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# Post-2010 Greece: The impact of the "bailout" programme on human rights

Chapter 6 of the Preliminary Report of the Truth Committee on Public Debt

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The Troika's bailout programme enforced government measures that directly impacted living conditions, thereby violating human rights legally protected at the domestic, European and international levels |1|.

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According to the Greek Ombudsman, "the drastic adjustments imposed on the Greek economy and society as a whole, have had dramatic consequences on citizens, while vulnerable groups multiply" |2|. Similarly, the National Human Rights Commission observed a "rapid deterioration of living standards coupled with the dismantling of the Welfare State and the adoption of measures incompatible with social justice which are undermining social cohesion and democracy" |3|. The burden of adjustment is shared unfairly |4|, its impact being particularly severe for the most vulnerable: the poor, pensioners, women, children, people with disabilities, and immigrants.

# **\_1.** Measures affecting the Right to Work

Post-2010 reforms compress labour costs, repeal allowances and benefits, shorten notice periods for dismissals, repeal or weaken collective bargaining, flexibilize employment, and steeply reduce minimum wages. Private sector legislation diminished job protection, facilitated extension of work time, and cut remuneration. In the public sector, legislation compressed wage costs and numbers of employees [5]. Government-decreed compulsory work hit both sectors [6].

#### Impact of the measures

Labour market reforms imposed by the Memoranda severely undermine the realization of the right to work, causing grave institutional breakdown. Destroying the system of collective bargaining agreements and labour arbitration resurrected the individual employment agreement as prime

determining factor of employment conditions |7|. Successive wage cuts and tax hikes brought massive lay-offs, erosion of labour standards, increased job insecurity, and widespread precariousness, with over-flexible, lowly-paid jobs where women and young predominate. The minimum wage was pushed below poverty thresholds |8|.

Unemployment exploded from 7.3% to 27.9% (2008-2013) |9|. Public sector employment decreased from 942,625 to 675,530 between 2009-2013 |10|, with pay shrinking by over 25%. Private sector wages fell at least 15% till 2013. Youth unemployment reached 64.9% in May 2013 |11|, decimating prospects of accessing the job market.

The crisis hit disproportionately women and migrants, increasing involuntary part-time work |12| and unfair dismissals due to pregnancy |13|. Tensions rose in the informal sector employing, in exploitative and unprotected labour conditions, many of the estimated 470,000 irregular migrants |14|.

## Violation of the Right to Work

The right to work is recognized in regional and international instruments to which Greece is a party |15|, as well as in the Constitution |16| and is arguably the fundamental right most affected by recent legislative and administrative changes. The right implies that the State must guarantee equal access to employment, and protect workers from being unfairly deprived of their employment. The State must not destroy a person's opportunity to earn their living (obligation to respect); prevent this opportunity from being destroyed by third parties (obligation to protect); and provide opportunity to earn one's living to anyone who lacks this opportunity (obligation to fulfil). The two Economic Adjustment Programmes however imposed "an intensive policy of internal devaluation, aimed at reducing wage and nonwage costs" |17|, with the help of "labour and wage reforms [that] will help to curb undue wage pressures" |18|. Post-2010 reforms violate standards set out in treaties to which Greece is a part |19|.

# **\_2.** Measures affecting the Right to Health

The first Economic Adjustment Programme (May 2010) limited public health expenditure at 6% of GDP |20|; the second (March 2012) demanded reducing hospital operating costs by 8% in 2012, and shrinking average public spending on outpatient pharmaceuticals to about 1% of GDP |21|.

Greek healthcare spending, falling significantly below EU average since 2010 |22|, restricted health care |23|. Drastic measures "were adopted within a very short time and under extreme pressure to secure the next tranche" |24|. Naturally they "focused primarily on the structural, financial and managerial aspects of the NHS, and not much on patient's needs" |25|.

#### Impact of the measures

The availability of and access to quality health care were undermined, particularly for the poorest, by cuts to healthcare spending, lay-offs in the public health sector, increased fees and co-payments, closures and mergers of hospitals and healthcare facilities, decimation of hospital beds, and increasingly restricted public health insurance |26|. In 2015 more than 2.5 million persons, or one fourth of the total population, were without health insurance |27|. Hospitals and pharmacies experienced widespread shortages while trying to reduce pharmaceutical expenditure from &4.37 billion in 2010 to &2 billion by 2014 |28|. Diseases such as tuberculosis, malaria and HIV increased; mental health problems ballooned, including suicides, which to a large extent are attributed to strains imposed by the crisis.

