



CONFERENCE OF INGOs
OF THE COUNCIL OF EUROPE

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CONSEIL DE L'EUROPE

Recommendation adopted by the Conference of INGOs on 25 June 2015

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“The violation of economic, social and cultural rights by austerity measures: a serious threat to democracy”

In the context of the serious economic crisis, some European countries have been obliged to adopt a series of austerity programmes to reduce their budget deficit and make their economy more “competitive”. The measures adopted include substantial cuts in public expenditure and social welfare, cuts in salary in both the public and private sectors – in the latter case mainly because of the on-going recession – tax increases and wide-ranging privatisation programmes. Nevertheless, after almost five years’ implementation, these measures are considered by many national, European and international institutions^[1] and experts^[2] to be counter-productive while their impact on economic, social and cultural rights has proved to be disastrous.

The following are some of the rights most seriously affected by the economic crisis:

The right to work: the employment sector is the sector on which the economic crisis and the ensuing budgetary restrictions have had most impact. According to Eurostat data, among the EU member countries, unemployment is highest in Greece (25.8% in November 2014) and Spain (23.4%). The situation of young people is particularly worrying as the rate of unemployment among young people is 50.9% in Spain, 50.6% in Greece (in November 2014), 44.1% in Croatia (fourth quarter of 2014) and 41.2% in Italy^[3]. This situation has made it necessary for a large number of young people to leave their home country to find work abroad, while those who remain are more likely to find themselves in situations of extreme poverty or to be exploited, and to be deprived of their right “*to an adequate standard of living for [himself] and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions*” (Article 11 para. 1 of the International Covenant on Economic, Social and Cultural Rights).

The right to health: Access to health care has been severely restricted owing not only to the poor economic situation and the growing rate of unemployment but also to substantial cuts in public health and social welfare spending. In some countries new or rising costs to be paid by patients mean that healthcare is inaccessible for people on low wages, the unemployed, people in highly vulnerable situations, and immigrants. In their 2013 report, *Médecins du Monde* said that the main obstacles to access to healthcare are financial problems (25.0%)^[4]; while 64.5% of patients seeking their assistance had no access at all to healthcare at the time^[5]. Moreover, the number of persons at the risk of poor mental health increased from 24% in 2007 to 25% in 2011, i.e. over 3 million persons in EU-28^[6].

The right to education: Radical cuts have also been made to education budgets. Public spending on schools decreased in a third of OECD countries between 2009 and 2011[7]. The consequence has been a reduction in salaries and in the number of teachers with an obviously negative impact on the quality and accessibility of education.

The right to housing, food and water: the devastating effects of inequality of access to housing, food and water are a particular cause for concern. Since the beginning of the crisis, the demand for services for the homeless has risen by 25-30% in Portugal and Spain and 25% in Greece (between 2009 and 2011)[8]. Budget restrictions in the social protection system pose a challenge in a situation that is already difficult and does not give such people the chance to get back on their feet again.

In addition to these substantial budget restrictions, low incomes and high taxes, citizens are confronted with wide-ranging programmes for the privatisation of public property and services. These privatisation programmes have been increasingly criticised on account of their lack of transparency and democratic control. They pose a constant threat to the right of access to water, electricity and healthcare and to the cultural and natural heritage.

The rise in political extremism is a threat to European democracy

The impoverishment of a growing number of people and the risk of poverty and social exclusion in EU-28 – which had reached 24.8% in 2012, i.e. 124.2 million people[9] – contribute to the growing loss of legitimacy of democratic institutions and, as a result, to the rise in political extremism in Europe. Xenophobic, anti-Semitic, and racist acts and other acts of violence based on hatred of those who are different have increased substantially and threaten not only immigrants and vulnerable groups but the very foundations of post-war European society.

In the light of the afore-mentioned facts, we wish to express our profound concern with regard to the deterioration and constant violations of human rights in this period of crisis. We consider that all measures that are introduced in response to the economic crisis must be compatible with human rights as enshrined in and protected by the European Human Rights Convention, the (revised) European Social Charter and the International Covenant on Economic, Social and Cultural Rights.

We therefore invite the Parliamentary Assembly of the Council of Europe to follow up its Resolution 1884 (2012) “Austerity measures – a danger for democracy and social rights” and to adopt a new resolution on compliance with economic, social and cultural rights in these times of serious economic crisis so as to encourage Council of Europe member states to:

1. give particular attention to the rights of people who belong to the most vulnerable groups as they are suffering most from the economic crisis and the austerity measures that have been adopted and implemented (children, people with disabilities, women, the elderly, the unemployed, the homeless and immigrants).
2. review their austerity policies, which are steadily undermining human rights and the living conditions of people within their jurisdiction.
3. adopt a human rights-based approach in responding to the economic crisis; indeed they are legally obliged to do so in keeping with their commitments under Council of Europe legislation – in particular the European Human Rights Convention and the (revised) European Social Charter, EU law – in the case of states who are also EU member countries – and international human rights charters – in other words the Universal Declaration of Human Rights, the International

Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

We believe that in particularly difficult and dangerous periods such as the one we are currently experiencing, we have a duty to reaffirm our unswerving commitment to the values of human dignity, equality and non-discrimination, and solidarity and freedom, on which our democratic societies are founded.

[1] See, in addition to the Resolutions of the Parliamentary Assembly of the Council of Europe No. 1884 (2012) "Austerity measures – a danger for democracy and social rights" and No.1885 (2012) "The young generation sacrificed: social, economic and political implications of the financial crisis", and the Resolution of the European Parliament of 13 March 2014 on Employment and social aspects of the role and operations of the Troika (ECB, Commission and IMF) with regard to euro area programme countries(P7_TA(2014)0240).

[2] See, by way of example, Cephias Lumina, UN Independent Expert responsible for examining 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, Report – Mission to Greece (22-27 April 2013)", A/HRC/25/50/Add.1, 27 March 2014, and the legal opinion of Professor Andreas Fischer-Lescano "Human Rights in Times of Austerity Policy - The EU institutions and the conclusion of Memoranda of Understanding" (17 February 2014).

[3] *Op.cit.*

[4] Administrative problems come second (22.8%) and lack of familiarity with or understanding of the health system come third (2.7%). *Médecins du monde* (2013), *L'accès aux soins des plus précaires dans une Europe en crise sociale. Le cas des femmes enceintes et des enfants*, Paris, p. 27.

[5] *Op.cit.*, p.26.

[6] Eurofound (2013), *Impacts of the crisis on access to healthcare services in the EU*, Dublin, p.8.

[7] OECD (2014), *Education at a Glance 2014: OECD Indicators*, p. 222.

[8] FEANTSA, *On the Way Home? FEANTSA Monitoring Report on Homelessness and Homeless Policies in Europe*, 2012, p. 21.

[9] Eurostat, http://ec.europa.eu/eurostat/statistics-explained/index.php/People_at_risk_of_poverty_or_social_exclusion (latest visit 30 March 2015)