

## Common Statement by Professors of Constitutional Law

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We feel obliged to emphasize to the Greek Parliament and to the Greek people that the bill which the representatives are today being called to vote upon, violates fundamental provisions of the Greek Constitution, European and International law for the following reasons:

- 1) This parliament was elected in October 2009 under completely different political conditions, and the popular mandate towards it, as understood within Article 41 of the Constitution, was diametrically opposed to what is proposed within the discussed document. The democratic legitimacy required for its adoption is therefore missing.
- 2) The document's content, which the parliament is being called to vote upon, is a product of economic and political blackmail on behalf of our creditor's representatives. This is a violation of International law (article 52 of the International Treaty of Vienna, 1969).
- 3) The document submitted for approval does not correspond, according to our Constitution, to a Bill containing legislative provisions, neither into a bill about ratifying an international treaty, since it does not contain the underlying signed text of this Treaty. This document is merely a political program of action, which attempts to unacceptably commit the country for future decades. Presented, therefore, as a binding legal text, it violates the parliamentary principle and under the constitutional legislative function (Article 26 S).
- 4) The document is being pushed to gain majority vote violating article 29 of the Constitution, to the degree in which party discipline is imposed without any previous internal vote or decision making within the party's collective procedures.
- 5) The prognosis that new International Treaties will be valid from the moment of signing, without ratification from parliament being required violates article 28 para 2 and article 36 para 2 of the Constitution, as well as International Law.
- 6) The guarantees of respect and protection of national sovereignty within constitutional and international law are also violated:
  - (a) By repeating-as in the first Loan Facility Agreement of 05/10/2010, the clause on waiver of immunity on reasons of national sovereignty, (b) through the over indebtedness of the country and the subsequent negligence to provide for the basic needs of Greek citizens, (c) through the cumulation of "odious" debt and (d) the submission to the English and not to international public law, as the governing law of the treaty. Therefore, the document which the parliament is called to vote upon violates the core constitutional guarantees of national sovereignty, popular sovereignty and of the democratic principle (Article 1 of the Constitution).
- 7) The measures foreseen within the document which the parliament is called to vote upon violate the principle of equality of public burden, of the social state of law (article 4 para 5 and article 25 para. 1) and of the social rights of Greeks (article 22 and 23 of the Constitution). They also violate fundamental guarantees in the Treaty of Lisbon (the Charter of fundamental rights) and of International law, as well as the guarantees included in International Labour Law.

The approval of the document constitutes, in this way a deviation from constitutional, European and international legality.