#### Violation of the Right to Health

This right is enshrined in Article 25 of UDHR, Article 12 of ICESCR, Article 12 of CEDAW, Article 5 of CERD, Article 25 of CRPD, Article 24 of CRC, and Article 11 of both the ESC and the RESC. The ECHR contains provisions related to health, and also the Constitution (Articles 21(2) and 21(3)). The right to health includes the entitlement to a system of health protection providing equal opportunity to enjoy the highest attainable standard of health, and also the right to access health services. The measures implemented to satisfy the conditionalities of the adjustment programmes violate this right.

# \_3. Measures affecting the Right to Education

Memoranda conditionalities directly targeted the education system. Specific measures outlined include reductions in teachers' recruitment, forced transference of teachers in the labour reserve and labour mobility schemes, reduction in teachers' pay, merging/closure of schools, more students per classroom and weekly teaching hours |29|. In order to reach 2012 deficit targets the Ministry of Education reduced staff allocations and operational spending for secondary schools |30|. As a result of the combined measures, teachers' salaries averaged a 40% reduction |31|, reaching 60% of the EU21 average |32|.

## Impact of the measures

"These reductions have created difficulties in ensuring that the basic needs of students are met" [33]. Gaps in teaching posts are left uncovered (12,000 in primary and secondary schools for 2014-5). 1,053 schools closed and 1,933 merged between 2008 and 2012 [34]. Reduction in operational costs left numerous schools without heating [35]. Inadequate framework for free student transportation discriminates against children in isolated areas, Roma children and children with disabilities [36]. Some children were excluded from accessing education altogether [37].

#### **Violation of right to Education**

The conditionalities mentioned above, violate the right to education, a fundamental human right guaranteed by European and international legal instruments, including the EU Charter (Article 14), ECHR, ESC, RESC, UDHR (Article 26), ICESCR (Articles 13, 14), CEDAW (Articles 10, 14), CRC (Articles 28, 29, 40), CERD (Article 5), CRPD, and the Constitution Article 16(2).

## **\_4.** Measures affecting the Right to Social Security

The Memoranda-imposed spending cuts diminished social benefits, including pensions, unemployment benefits, and family benefits. The character of the pensions system was changed; pension funds were devastated by the PSI, losing around €14.5 billion |38|; pensions were cut |39|; state funding and guarantees restricted; several family benefits were replaced by a single meanstested family benefit related to family income; contributions and age limits raised. Unemployment benefits, disbursed only to a tiny fraction of the unemployed, were likewise slashed |40|. Strict eligibility criteria exclude most immigrants and young.

#### Impact of the measures

The adjustment programme eviscerated existing social protection measures, placing many at risk of poverty |41|. Pensions were reduced on average by 40%, falling below the poverty line for 45% of

pensioners [42]. In 2015 8.14% of workers were found to work undeclared and uninsured [43].

## Violation of the right to social security

The right to social security affords protection to the most vulnerable members of society, guaranteeing to all the minimum goods and services required for a life in dignity. The right is guaranteed in the Constitution (Article 22§5), UDHR (Articles 22, 25), ICESCR (Articles 9, 10), CEDAW (Articles 11, 13, 14), CRC (Articles 18, 23, 26), CERD (Articles 2, 5), and ESC (Articles 8(1), 12, 14, 16, 17). It is violated by pension cuts that entail "a significant degradation of the standard of living and the living conditions of many of the pensioners concerned" [44].

# \_5. Measures affecting the Right to Housing

Programme conditionalities and Greek government implementation laws violated the right to housing. Social housing was abolished in 2012, as a 'prior action' to disbursement |45|; a rental subsidy to 120,000 households, and housing benefits for elders |46|. New laws and regulations facilitate express eviction procedures, without judicial trial |47|. Attica homelessness from negligible shot to 17,700 |48|.

