

HELLENIC REPUBLIC

GREEK NATIONAL COMMISSION FOR HUMAN RIGHTS

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The Greek National Commission for Human Rights (GNCHR)
recognising the importance of the
**UN Expert's Guiding Principles on Human Rights Impact Assessments of
Economic Reforms**

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The Greek National Commission for Human Rights (GNCHR) is the independent advisory body to the Greek State on matters pertaining to human rights protection. It was established by Law 2667/1998 in accordance with the UN Paris Principles. Thirty-two institutions whose activities cover the field of human rights are currently represented in the GNCHR (independent authorities, departments of university-level educational institutions, workers' and disabled persons' confederations, NGOs, political parties and ministries).

The Greek National Commission for Human Rights (hereinafter GNCHR), reaffirming the importance of Human Rights Impact Assessments (HRIA) to the process of integrating human rights into policymaking, warmly welcomes the [Guiding Principles on Human Rights Impact Assessments of Economic Reforms](#), issued by Professor Juan Pablo Bohoslavsky, 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. The Guiding Principles were developed, in consultation with States, international financial institutions and other relevant stakeholders, in implementation of Human Rights Council Resolutions [34/3](#) and [37/11](#), which are calling, among others, “for consistent public spending policies that ensure full compliance with the human rights obligations of States and for those policies to take into account the fact that the human rights of the poorest and most vulnerable must be respected, protected and fulfilled” (A/HRC/RES/37/11, par. 7) and will be presented to the Human Rights Council on 28 February 2019.

The GNCHR has been actively involved in the process as the initiative corresponds to a series of often-repeated critical policy recommendations addressed to the Greek authorities and the international institutions at large. In the course of these past years of crisis, it has become quite evident that austerity measures and economic reform programmes, which often conflict with the human rights obligations of the States, have had a disproportionate impact on the full enjoyment of human rights. Pursuing its mandate for human rights monitoring and follow-up, the GNCHR has addressed to the EU institutions, the EU member-States as well as the Greek competent authorities, since 2010, several recommendations on how to reverse such negative impacts. In particular, after nine years of monitoring the human rights situation in a country facing multiple crises, economic, refugees, humanitarian, the GNCHR considers that the cumulative impact of the continuous implementation of austerity measures and the “non-compliance with the judgments of the national supreme courts as well as the decisions and recommendations issued by national, European and international human rights tribunals and bodies” on human rights should be conceived as fundamental and autonomous parameters of HRIA.

The GNCHR, which was established by Law 2667/1998 in accordance with the Principles relating to the Status of National Institutions (The Paris Principles) and is accredited with *A-status* by the Sub-Committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI), is the independent advisory body to the State on matters pertaining to human rights protection. The GNCHR mandate covers the whole spectrum of human rights in terms of *ratione materiae* and, since its establishment, has dealt with a broad range of human rights issues, including the impact of the continuing austerity measures on human rights, as well the need to create a permanent mechanism which would evaluate and assess the impact of austerity measures -primarily but not exclusively- on both the enjoyment of and access to human rights (Human Rights Impact Assessment, HRIA). Furthermore, the GNCHR addressing the fundamental role of the National Human Rights Institutions (NHRIs) within the framework of the HRIA, actively encouraged the inclusion of the HRIA in its founding Law (Law 2667/1998 establishing the GNCHR, OJ A 281/18.12.1998). The GNCHR founding legislation has been amended by Law 4465/2017 in order to allow the GNCHR to “monitor and address recommendations to the State for the permanent and constant impact assessment of policy measures on human rights” (Article 1(6)(k) of Law 2667/1998).

In addition to the Independent Expert on the effects of foreign debt, the UN Committee on Economic, Social and Cultural Rights, the Special Rapporteur on the right to food, the ILO Committee of Experts on the Application of Conventions and Recommendations or the European Committee of Social Rights (ECSR) have emphasised the severe human rights impact of the recent financial crisis and that human rights have not always been taken into account in the development of policy responses to the crisis. Taking into consideration the Reports and Recommendations of all competent international human rights monitoring bodies reiterating the need to conduct HRIA, the GNCHR had underlined in its 2015 [Statement](#) on the impact of the continuing austerity measures on human rights the key aspects of the HRIA, calling upon the Greek authorities to act in unison with the EU institutions and the EU member-States for the creation of a permanent mechanism which would evaluate and assess the impact of austerity measures on both the enjoyment of and access to human rights by all those living on EU territory and beyond.

In this context and in light of their presentation to the Human Rights Council on 28 February 2019, the GNCHR considers that the Guiding Principles of the UN Independent Expert on the effects of foreign debt constitute an extremely useful tool, not only for NHRIs and civil society, but also for States in order to ensure that economic policies are embedded in human rights and calls upon all NHRIs and human rights organizations to endorse them and monitor their full implementation.

Bearing in mind that “the ambition of the guiding principles is not to develop new human rights standards, but to provide effective and practical guidance and tools to different stakeholders for assessing economic reform policies on the basis of existing human rights standards”, the GNCHR remains vigilant when it comes to safeguarding the full enjoyment without discrimination of all human rights and is looking forward to the presentation of the Independent Expert’s Guiding Principles to the Human Rights Council.