

Greek crisis: Human rights should not stop at doors of international institutions, says UN expert

GENEVA (2 June 2015) – *The United Nations Independent Expert on foreign debt and human rights, Juan Pablo Bohoslavsky, has urged European institutions, the International Monetary Fund and Greece to show courage and reach a deal on the Greek debt crisis that respects human rights. In a statement, Mr. Bohoslavsky stressed that human rights should not stop at the doors of international organizations and international financial institutions:*

“If there is no compromise, Greece may sooner or later default, making the crisis in Greece even worse. Economic and social rights could be further undermined in Greece by lack of flexibility and courage to find a mutually benefitting deal that respects human rights.

At stake are not only debt repayment obligations, but as well the very foundations on which the European Union is built: a union of nations that has respect for human rights, human dignity, equality and solidarity at its core.

The harsh conditionalities of the Greek adjustment programme have resulted in severe cut-backs in social spending, health care and education, raising concerns about the ability of the Greek government to ensure basic economic and social rights. The austerity and reform policies implemented since 2010 have so far not been able to bring Greece back on track. They have rather deepened the social crisis in Greece, and clearly not stimulated the national economy to the benefit of the Greek population.

Unemployment has remained at 25 percent, affecting disproportionately women and young jobseekers. According to latest available data, one out of two young adults is jobless. The number of people at risk of poverty and social exclusion has increased to 35.7 per cent, the highest percentage in the Eurozone. In essence many human rights issues identified by my predecessor during his visit to Greece two years ago have remained if not worsened.

I welcome that the Greek Parliament established a debt audit commission. It is necessary to shed light on who benefited, and to what extent, from the reckless lending and borrowing and from the bail outs, and who is responsible for the current financial situation.

In April 2015, a law was passed to provide some relief for persons living in extreme poverty, including housing allowances, food coupons and restoring limited access to electricity; yet it is an initiative that does not go far enough. A more holistic approach to address economic and social rights issues in Greece is necessary. Priority should be given to use limited available resources to bolster the real economy and close holes in the social security net and in the system of public health care. A comprehensive job creation programme should be considered.

The burden of adjustment must be shared in a fair manner, compliant with the obligations Greece and creditor States have assumed under the International Covenant of Social and Economic Rights, the European Social Charter and other international human rights standards. This should include tax measures to support social transfers to mitigate inequalities, combatting tax evasion, establishing a tax on abroad financial assets of Greek residents and increasing taxes for luxury goods and highly valuable real estate. It also means implementing necessary institutional reforms in order to prevent over-borrowing.

At a regional level, EU capital requirements directives need to be improved in order to avoid over-lending. And the “no bail out clause” of the Lisbon Treaty would function best in combination with a human rights based sovereign insolvency mechanism.

Public debt is predicted to reach this year 180 per cent of GDP, indicating that the past debt relief was insufficient to ensure long term debt sustainability. This relation was about 120 per cent when the crisis started. It is perhaps time to acknowledge that further debt relief will sooner or later be necessary, instead of Greece remaining over several decades in an economically and politically unhealthy dependence on creditor institutions.

Human rights should not stop at the doors of international organizations and international financial institutions. They have to be respected when responsibilities are delegated by States to international bodies, such as the European Stability Mechanism.

I welcome that the European Parliament has published a comprehensive study on the impact of the financial crisis on fundamental rights, and recently passed a resolution stressing that sustainable debt solutions, including standards for responsible lending and borrowing, must be facilitated through a multilateral legal framework for sovereign debt restructuring processes. The same resolution called upon the EU to engage constructively in the UN negotiations on this framework.

I hope European institutions and governments will act accordingly and also draw the necessary consequences for adjustment policies implemented within the EU.

I am looking forward to visiting Greece in the near future to receive updates about the situation on the ground and have also requested official meetings with relevant European institutions.

We need to find better solutions to prevent economic reform policies undermining the enjoyment of human rights. This is not an easy task, but feasible, as Iceland's response to its banking crisis has shown.

(* See the report of my predecessor, Cephias Lumina, on his visit to Greece, www.undocs.org/A/HRC/25/50/Add.1

ENDS

Mr. Juan Pablo Bohoslavsky (Argentina) was appointed as Independent Expert on the effects of foreign debt and human rights by the UN Human Rights Council on 8 May 2014. Before, he worked as a Sovereign Debt Expert for the United Nations Conference on Trade and Development (UNCTAD) where he coordinated an Expert Group on Responsible Sovereign Lending and Borrowing. Learn more, log on to: <http://www.ohchr.org/EN/Issues/Development/IEDebt/Pages/IEDebtIndex.aspx>

The Independent Experts are part of what is known as the Special Procedures of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council's independent fact-finding and monitoring mechanisms that address either specific country situations or thematic issues in all parts of the world. Special Procedures' experts work on a voluntary basis; they are not UN staff and do not receive a salary for their work. They are independent from any government or organization and serve in their individual capacity.

Read the report of the Independent Expert's visit to Iceland:

www.undocs.org/A/HRC/28/59/Add.1

Study of the European Parliament: The Impact of the crisis on fundamental rights across Member States of the EU. Comparative analysis [http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL_STU\(2015\)510021](http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL_STU(2015)510021)

Resolution of the European Parliament on Financing for Development

<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P8-TA-2015-0196>

UN Guiding Principles on Foreign Debt and Human Rights:

<http://www.ohchr.org/EN/Issues/Development/IEDebt/Pages/GuidingPrinciples.aspx>

*For more information and **media requests**, please contact Gunnar Theissen (+41 22 917 9321 / gtheissen@ohchr.org) or write to ieforeigndebt@ohchr.org*

*For **media inquiries** related to other UN independent experts: Xabier Celaya, UN Human Rights – Media Unit (+ 41 22 917 9383 / xcelaya@ohchr.org)*