

# Recent developments and proposed reforms affecting the legal profession in the European Union - Greece

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## **ALEXIS ANAGNOSTAKIS**

An unprecedented wave of economic measures is sweeping over Greece, and the country is under economic collapse.

The population of Greece is suffering under the heavy load of exhaustive measures involving cut-backs in salaries, pensions and all manner of financial benefits. And these measures mostly affect those who are more financially vulnerable.

The citizens' standard of living, which has been attained through years of efforts and hard work, is now plummeting. People are in despair. For some it is a matter of survival.

However one oft-neglected side effect of this is the sudden increase in crime, particularly economic crimes.

According to recent statistics, in the years since the start of the downturn, there was a 16% increase in theft and burglary. At the same time, crimes pertaining to economic fraud – for example, forgery cases – increased by 38%.

The total value regarding void cheques reached EUR 712 million compared to EUR 237 million during the same period last year. Further, the situation is constantly deteriorating as the crisis is entering its most difficult stages for the citizen, the family man and the businessman.

This situation is not only politically, but also legally unacceptable. The European Union is BOUND under its own legislation to protect human rights.

Personal possession is a human right.

The disproportionate cut-backs in salaries, pensions and benefits affecting individuals and businesses are a blatant violation of treaties on the protection of human rights.

It is standard case-law of the European Court of Human Rights, which is included in Article 1 of Additional Protocol One to the European Convention on Human Rights, whereby any economic right under a law falls under the protection of property and possessions.

The unjustified deprivation of this right is unacceptable.

The procedure of reversing the amok of exhaustive austerity must also be judicial.

Justice System is taken by surprise. The response to this unfamiliar outbreak of economic crime is constrained and ineffective. The impermissible severity of the penalties and the abandonment of the principle of leniency have been considered a fact. One characteristic example is sometimes the imposition of life imprisonment for economic crimes against the State.

However in no circumstances, could such a situation deal with the multi-faceted causes of the crisis.

The road to recovery as well as a remedy for the situation is likely to only be found through the rationalization and humanitarianism of the justice systems.

The recent wave of strong protests in Greece is a reminder that stringency can be imposed , albeit to a point before the people revolt.

Even if we were to accept that the unjustified deficit should be decreased and the usurious loans reimbursed, no one can be entirely certain which of the two will come first: economic recovery or social uprising.