

ADDRESS ON BEHALF OF THE MINISTER  
OF JUSTICE AND PUBLIC ORDER, Ionas NICOLAOU,  
BY THE PERMANENT SECRETARY  
OF THE MINISTRY AT THE CONFERENCE

“Social rights in today’s Europe:  
the role of domestic and European Courts”  
Nicosia, 24 February 2017, 09.30  
Filoxenia Conference Centre

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Honourable President of the Supreme Court,  
Distinguished Guests,  
Ladies and Gentlemen,

It is an honour for me to address this Conference which is organized in the context of the Cyprus Chairmanship of the Committee of Ministers of the Council of Europe, also offering a significant opportunity of following up and pursuing the aims of the Turin process: to reassert social rights, enshrined in the European Social Charter, and to focus on respecting and implementing them under any circumstances, as a means of upholding human dignity and social cohesion.

Let me congratulate all those who have worked for the organization of this event and also welcome the distinguished speakers, who will share for our benefit their specialized knowledge, expertise and ideas on core aspects of how to protect and sustain social rights, in administering justice.

The theme of this conference is truly consonant with the overarching theme of our Chairmanship of the Council of Europe: Reinforcing democratic security in Europe, which unavoidably goes through the protection of social rights, as an integral part of human rights. Democracy and freedom can never be fully enjoyed if one has no education, the opportunity to work and social protection when found in a critical situation, to empower them to stand again on their feet.

The indivisibility, interdependence and interrelation, therefore, of civil, political and social rights is undeniable, and upholding their respect equally should be a single and unified priority.

But it is also true that in periods of crisis, such as the present far-reaching socio-economic crisis raging Europe, in more than one way, social rights are the first to be affected, and people’s everyday life and needs are dramatically impacted.

The huge economic challenges, the high level of unemployment, the volatility of the financial markets, the geopolitical tensions in various parts of the world, terrorism, the migrant flows, all create public anxiety, give rise to populist,

xenophobic and extremist rhetoric and anti-social movements, but also put under test the political, legal, moral and social values that have been the core of our common civilization, and at the forefront of the mission of the European institutions, be that of the Union or the Council of Europe.

The real danger is indeed to let a sense of doubt be created about the very existence and meaning of these principles and their value.

Taking the right measures, forming policies that would help economy restart, or saving the banking system, while respecting social and economic rights and sustaining the state's social services, is an extremely difficult balance to strike.

It requires bold and courageous decisions, solidarity and concerted action both at national level and internationally. We have to join forces and strengthen cooperation, not only within each member state, but at all institutional levels, so that we help our societies remain united and overcome difficulties.

Cyprus, being one of the countries mostly affected by the economic and financial crisis, is continuing its efforts to move beyond and recover. Within the framework of measures to address the economic and financial hardship, we, in parallel, introduced the Guaranteed Minimum Income Scheme to meet social protection needs.

The GMI was designed as a last safety net for persons and families who, despite their efforts, cannot earn enough income that would allow them to have a decent standard of living.

The GMI covers both the unemployed as well as people whose income from work is lower than a threshold, that is lower than the basic needs of their families. Our main target remains, however, to empower people to lift themselves out of poverty. This includes stimulating action to deliver productive employment and decent work for all, including youth, women and people with disabilities.

Ladies and Gentlemen,

The Turin process is today hosted in Nicosia, in the context of this Conference which will shed light to the way national and European Courts may defend and sustain social rights, not only when they are violated but by also defining their true meaning.

Justice, in itself a manifestation of controlling state authority, has throughout the centuries been looked upon as the main guarantor of the supremacy of the law and defender of human freedoms and social rights. Its role extends also in adjudicating on the legality of legislation enacted, and its consistency with the constitution and the provisions of international treaties, among which is the European Social Charter.

This role is more prominent and significant in times of hardship as the present crisis, as it offers a protective shield and may serve as an impetus for governments to re-adjust policies and measures.

Finally, consistent and uniform judicial interpretation of the meaning of social protection treaty provisions, promotes legal certainty and coherence in the application of European law.

In concluding, I think it is useful for us to keep in mind what is in the very heart of the Turin process: At this time of great pressure and change in Europe, we have to uphold human dignity, ensure social cohesion, so that our societies emerge stable and peaceful from the hardship.

With these thoughts, I wholeheartedly wish you a very successful conference.

MSP/EI.