

**NON-GOVERNMENTAL ORGANISATIONS' REPORT**

**IN APPLICATION OF THE UNITED NATIONS**

**CONVENTION ON THE RIGHTS OF THE CHILD**

**GREECE**

**Athens, 31 May 2001**

## TABLE OF CONTENTS

<b>1. INTRODUCTION.....</b>	<b>3</b>
<b>2. GENERAL MEASURES OF IMPLEMENTATION (A. 4, 42, 44.6).....</b>	<b>3</b>
Article 4 <i>Implementation of rights</i> .....	3
Article 42 <i>Public dissemination</i> .....	5
Article 44.6 <i>Dissemination of the country report</i> .....	5
<b>3. DEFINITION OF THE CHILD (A. 1).....</b>	<b>6</b>
Article 1 <i>Definition of the child</i> .....	6
<b>4. GENERAL PRINCIPLES (A. 2, 3, 6, 12).....</b>	<b>6</b>
Article 2 <i>Non-discrimination</i> .....	6
Article 3 <i>Best interests of the child</i> .....	7
Article 6 <i>The right to life, survival and development</i> .....	8
<b>5. CIVIL RIGHTS AND FREEDOMS (A. 7, 8, 13, 14, 15, 16, 17, 19, 37(A)).....</b>	<b>8</b>
Article 7 <i>Name and nationality</i> .....	8
Article 17 <i>Access to appropriate information</i> .....	9
Article 19 and 39 <i>Abuse, neglect and recovery</i> .....	9
<b>6. FAMILY ENVIRONMENT AND ALTERNATIVE CARE (A. 5, 9, 10, 11, 18, 20, 21, 25, 27.4).....</b>	<b>12</b>
Article 9 <i>Separation from parents</i> .....	12
Article 10 <i>Family reunification</i> .....	12
Article 11 <i>Illicit transfer and non-return</i> .....	13
Article 18 <i>Parental responsibilities (paragraphs 1 and 2)</i> .....	13
Article 20 <i>Deprivation of family environment</i> .....	13
Article 21 <i>Adoption</i> .....	14
<b>7. BASIC HEALTH AND WELFARE (A. 18, 23, 24, 26, 27).....</b>	<b>15</b>
Article 23 <i>Children with special needs</i> .....	15
Article 24 <i>Health care</i> .....	16
Article 26 and 18 paragraph 3 <i>Social security and child care services and facilities</i> .....	16
Article 27 <i>Standard of living</i> .....	17
<b>8. EDUCATION, LEISURE AND CULTURAL ACTIVITIES (A. 28, 29, 31).....</b>	<b>18</b>
Article 28 <i>Education</i> .....	18
<b>9. SPECIAL PROTECTION MEASURES (A. 22, 30, 32, 33, 34, 35, 37, 38, 39, 40).....</b>	<b>19</b>
Article 22 <i>Refugee children</i> .....	19
Article 32 <i>Child labour</i> .....	23
Article 33 <i>Drug abuse</i> .....	24
Article 34 <i>Sexual exploitation and sexual abuse</i> .....	25
Article 35 <i>Sale, trafficking and abduction</i> .....	26
Article 37 <i>Torture, death penalty and deprivation of liberty</i> .....	27
Article 40 <i>Administration of juvenile justice</i> .....	28
<b>10. GENERAL OBSERVATIONS/RECOMMENDATIONS.....</b>	<b>31</b>
<b>APPENDIX I. GLOSSARY.....</b>	<b>33</b>
<b>APPENDIX II . ORGANISATIONS WHICH PARTICIPATED IN THE DRAFTING OF THE REPORT.....</b>	<b>34</b>

