

HELLENIC REPUBLIC
GREEK NATIONAL COMMISSION FOR HUMAN RIGHTS

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| NCHR Recommendation: On the imperative need to reverse the sharp decline in civil liberties and social rights¹ |
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The NCHR, in its institutional capacity as an advisory body to the Greek State for the protection of Human Rights:

I. Recalls its prior resolution adopted on 10.06.2010 on "The need for constant respect fundamental rights in the course of the strategy aimed at extricating Greek economy and Greek society from the debt crisis", where it expressed its **deep concern**, that:

"Developments in the national economic environment, further exacerbated by global financial pressures and the reluctance of international creditors to find sustainable, long-term solutions to the debt crisis, severely disrupt social equilibrium at the expense of human rights, and have multiple chain effects on the enjoyment of social rights, while putting civil liberties at risk and vice versa.»

II. Observes that:

- the concerns it has previously expressed are dramatically corroborated by socio-economic developments;
- the rapid deterioration of living standards coupled with the dismantling of the Welfare State and the adoption of measures incompatible with social justice are undermining social cohesion and democracy;
- the surrender of public property and transfer of public utilities pose a serious risks to the furtherance of the public interest and the preservation of the public character of the goods and services produced or provided by these entities as well as to the working conditions of their employees.

III. Expresses even deeper concern at:

- the ongoing drastic reductions in even the lower salaries and pensions;
- the reversal of the hierarchy and the weakening of collective labour agreements which set out protective minimum standards of wages and working conditions for all workers;
- the facilitation of dismissals and the restrictions on hiring;
- the rapid increase in unemployment and the overall job insecurity;
- the disorganization, reduction or elimination of social infrastructures;
- the drastic reduction or withdrawal of vital social benefits;
- the lack of support for maternity, paternity, children and the family in general, while the number of unemployed parents with young children is continuously increasing;
- the lack of prospects for the young, who are either unemployed or employed under detrimental and precarious conditions;
- the increase in direct taxes unrelated to the taxpayers' ability to pay, as well as in indirect taxes, resulting in people being deprived of vital goods;
- the imposition of taxes with retroactive effect and the burdensome conditions of access to the courts to challenge them;
- the deprivation of essential social goods as a sanction for the non payment of taxes and the transformation of public utilities, such as the Public Power Corporation, into tax collection and tax enforcement organs;
- the avalanche of unpredictable, complicated, conflicting, and constantly modified "austerity measures" of immediate and often retroactive effect, which exacerbate the general sense of insecurity;

¹ Unanimously adopted on 8 December 2011.

- the inadequacy of legal aid for access to Justice of the financially weak;

are rendering a significant part of the population destitute, widening the social divide, disrupting the social fabric, strengthening extremist and intolerant elements and undermining democratic institutions.

IV. At the same time, the NCHR recalls that:

- the European Union “*is not merely an economic union, but is at the same time intended, by common action, to ensure social progress and seek constant improvement of the living and working conditions of the peoples of Europe, as is emphasized in the Preamble to the Treaty*”²;
- *civil liberties and social rights* constitute fundamental values and the cornerstone of the EU (Article 2 TEU);
- the *first aim* of the EU is to promote its values and the *well-being* of its peoples (Article 3 (1) TEU);
- the *social objectives* of the EU, which include *full employment, social inclusion, social justice and protection* and *social progress* are inextricably linked to its economic objectives and condition the effectiveness of the latter – *economic cohesion is based on social cohesion* (Article 3 (3) TEU);
- the Charter of Fundamental Rights, which is binding on both the EU and its Member States, guarantees indivisible civil liberties and social rights and proclaims that the EU “*places the individual at the heart of its activities*”;
- the ILO Committee on the Application of Conventions and Recommendations requested the Greek government to intensify its efforts and proceed to a thorough and frank dialogue with the social partners, to review the austerity measures taken or planned, while reconsidering their impact on the workers and ensuring the living standards of the latter.

V. Whereas it is obvious that:

- **there is no way out of the socio-economic and political crisis which plagues Europe as a whole, nor any future for the Union, if fundamental civil liberties and social rights are not guaranteed;**
- **immediate joint mobilization of all European forces is required if it is to save the values on which the European civilization is founded.**

VI. The NCHR is sounding the alarm and calling upon the Greek Government and the Greek Parliament:

- **to take into consideration the fiscal measures’ impact on social protection and security, which they are bound to safeguard, and**
- **to undertake common action with the governments and parliaments of other Member States and with the European Parliament, so that every measure of "economic governance" as well as the planned amendments to the EU Treaty be adopted and implemented with due respect for and in a manner that safeguards fundamental civil liberties and social rights.**

² European Court of Justice Cases C-50/96 *Schröder* [2000] ECR-774 and C-270/97 *Sievers* [2000] ECR I-933.