## **Impact of measures**

In 2014 over 500,000 people lived in conditions of homelessness, insecure or inadequate housing |49|. Non-performing housing loans rose to 26.1% in 2013 |50|; 40 foreclosures and evictions increased |51|. Despite the dramatic fall in house prices |52|, tax increases make housing unaffordable |53|; rates of overcrowding for poor households reached 42% in 2013, 60% for non-EU nationals |54|. In 2012, 73.3% of young people of 20-29 years lived with parents |55|, 18,902 individuals lacked plumping and 142,000 any form of heating |56|.

#### Violation of the Right to Housing

Housing is indispensable for human dignity. The conditionalities of the programme mentioned above violated the right to housing as recognized in various instruments including the UDHR (Article 25[1]), ICESCR (Article 11[1]), CERD, CEDAW, and CRC. The ESC and the ECHR both contain express provisions and references to the right to adequate housing, as does the Constitution, Articles 4 and 21(4).

## \_6. Measures affecting the Right to Self-determination

The wholesale privatisation of state property through TAIPED |57|, especially throught the 'fast-track' procedures, violates constitutional rights and provisions, namely Articles 1.2 and 1.3 guaranteeing the principle of popular sovereignty. No government can legitimately proceed to such an extended alienation of public property, constituting a direct violation of the general interest and undermining economic growth |58|. The Greek Conseil d'Etat decided that common goods (water, energy, communications, etc.) should strictly remain under state ownership |59|. TAIPED also violates the constitutional rights to property (Art. 18 Const.) and protection of the environment (Art. 24 Const.) |60|.

#### **Violation of the Right to Self-determination**

This right is enshrined in various human rights instruments, notably the ICESCR (Article 1), ICCPR

(Article 1), UN Declaration of Principles of International Law Concerning on Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations (1970), and the UNHRC, GC No. 12.

# **\_7.** Measures affecting the Right to Justice

The creditor-imposed measures specify commitments to reform the juridical system |61|, including a substantial increase in fees |62|. The Government legislated dismissing contractual staff to fulfil targets specified in the Memoranda |63|. Legal aid and public accountability bodies are inadequately funded |64|.

#### **Impact of measures**

Recourse to Courts became financially unbearable for citizens after successive drastic cuts to salaries and pensions. Lengthy proceedings before deteriorating and overburdened civil and administrative courts border on denial of justice. Dealing with the judicial system's inherent weaknesses, such as understaffing and lack of infrastructure, is rendered impossible due to the cuts.

## Violation of the Right to justice

Access to justice is meant to provide for fast and effective judicial redress, enshrined, inter alia, in the Constitution (Art. 20. 1). This right is violated by the drastic cuts to funding, resulting from suffocating mandated austerity. Another repercussion of the draconian austerity measures has been a strong movement of opposition and resistance to the changes imposed. The government's effort to quell it led to a series of violations of human rights examined below. A consequence of the crisis was widespread decrease in living standards.

# **\_8. Poverty and social exclusion**

Conditionalities produced widespread impoverishment, destitution, and social exclusion. The measures imposed by the creditors negated their stated commitment that the programme would protect vulnerable social groups and the poor. Yet, after five years of detrimental impacts, the creditors insist on further measures.

Currently 23.1% of the population live below the poverty line |65|, with relative poverty rate almost doubling in 2009-2012 |66|, and 63.3% are impoverished as a consequence of austerity policies alone |67|. Severe material deprivation increased from 11% to 21.5% of the population in 2009-2014 |68|. Over 34% of children are at risk of poverty or social exclusion in 2013 |69|. The unequal impact of the measures dramatically worsened inequality |70|, with the poorest 10% of the population losing an alarming 56.5% of their income |71|.

# **\_9.** Measures affecting Freedom of Expression and Assembly

Since 2010 legislative and administrative measures restricted the freedoms of expression and assembly |72|; the right to free expression was "systematically and effectively challenged" |73|; the freedom of assembly was violated. Authorities prevented legitimate protest against Memoranda-driven policies by prohibiting public meetings, repressing with excessive force peaceful demonstrations, making pre-emptive arrests, questioning minors, and torturing antifascist

protesters, often in collaboration with Golden Dawn [74].

## Impact of the measures

The disproportionate response of the authorities to public protest against austerity severely undermined the freedoms of expression and assembly. Between 2009 and 2015 Greece slid from 35<sup>th</sup> to 91<sup>st</sup> place on the World Press Freedom Index |75|. Repression against memoranda-driven protests prohibited the peaceful exercise of constitutional rights. Freedoms were further undermined by the impunity enjoyed by Golden Dawn until September 2013. These developments constituted a real threat for democratic institutions.

