

HELLENIC REPUBLIC
GREEK NATIONAL COMMISSION FOR HUMAN RIGHTS

Neofytou Vamva 6 (3rd floor), GR 106 74 Athens, Greece, Tel: +30 210 7233221-2;
fax: +30 210 7233217; e-mail: info@nchr.gr, website: www.nchr.gr

<p>Resolution on Human Rights Violations Via “Employment Seeking” Television Programmes</p>
--

The NCHR discussed the problem pertaining to two TV reality shows scheduled for release on Greek TV, where the prize would be an employment contract. The first show –called “Your chance”- invited the unemployed to compete with a view to earning a contract for any job, irrespective of qualifications. The selection process consisted in gaining the sympathy of the TV viewers, who would actually select the final winner. The second one -entitled “The candidate”- invited candidates to compete with a view to earning a contract with a specific employer, promising a very high salary to the eventual winner.

According to the NCHR, the former reality-show is in breach of the constitutional, as well as the international law’s principle of the right to work – as established by article 22 of the Greek Constitution, article 23 para 1 of the Universal Declaration of Human Rights, article 6 of the International Covenant of Economic, Social and Educational Rights of the UN and the International Work Convention No. 122/1964-. The right to work is a social right, entailing the State’s legal obligation to provide for the adequate conditions of every citizen’s full-time employment aiming at their moral and material improvement. On the basis of that constitutional provision, the Greek legislator has provided for the establishment of Private Offices of Work Counselors (POWC), which are legally responsible for finding employees on behalf of the employers. Consequently, the above-mentioned reality-shows are in breach of the right to work, as no resignation from this specific social right may be conceived, the latter

being a State's obligation; moreover, according to the Constitution, the TV viewers cannot substitute and/or replace the employer in its duties and rights.

Finally, through these shows the Private Offices of Work Counselors (POWC) are replaced by the media –in this specific case, the TV-, thus altering the bilateral work contract (employer-employee) to a multilateral relationship (TV- nemployed person-employer-viewers) non-compatible with the constitutional and legal conception of the right to work and the guarantees provided by the law for the proper function of the POWC.

In addition, these reality-shows breach the right to privacy, conceived both as the right to personal freedom and the right to personal data. Consequently, the NCHR was of the opinion that the TV reality show entitled “Your chance” breached the right to work and the right to privacy, which are guaranteed both on constitutional and international level and, should, therefore, be banned. A few days after this decision was made public, the show was eventually banned and discontinued.

4 November 2004