



November 18th 2015

*Mr. Jeroen Dijsselbloem
President of the Eurogroup
m.reijns@minfin.nl*

*Mr. Jean-Claude Juncker
President of the European Commission
president.juncker@ec.europa.eu*

*Mr Alexis Tsipras
Prime Minister of Greece
a.tsipras@parliament.gr*

OPEN LETTER

Concern about the violation of housing right as consequence of the 17th November agreement regarding Greece

Dear Mr. Dijsselbloem, dear Mr. Tsipras, dear Mr. Juncker,

I am writing to you on behalf of the International Alliance of Inhabitants (IAI), an international network of social organizations which for many years has been committed to the defence of housing rights 'without frontiers'. Besides, we cooperate with the UN Special Rapporteur on Right to Adequate Housing and UN-Habitat to defend the housing right and fight evictions.

We are very much concerned about the consequences of the "agreements" which yesterday – according to media and local civil society – have been achieved between the creditors and the Greek government regarding new conditions for the protection of indebted homeowners.

As far as we know 35 % of the housing loans in Greece are currently not performing, mostly because of the economic situation. 300.000 homeowners are concerned. Very often the indebted house is their first residence. After an auction it is very likely that they can lose their homes.

As far as we know the „agreement“ of 17th November includes an abolishment of regulations which so far protected the defaulted debtors from auctions of property with a limited value. After the adoption of the "agreement" only the most vulnerable 25 % will still be protected against evictions. Another 35 % will receive different levels of protection depending on income and property value. The rest – 40 % – will not be protected at all.

We remind you that forced evictions without proper alternative housing solutions and without consultation of the concerned are not in accordance with international law, particularly the art. 11 of ICESCR.

Because there are very few rental and social housing in Greece we ask you: Where will the evicted families live? How will they be able to pay the rent? How will Greece be able to care about shelter for the homeless after it already is confronted to the huge problem of refugee shelter?



c/o Unione Inquilini, via Bettella, 2/ter - 35133 - Padova - Italy
tel. + 39 0497969836- fax + 39 02700415592
e-mail : info@habitants.org - website : www.habitants.org

The currently achievable prices at auctions are far below the original value. If you enforce a bigger number of auctions not only eviction will be the result. Also the wealth of the Greeks will be redistributed to speculative investors another time.

We do not understand why the alternatives which had been proposed by the Greek government have not been implemented or developed, in particular the idea of a public holding for non performing housing loans. We don't know the details of that idea. But we believe that a public, democratically managed fund could take the loans and rent the houses to their original users in exchange for an affordable rent which will be reinvested into the property or the reduction of the loan. The real estate value would be maintained as a public asset within the Eurozone. After an economic recovery of Greece the inhabitants could pay back the loans at affordable rates, or the houses would be transformed into principal social rental housing units for those who are living in it. In any case the value of the property would be maintained for the society in order to be able to satisfy the housing needs.

The enforced sell-out of owner-occupied homes instead of safeguarding social values would push up the social costs for housing provision and care for the homeless. At the same time the pressure on emigration would increase. We are asking: Are you aware about these costs?

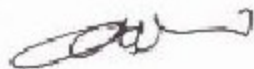
If the Eurogroup would force homeowners into poverty that for sure would not be a contribution to economic recovery.

At the same time we had to accuse the creditors to be directly responsible for forced evictions and homelessness in Greece.

For those reasons we stand in solidarity with local struggles against evictions and, whether the agreement will be approved by Greek Parliament, we would not hesitate in appealing to the UN Special Rapporteur on Housing Rights, the European Court of Human Rights and to the European Committee of Social Rights, and UN Office of High Commissioner for Human Rights.

We call on you to proof your agreement another time and not to decide policies which can cause the eviction of thousands of families.

Respectfully yours



Cesare Ottolini
IAI Global Coordinator

Please remember the following articles of international law:

1. Article 11.1 of the International Covenant on Economic, Social and Cultural Rights, to which Russia is a party, which states that "the States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including housing, and to the continuous improvement of living conditions"; ratified by Greece on 16 May 1985.

And also:

2. Article 12 of the Universal Declaration of Human Rights, adopted and proclaimed by General Assembly Resolution 217 A (III), 10 December 1948: "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks";
3. Article 27 of the Convention on the Rights of the Child, ratified by Greece on 11 May 1993: "States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programs, particularly with regard to nutrition, clothing and housing";
4. Article 8 (Right to respect for private and family life) of the European Convention for the Protection of Human Rights and Fundamental Freedoms, ratified by Greece on 5 May 1953;
5. Revised European Social Charter, signed by Greece on 3 March 1996 (alone or in combination with Article E



(non-discrimination):

- Article 16 (Right of the family to social, legal and economic protection);
- Article 30 (Right to protection against poverty and social exclusion);
- Article 31 (Right to housing).

We would also like to remind you what wrote the UN Special Rapporteur on adequate housing: "The Committee on Economic, Social and Cultural Rights commented on the right to adequate housing in its General Comment No. 4, stressing that the right to housing should not be interpreted in a narrow or restrictive sense such as merely having a roof over one's head; rather, it should be seen as the right to live somewhere in security, peace and dignity. The Committee on Human Rights has also indicated that "forced evictions are a gross violation of human rights"; the relocation can only be justified, as described in General Comments n. 4 and 7, under very exceptional circumstances, with the agreement and throughout meaningful consultation with all those affected and adequate compensation for the loss of homes and land. With "due priority to those social groups living in unfavorable conditions," the right to housing includes guaranteeing: (a) legal security of tenure; (b) availability of services, materials, facilities and infrastructure; (c) affordability; (d) habitability; (e) accessibility; (f) location; and (g) cultural adequacy. The Committee also added that "the right to housing should be ensured to all persons irrespective of income or access to economic resources" (para. 7-8). The Committee also stressed (para. 6), that the enjoyment of the right to adequate housing must not be "subject to any form of discrimination", in accordance with article 2(2) of the Covenant.

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