

September 2014

GREECE

1. What is the title, rank and position of the Legal Adviser?

The Head of the Legal Department of the Greek Ministry of Foreign Affairs is officially called "Special Legal Adviser". He/she serves this position for a three-year renewable term and, while not being a career diplomat, he/she is hierarchically equal to a Minister Plenipotentiary.

2. What are the principal functions of the OLA?

The "Special Legal Department" (SLD) of the Greek Ministry of Foreign Affairs is the OLA. It was created in 1931 with the mandate of providing legal advice to this Ministry. It supports the Ministry in all matters related to Public International Law and the Law of the European Union and is competent to deliver advisory opinions, to represent the Ministry abroad in legal and judicial issues and to handle issues related to international treaties. The Special Legal Adviser acts as Agent of the Greek State before the International Court of Justice and other international courts and is Member (for Greece) of the Panel of Conciliators and Arbitrators of ICSID. Likewise, the members of the OLA represent Greece before the Court of Justice of the European Union.

3. Please give a brief description of staff employed by the OLA, including overseas staff. What is the distribution of posts between men and women within the OLA and what category of staff do they respectively belong to?

The staff employed in the SLD belongs to two categories: a) scientific staff (see below, under 4) and b) administrative and technical staff of the Ministry of Foreign Affairs. Today, the Public International Law Section, including the Office of International Treaties, is composed of 16 members (of which twelve are members of the scientific personnel and four are members of the administrative staff with the ratio of women to men being 12 to 4), while the EU Law Section is composed of 25 members (of which twenty-two are members of the scientific personnel and three are members of the administrative staff with the ratio of women to men being 22 to 3).

4. Are there any specific recruitment and promotion policies, provisions and/or quotas to ensure non-discrimination and equal opportunities, e.g. for the underrepresented sex, for persons with disabilities or for persons belonging to ethnic or religious minorities or of immigrant origin?

The scientific staff of the Special Legal Department is appointed after having successfully passed an examination especially provided for this category of staff by the Ministry of Foreign Affairs. This examination includes a written and an oral part, comprising a series of tests on law-related courses (in particular, public international law and diplomatic history or EU law, as appropriate, constitutional law and private international law) as well as an interview. In order to meet the eligibility requirements for participating in the above examination, candidates must be law school graduates with a post-graduate specialisation in Public International Law or European law respectively. Knowledge of English and French is also required.

5. Is OLA staff trained on gender equality issues and are these issues mainstreamed into the OLA's work?

No. These issues would fall within the competence of the Ministry itself.

6. Briefly describe the organisation and structure of the OLA.

The "Special Legal Department" is composed of the Public International Law Section, the EU Law Section and the Office of International Treaties. Each Section is headed by a high-ranking member of the scientific staff.

The **Public International Law Section** is entrusted with the mandate to study and deliver advisory opinions on issues of public international law as well as on issues arising out of the interpretation and implementation of international treaties concluded by Greece.

Furthermore, it deals with interstate legal disputes to which Greece is a party in the event that these disputes are submitted to an international procedure of conciliation, arbitration or judicial settlement. It also represents the Hellenic Republic before the International Court of Justice.

Finally, the Public International Law Section follows and participates in intergovernmental committees and activities related to issues falling within its mandate in the framework of the United Nations and other international and regional organizations and conferences, as well as to the submission of national reports, particularly, before UN human rights protection bodies.

The **EU Law Section** is entrusted with the handling of and the representation of the Hellenic Republic on all EU Law issues. More precisely, it represents Greece before the Court of Justice of the European Union in all procedures (direct actions, preliminary references, interventions) and it gives advice on all legal issues relating to the Law of the EU as well as on matters of private and public international law, international trade law and national law to the extent that these matters involve the interpretation and application of the law of the EU.

The **Office of International Treaties** undertakes the necessary actions for the approval and the ratification by the competent State organs of international treaties concluded by Greece as well as for their registration with the Secretariat of the United Nations. The Office also acts as depositary, if provided for in an international treaty, and keeps the originals of international treaties concluded by Greece.

7. What is the OLA's place within the Ministry of Foreign Affairs?

The "Special Legal Department" is directly accountable to the Minister of Foreign Affairs.

8. What are the main contacts of the OLA within Government?

The SLD closely cooperates with competent departments of other Ministries on all issues related to its mandate, e.g. in particular the International Relations departments and other relevant departments dealing with the negotiation, implementation and interpretation of international treaties.

9. Please describe the relations of the OLA with lawyers in private practice, academics and legal institutions.

n/a

10. Please provide a brief bibliography on the OLA, if available.

No bibliography is available.