointed in their personal capacity:

- 1) One member appointed by the Social Science Research Council
- 2) One member appointed by the Humanities Research Council
- 3) One member appointed by the Board of Danida
- 4) Four members appointed by the Danish Rectors' Conference
- 5) One member appointed by the Prime Minister
- 6) One member appointed by the Minister of Foreign Affairs
- 7) One member appointed by the Minister of Defence
- 8) One member selected by the staff of the Institute.

Subsection 2. The Board selects a Chair among its members.

Section 7. The Board of the Danish Institute for Human Rights consists of 13 members, serving in their personal capacity:

- 1) Six members appointed by the Council for Human Rights, cf. subsection 5
- 2) Two members appointed by the Rector of the University of Copenhagen
- 3) Two members appointed by the Rector of the University of Aarhus
- 4) Two members appointed by the Danish Rectors' Conference
- 5) One member selected by the staff of the Institute

Subsection 2. Among the members appointed by the Council for Human Rights, at least two must have association with the ethnic minorities or a humanitarian organisation operating in areas of significance for ethnic minorities.

Subsection 3. Among those members appointed by the Rectors of the universities of Copenhagen and Aarhus, at least two must be related to the legal profession.

Subsection 4. The Board selects a Chair among its members.

Subsection 5. A Council for Human Rights is established, composed in a manner reflecting the points of view of interested volunteer organisations, public authorities particularly affected, researchers with an interest and other individuals and groups particularly interested, including ethnic minorities.

Subsection 6. The Council for Human Rights discusses the overall principles guiding the activities of the Institute in accordance with internationally recognised principles and ensures that the activities

of the Institute are in accordance with its objective as laid down by this law. The Council can make recommendations to the Board for new activities and assess the running of activities so far.

Section 8. The members of the Centre Board and of the Boards of the Institutes are appointed for a period of four years and may be re-appointed for one additional period. Following this they may only be elected or appointed again after the lapse of a period of at least four years.

Subsection 2. Election of staff representatives follows the Companies Act.

Subsection 3. As soon as possible after the entry into force of this law, the Centre Board, the Boards of the Institutes and the Council for Human Rights lay down their bylaws. In the bylaws for the Council for Human Rights are laid down rules for membership of the Council in accordance with internationally recognized principles governing national human rights institutions.

Subsection 4. The Institute Boards may convene special committees, including those concerning matters relating to research and advisory bodies.

Subsection 5. Further rules relating to the activities of the Centre are formulated in a Statute by the Centre Board after submission from the Institute Boards.

Section 9. The daily management of finance and administration is carried out by a Centre Director, to be appointed by the Centre Board following public summons for the post.

Subsection 2. Each of the Institute Boards appoint, following public summons for the post, an Institute Director to be responsible for the daily management of the Institute in substantial and professional matters.

Chapter 3

Auditing, Closure, Entry into Force

Section 10. The fiscal year of the Centre is the financial year. At the end of this an annual financial statement is drawn up. The financial statement must be signed by the Centre Board and the Centre Director.

Subsection 2. The Minister of Foreign Affairs lays down the rules of procedure for the drawing up of the Centre's budget and for accounting.

Subsection 3. The National Auditors undertake the auditing of the Centre, cf. section 2 of the act governing the auditing of state accounts, etc.

Section 11. The Centre may only be closed down by law.

Subsection 2. In the event of closure of the Centre as a self-governing institution, its buildings, fittings, property and other assets are surrendered to the state.

Section 12. The Act enters into force on 1 January 2003, however the Minister of Foreign Affairs determines the date of entry into force of section 2 (2) (iv).

Subsection 2. At the same time as the Act enters into force, the following acts and provisions are derogated:

- 1) Act no. 442 of 14 June 1995 on the Danish Foreign Policy Institute
- 2) Act no. 477 of 31 May 2000 on the Danish Centre for Holocaust and Genocide Studies
- 3) Act no. 408 of 10 June 1997 on the Board of Ethnic Equality

4) Section 12 (3 and 4) in the act governing international development cooperation, cf. Act no. 541 of 10 July 1998.

Subsection 3. The Centre inherits through the Institutes all of the rights and obligations held by the Danish Institute of International Affairs, the Centre for Development Research, the Danish Centre for Holocaust and Genocide studies, the Copenhagen Peace Research Institute and the Danish Centre for Human Rights at the time when the Act enters into force. At the same time the property of the institutions is taken over by the Centre.

Subsection 4. The present members of the Board of the Danish Centre for Human Rights step in as members of the Board of the Danish Institute for Human Rights for the duration of the period for which they have been appointed.

Section 13. This Act shall not apply to the Faroe Islands nor to Greenland but may be applicable by Royal order to these parts of the country with such modifications as are required by the special Faroese and Greenlandic conditions.

Given at Christiansborg Castle, this sixth day of June 2002

Under Our Royal Hand and Seal

Margrethe R.

/Per Stig Møller

Official notes

The Act contains provisions which implement part of the Council Directive 2000/43/EC of 29 June 2000 governing the implementation of the principle of equality notwithstanding race or ethnic origin (Official Journal 2000 no. L 180, p. 22).