



DECISION ON ADMISSIBILITY

COMPLAINT No. 3/1999

From the European Federation of Employees in Public Services
Against Greece

The European Committee of Social Rights, Committee of Independent Experts established under Article 25 of the European Social Charter (hereafter referred to as "the Committee"), during its 164th session attended by:

Messrs Matti MIKKOLA, President
Stein EVJU, Vice-President
Konrad GRILLBERGER
Alfredo BRUTO DA COSTA
Ms Micheline JAMOULLE
Messrs Nikitas ALIPRANTIS
Tekin AKILLIOĞLU

Assisted by Mr Régis BRILLAT, Secretary to the Committee

Having regard to the complaint registered as number 3/1999, lodged on 13 August 1999 by the European Federation of Employees in Public Services represented by its President, Mr Guy Rausner and its Secretary-General, Mr Bert Van Caelenberg requesting that the Committee find that Greece fails to apply in a satisfactory manner Articles 5 and 6 of the European Social Charter in that the armed forces do not enjoy the rights provided under these provisions and that the situation of civilian members of the Ministry of Defence is in practice not in conformity with them;

Having regard to the documents appended to the complaint;

Having regard to the European Social Charter and its Additional Protocol providing for a system of collective complaints;

Having regard to the rules of procedure adopted by the Committee on 9 September 1999 during its 163rd session;

After having deliberated on 13 October 1999;

Delivers the following decision:

The Committee notes that the Protocol was ratified by Greece on 18 June 1998 and entered into force on 1 July 1998. Pursuant to Article 4 of the Protocol, a complaint shall relate to a provision of the Charter accepted by the Contracting Party concerned. The Committee notes that Greece has not accepted to be bound by Articles 5 and 6 of the Charter.

For these reasons, the Committee, on the basis of the report presented by Mr Stein EVJU,

DECLARES THE COMPLAINT INADMISSIBLE.

Requests the Secretary to the Committee to inform the Greek Government and the European Federation of Employees in Public Services that the present complaint is inadmissible.

Stein EVJU
Rapporteur

Matti MIKKOLA
President of the Committee

Régis BRILLAT
Secretary to the Committee