#### **Violation of the Freedoms of Expression and Assembly**

The freedoms of expression and assembly, guaranteed by international treaties and human rights conventions (UDHR, Arts. 20, 23; ICCPR, Arts. 21, 22; ICESCR, Art. 8; ECHR, Arts. 10, 11; Revised ESC, Art. 5; EU Charter, Arts. 11, 12; and others), are also protected by the Greek Constitution (Articles 11, 14). They were violated in order to quell the waves of legitimate mass protest against Memoranda-imposed policies.

## \_10. Measures affecting Protection against Discrimination

The creditor-imposed laws implementing the Memoranda discriminate against large sections of the population, e.g. employees and pensioners |76|. Workers under 25 years were excluded from the legally protected minimum salary |77|. Employees lost the right to freely negotiate collective or individual agreements |78|. Discrimination against Roma, HIV-positive, and the elderly grew |79|; as did police harassment |80|], and the systematic detaining of all irregular migrants became official policy |81|]. Hate crime rose; as did xenophobia against migrants, often targeted as scapegoats for the crisis |82|]. The UNHCR recorded a spike in excessively violent crimes arising from discrimination based on gender and sexual orientation |83|. The police fails to protect victims, respond to such attacks, or investigate them diligently |84|]. Maximum Security Prisons allow "extremely discriminatory [and] unequal penal treatment of similar cases" |85|.

#### Gendered impact of the crisis

Cutbacks to social services due to Memoranda-imposed austerity policies have "detrimental effects on women in all spheres of life" [86], impacting particularly on discrimination in work, economic autonomy, sexual and reproductive rights [87], and protection from violence.

Attacks increased 47% |88|, whilst available protection falls short of demand and women lack adequate access to justice |89|.

#### **Violation of Protection against discrimination**

The all-encompassing impact of the Memoranda on social life resulted to violations of the Constitution, Articles 4 and 21(1). The right to participate in and access information relating to key decision-making processes that affect one's life and well-being is a key principle of human rights law, reflected in international instruments including the ICESCR, ICCPR (Article 25), CRC (Article 12), and CEDAW (Article 7).

#### **Truth Committee on the Greek Public Debt**

#### **Footnotes**

- |1| Lumina, C., 2013. Report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, Cephas Lumina. Report of Mission. Available at: <a href="http://goo.gl/4YYCR2">http://goo.gl/4YYCR2</a>.
- |2| Greek Ombudsman, 2012. Annual Report, English Summary. Available at: <a href="http://goo.gl/ZpKZdS">http://goo.gl/ZpKZdS</a> [Accessed June 15, 2015]. p.4.
- [3] Greek National Commission For Human Rights, 2011. NCHR Recommendation: On the imperative need to reverse the sharp decline in civil liberties and social rights. Available at: <a href="http://goo.gl/q807ZG">http://goo.gl/q807ZG</a> [Accessed June 15, 2015].
- |4| IMF, 2013. Greece Selected Issues: IMF Country Report No. 13/155, Available at: <a href="http://goo.gl/DJrW79">http://goo.gl/DJrW79</a> [Accessed September 4, 2014]. p.18.
- |5| Laws 3863/2010, 3979/2011, 3986/2011, 3996/2011, 4019/2011, 4024/2011, and 4052/2012.
- [6] Truck drivers (2010), municipal workers (2011), underground railway employees (2013), shipyard workers (2013), teachers (2013), and electricity workers (2014).
- |7| This mechanism, effectively the survival of the strongest, facilitated the continuing drop in wages within a broader policy framework of internal devaluation. See KAZAKOS ARIS (2013) Labour Law, Sakkoulas, Athens, Greece (in Greek) p.565 et seq.
- |8| Its reduction by 32%, to €426.64 for workers younger than 25, violates their right to a fair remuneration, being below the poverty line: Council of Europe, 2013. Resolution CM/ResChS(2013)3 General Federation of employees of the National Electric Power Corporation (GENOP-DEI) and Confederation of Greek Civil Servants' Trade Unions (ADEDY) against Greece, Complaint No. 66/2011. Available at: <a href="https://goo.gl/b4u63U">https://goo.gl/b4u63U</a> [Accessed June 15, 2015].
- |9| POLICIES, D.G.F.I. & AFFAIRS, P.D.C.C.R.A.C., 2015. The impact of the crisis on fundamental rights across Member States of the EU Country Report on Greece. Available at: <a href="http://goo.gl/9xzKpW">http://goo.gl/9xzKpW</a> [Accessed June 15, 2015]. p.83.
- |10| REGISTER OF GREEK PUBLIC SECTOR PAYROLL (2013) Development of employment in public sector (31.12.2009-31.12.2013), as cited at Ibid. p.60.
- |11| Hellenic Statistical Authority, 2013. PRESS RELEASE LABOUR FORCE SURVEY: May 2013.] [Accessed June 15, 2015].
- |12| 61% of part-timers did not choose this status, an increase of 16%: ETUI, 2013. Benchmarking Working Europe 2013. Available at : <a href="https://goo.gl/2QgkeU">https://goo.gl/2QgkeU</a> [Accessed June 15, 2015]. pp.12, 65.
- |13| Indicating heavy pressure on women to prefer unpaid work or the informal economy, thereby compounding inequalities. See Ombudsman 2011.
- |14| See A/HRC/23/46/Add.5, para. 4.
- |15| ICESCR (Article 6) guarantees opportunity of everyone to gain their living by freely choosing or accepting work; the EU Charter guarantees free placement service for everyone (Article 29), protection from unjustified dismissal (Article 30), and the right to fair and just conditions of work