## ***1. Introduction***

The Convention on the Rights of the Child (U.N. 1989)<sup>1</sup> is not only an effort of preventing minors from being the most frequent victims of human rights violations. It, also, forwards the perception that each minor is the subject of fundamental and particular rights oriented to his/her specific needs. The quest to achieve a satisfactory level of protection, promotion and application of children's rights is never-ending. It has to be acknowledged that the Greek Government has made great efforts to ensure the effective protection of the rights of the child, but there is always room for improvement. Greece has increasingly become a multi-cultural society, a phenomenon that further complicates the demanding task of the enactment of children's rights. We believe that it is our task to assist the Government in this extremely difficult project. By submitting this Report we, also, submit our request to have a permanent collaboration with all governmental structures affecting children's rights. We are fully aware of the fact that such a collaboration will equal to higher responsibilities by the NGO community and we are ready to accept liability, when proper legal and operational mechanisms dictate the respective structure and framework.<sup>2</sup>

Creating awareness and mobilisation regarding the rights of the child contributes to the overall promotion of public health and well-being.

## ***2. General Measures of Implementation (a. 4, 42, 44.6)***

### **Article 4 Implementation of rights**

Intense lobbying, by NGOs and other relevant bodies working for the promotion of children's rights, urged the Ministry of Labour and Social Affairs to table on the 3<sup>rd</sup> of March 2001 draft legislation providing for the ratification of the 1999 ILO Convention no. 182 on the Worst Forms of Child Labour.

The Greek Government has also been lobbied by NGOs and other relevant bodies to ratify the Optional Protocol to the Convention on the Rights of the Child, which was signed on 7<sup>th</sup> September 2000, and refers to "raising from 15 to 18 years the minimum age for direct

---

<sup>1</sup> "Child" is considered every human being under the age of 18 years.

<sup>2</sup> For the profile of NGOs and Organisations participating in the compilation of the data and information presented in this Report, see Appendix II.

participation in hostilities, for compulsory recruitment and for any recruitment by non-governmental armed groups”.

The Optional Protocol to the Convention on the Rights of the Child on “the sale of children, child prostitution and child pornography”, was also signed on 7<sup>th</sup> September 2000, but requires ratification by the Government.

The Greek Ministry of Defence has changed its recruitment policy, establishing higher minimum ages for recruitment of volunteers in armed forces, who must have completed their 17<sup>th</sup> year of age (official documentation is currently unavailable). Nevertheless, according to the Optional Protocol of the Convention on the Rights a strict 18 years of age minimum is required and the relevant Greek legislation and policy should be amended accordingly.

### **Recommendations**

- In Greece the legal framework in relation to the protection of children’s rights requires improvement in the areas of: relevant provisions, harmonization of the national legislation with the Convention on the Rights of the Child, implementation of the existing legislation (i.e. enactment of inactive laws through Presidential Decrees, or the application of “dormant” ones) and enhancement of the relevant structures (such as the institution of Probation Officers).
- The amendment of the Penal Code so as to include a new, separate chapter on the protection of children from violations by third parties, would serve as a major Legal Guideline in protecting the rights of the child in general and, when in contact with the law.
- Moreover, the establishment and subsequent operation of the institution of the “Court of Family Affairs” is of crucial importance with regards to issues of substitute family placement, family crises, etc.
- The institution of “Street Work” should also be introduced, in order for trained Street Workers to protect children from being exploited in the street and, to act as supporters and advocates of the child when in contact with relevant services e.g. police, school, local authorities, etc.

- There is a need for a sufficient number of trained professionals e.g. social workers, teachers, doctors, in all areas and sectors working with families and children.
- The institution of the “National Observatory on the Rights of Children” is about to be enacted by Presidential Decree. This new scheme will fill the gap in the area of co-ordinating all efforts towards protection, promotion and advocacy of children’s rights.

**Article 42**  
**Public dissemination**

The text of the Convention on the Rights of the Child itself should be disseminated to the public, customised to the particular functions, needs and interests of each social and professional group. This is how multi-level prevention of the violations of children’s rights will be a more feasible target through the development and implementation of effective projects.

**Recommendation**

- The Ministry of Education and Religious Affairs through its General Secretariat for the Youth and the National Observatory on the Rights of Children (0-18) should undertake the circulation of the Convention on the Rights of the Child text to all schools and organise awareness-raising seminars for teachers at a first phase, for teachers and parents at a second phase and for students at a third phase with the participation of teachers and parents.