- (Article 31).
- |16| Under Article 22(1) the State protects the right to work and creates conditions of employment for all citizens.
- |17| POLICIES, D.G.F.I. & AFFAIRS, P.D.C.C.R.A.C., 2015. The impact of the crisis on fundamental rights across Member States of the EU Country Report on Greece. Available at : <a href="http://goo.gl/9xzKpW">http://goo.gl/9xzKpW</a> [Accessed June 15, 2015]. p.62.
- [18] European Commission, 2010. The Economic Adjustment Programme for Greece, OP 61. Available at: <a href="http://goo.gl/kNR4oQ">http://goo.gl/kNR4oQ</a> [Accessed June 16, 2015]. p.22. The same demands were regularly repeated and specified as appropriate in the successive reviews of the Programmes.
- |19| E.g. the right to fair remuneration in Article 4(1) of the ESC. See Complaint No. 66/2011, Decision on Merits, 23.5.2013.
- |20| European Commission, 2010. The Economic Adjustment Programme for Greece, OP 61. Available at: <a href="http://goo.gl/kNR4oQ">http://goo.gl/kNR4oQ</a> [Accessed June 16, 2015].
- |21| EC, SEAPG, March 2012, pp.60, 139.
- |22| Ministry of Health total expenditures fell by €1.8 billion (23.7%) in 2009-2011: Kondilis, E. et al., 2013. Economic Crisis, Restrictive Policies, and the Population's Health and Health Care: The Greek Case. American Journal of Public Health, 103(6), pp.973–979. Available at: <a href="http://www.alames.org/documentos/grecia.pdf">http://www.alames.org/documentos/grecia.pdf</a>.
- |23| POLICIES, D.G.F.I. & AFFAIRS, P.D.C.C.R.A.C., 2015. The impact of the crisis on fundamental rights across Member States of the EU Country Report on Greece. Chapter 3.
- |24| [Ibid, Table 15 at p.52.
- |25| Ibid, p.54.
- |26| At the beginning of the crisis about 85% of the population had public health insurance; more and more lose it due to longterm unemployment: Ibid, Chapter 3, pp.41ff.
- |27| Efsyn.gr, 2015. Declarations of the competent Minister, 5.5.2015. Available at: <a href="http://www.efsyn.gr/arthro/vivliario-ygeias-gia-25-ekat-anasfalistoys">http://www.efsyn.gr/arthro/vivliario-ygeias-gia-25-ekat-anasfalistoys</a> [Accessed June 16, 2015].
- |28| POLICIES, D.G.F.I. & AFFAIRS, P.D.C.C.R.A.C., 2015. The impact of the crisis on fundamental rights across Member States of the EU Country Report on Greece. Available at: <a href="http://goo.gl/9xzKpW">http://goo.gl/9xzKpW</a> [Accessed June 15, 2015]. Chapter 3.
- |29| POLICIES, D.G.F.I. & AFFAIRS, P.D.C.C.R.A.C., 2015. The impact of the crisis on fundamental rights across Member States of the EU Country Report on Greece. Available at: <a href="http://goo.gl/9xzKpW">http://goo.gl/9xzKpW</a> [Accessed June 15, 2015]. pp.30ff.
- [30] EC, SEAPG, March 2012, p.116; EC, SEAPG, April 2014, para. 76.
- |31| European Commission, 2015. Teachers' and School Heads' Salaries and Allowances in Europe', 2013/14, Eurydice Facts and Figures. Available at : <a href="http://goo.gl/A4Jk3K">http://goo.gl/A4Jk3K</a> [Accessed June 16, 2015]. p.19.
- [32] OECD, Education at a Glance, Education at a Glance 2014. Available at : <a href="http://goo.gl/ZX9fFy">http://goo.gl/ZX9fFy</a>

- [Accessed June 16, 2015]. p.467-468.
- |33| POLICIES, D.G.F.I. & AFFAIRS, P.D.C.C.R.A.C., 2015. The impact of the crisis on fundamental rights across Member States of the EU Country Report on Greece. p. 39 Available at: <a href="http://goo.gl/9xzKpW">http://goo.gl/9xzKpW</a> [Accessed June 15, 2015].
- |34| GREEK FEDERATION OF SECONDARY SCHOOL TEACHERS (2012) Presentation of an ETUCE study within the context of action for the economic crisis, p.11-12.
- [35] Ekathimerini, 2013. Schools in northern Greece close due to cold weather, no heating. ekathimerini.com. Available at: <a href="http://goo.gl/bSjTkF">http://goo.gl/bSjTkF</a> [Accessed June 16, 2015].
- 36 Greek Ombudsman, 2014. Annual Report 2013.
- |37| Greek Ombudsman, 2013. Special Report Problems in the transport of students of primary and secondary education as a result of the implementation of the Joint Ministerial Decision 24001/14-6-2013.
- |38| This includes other intra-governmental institutions. Bank of Greece, 2014. THE CHRONICLE OF THE GREAT CRISIS THE BANK OF GREECE 2008-2013. Available at: <a href="http://goo.gl/nXAHPQ">http://goo.gl/nXAHPQ</a> [Accessed June 16, 2015], p 107.
- |39| The creditor-imposed PSI slashed without consent the bonds' nominal value of 15,000 Government bondholders.
- |40| OECD, 2013. OECD Public Governance Reviews, Greece: Reform of Social Welfare Programmes. Available at :
- http://www.oecd-ilibrary.org/governance/greece-social-welfare-programmes\_9789264196490-en [Accessed June 16, 2015].
- |41| Hellenic Statistical Authority, 2014. PRESS RELEASE STATISTICS ON INCOME AND LIVING CONDITIONS 2013 (Income reference period 2012). Available at: <a href="http://goo.gl/w9lbQp">http://goo.gl/w9lbQp</a> [Accessed June 16, 2015].
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- |43| LABOUR MINISTRY (2015) Report (in Greek), Ministry of Social Security and Social Solidarity, Labour inspection Report, Artemis Action Plan to combat informal and undeclared work, 15 Sept 2013-31 January 2015, p. 4.
- |44| EUROPEAN COMMITTEE OF SOCIAL RIGHTS, 2013. Federation of Employed Pensioners of Greece (IKA-ETAM) v. Greece, Complaint No. 76/2012. Available at: <a href="https://goo.gl/Np5n1x">https://goo.gl/Np5n1x</a> [Accessed June 16, 2015]. Decision on merits, 7 December 2012, para. 78.
- |45| Law 4046/2012 applied the Second Memorandum (p.684: "First as a prior action we will enact legislation to close small earmarked funds in non-priority social expenditures (OEK, OEE)").
- |46| Communication GRC 1/2013 (19.2.2013), and reply of the Greek Government (16.4.), cited in UN Human Rights Council, 2013. A/HRC/23/51. Available at: <a href="http://goo.gl/LN5gDs">http://goo.gl/LN5gDs</a> [Accessed June 16, 2015].

- |47| E.g. Law 4055/2012, Article 15.
- |48| According to a Crete University study cited by the competent Minister. Naftemporiki, 2015. The homeless in Attica reach 17,700 as revealed by Theano Fotiou. Naftemporiki.gr. Available at: <a href="http://goo.gl/sNGXV0">http://goo.gl/sNGXV0</a> [Accessed June 16, 2015].
- |49| ARAPOGLOU, V. & GOUNIS, K., 2014. FINAL REPORT: «CARING FOR THE HOMELESS AND THE POOR IN GREECE: IMPLICATIONS FOR THE FUTURE OF SOCIAL PROTECTION AND SOCIAL INCLUSION». Available at: <a href="http://goo.gl/DGtcuj">http://goo.gl/DGtcuj</a> [Accessed June 16, 2015].
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- |51| Social Security Fund (IKA), 2014. Enforcement measures. Available at: <a href="http://goo.gl/YJ48zo">http://goo.gl/YJ48zo</a>[Accessed June 16, 2015].
- |52| Between 2008 and 2014 they fell 34.4%: Bank of Greece, 2014. Monetary Policy 2013 2014. Available at: <a href="http://goo.gl/7gFs6L">http://goo.gl/7gFs6L</a> [Accessed June 16, 2015].
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- |54| EUROSTAT STATISTICS (2015) Table: Overcrowding by poverty status, Source : SILC accessed 22 May 2015.
- |55| EUROSTAT STATISTICS (2015) Table : Overcrowding by poverty status, Source: SILC accessed 22 May 2015.
- |56| ARAPOGLOU, V. & GOUNIS, K., 2014. FINAL REPORT: «CARING FOR THE HOMELESS AND THE POOR IN GREECE: IMPLICATIONS FOR THE FUTURE OF SOCIAL PROTECTION AND SOCIAL INCLUSION». Available at: <a href="http://goo.gl/DGtcuj">http://goo.gl/DGtcuj</a> [Accessed June 16, 2015].
- |57| Hellenic Republic Asset Development Fund (TAIPED) was established under the Troika-imposed mid-term fiscal strategy, by Law 3986/2011.
- |58| KAIDATZIS A., Who is the holder of the public property?, in MARANGOPOULOS FOUNDATION FOR HUMAN RIGHTS (MFHR), TAIPED: An instrument for the "sell-off" of public property and for the abolition of the national sovereignty of Greece, pp.87-92.
- |59| Decision 1906/2014, on the privatization of EYDAP.
- [60] Twenty eight properties belonging to the State were transferred by TAIPED S.A. to private hands, whereas their use has been retained by the State as lessee (lease back method). These buildings are the following: General Government Services in several places, Ministry of Justice, Ministry for Administrative Reform and Electronic Governance, Ministry of Education, Ministry of Culture, Athens Police Headquarters, Thessaloniki Police Headquarters, Serres Police Headquarters, Secretariat General of Information Systems, Secretariat General of Mass Media, General Chemical State Laboratory, Hellenic Police Forensic Science Division, Hellenic Statistical Authority, Immigration Attica, Xanthi Chemical Laboratory, Athens A' Tax Office, Athens XV II Tax Office, Athens XIX Tax Office, Alexandroupoli Tax Office, Ag. Anargyroi Tax Office, Glyfada Tax Office, Kifissia Tax Office, Corinth II Tax Office, Pallini Tax Office, Chalkida II Tax Office, Holargos Tax Office, Xanthi Tax Office. The competition for the sale and leasing of the above properties was

completed in October 2013 against a total consideration mounting to 261.31 m. euro, while the companies making the highest bids in the competition were National Pangaia AEEAP and Eurobank Properties AEEAP. After the transaction was completed, it was made known that the Greek state will lease back the above buildings for 20 years paying for that reason a total amount of nearly 600 m. euros (25.590.240,00 m. euros per year plus maintenance and insurance cost), i.e. approximately three times the price of the sale. A lawsuit has already been filed regarding this transaction. It should be noted that the above contract was not initially approved by reason of the decision No 275/2013 of the 7<sup>th</sup> Division of the Court of Audit, which declared the selection procedure partial and non-transparent (the bidders having a conflict of interest with the financial consultants of the transaction), and found that the transaction did not seem to satisfy the requirements of general interest. Nevertheless, following an application for revocation of TAIPED SA, the contract was signed by virtue of Decision No. 1204/2014 of the 6<sup>th</sup> Section of the Court of Audit.

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