**Article 44.6**  
**Dissemination of the country report**

Much is left to be desired in this area at the moment.

### **3. *Definition of the Child (a. 1)***

#### **Article 1** **Definition of the child**

On page 6 of the National Report, Article 121 of the Greek Penal Code, which defines as “minor delinquents” those between seven and seventeen years of age, it should be noted that, according to the Convention on the Rights of the Child, adulthood comes at the age of eighteen (17 years 12 months plus).

#### **Recommendation**

- All the relevant provisions in the Greek legislation should be amended, in order to comply with the age limit of becoming an adult, set out in the Convention on the Rights of the Child. The Committee of Lawyers for the Rights of Children at the Law Bar Association of Athens in collaboration with the other Law Bar Associations of Greece should review all the relevant gaps or deficiencies, in order to facilitate respectively the amending task of parliamentarians regarding legislation.

### **4. *General Principles (a. 2, 3, 6, 12)***

#### **Article 2** **Non-discrimination**

See below sections on education, health, refugees, administration of justice, etc.

#### **Recommendations**

- The Greek Government should develop a coherent, national policy to fight discriminatory, xenophobic and racist attitudes. Among the initiatives to be undertaken is the need for a National Campaign aiming at combating discrimination and social exclusion. Moreover, all the relevant professionals should be trained in order to develop anti-racist, socially inclusive practices and policies.

- The several ethnic, religious, vulnerable and socially excluded groups should be fully consulted (either in person or through their advocates) in the planning and implementation process of service provision in all areas, ensuring its cultural respect and its relevance to the particular needs served.
- Special attention should be given to children and families, living in remote, rural areas and who have limited access to services, goods and resources due to geographical reasons and other adversities.
- Special measures, even in the area of legislation, must be taken for those cases involving children's health and well-being, such as: pre-natal, labour and/or post-natal care for women illegally entering Greece, in order to ensure every child's right to life.

### **Article 3** **Best interests of the child**

On page 15 of the National Report (at the last paragraph), the establishment of the institution of the "Social Consultant" on Prefectural level is mentioned. The status of this institution, if any at all, is unknown. Therefore, the Greek Government must provide further documentation to the Committee on the Rights of the Child regarding its role.

#### **Recommendations**

- The best interests of the child will be better accommodated, if the collaboration among the various competent agencies (e.g. daycare, aftercare, preventive programmes for juvenile delinquents) improves, through better awareness and co-ordination of services provided to the same family or child.
- The use of allowances given to underprivileged families is not always aimed at fulfilling the best interests of the child. The relevant legislation should be amended, in order to define the child as the recipient of the allowance and not the family. Also, this allowance must be realistic corresponding to the needs of each child.
- For the best interests of the child to be adequately met, the three parties involved (child, family/guardian, state) must continuously promote multilevel advocacy with regards to the content of the Convention on the Rights of the Child.

**Article 6**  
**The right to life, survival and development**

**Recommendations**

- It should be noted that a wider framework of well-planned and structured measures to support the families (nuclear ones, with more than 3 children, single-parent families and the substitute family contexts) is needed. For example, the term “support” must refer to: financial, psycho-social, health care provisions and free legal aid, when needed.
- Moreover, better dissemination of the information regarding “benefits” would enhance the provision of this Article.

**5. *Civil Rights and Freedoms (a. 7, 8, 13, 14, 15, 16, 17, 19, 37(a))***

**Article 7**  
**Name and nationality**

It has been noticed by NGOs working on the field<sup>3</sup> that there have been cases of children who have not acquired a name due to: i) lack of information and guidance regarding procedures required and services available (e.g. registration of the child at the appropriate local Registrar’s Office), ii) lack of free legal representation of particular groups, whenever needed (e.g. cases involving the procedure of proper registration of immigrant children, that long-term will affect even their right to school enrollment) and iii) lack of de-centralisation of sectors and services for specific ethnic or religious groups (e.g. Muslims of Thrace).

**Recommendation**

- The Greek Government must ensure -through already existing or newly developed structures and specialised provisions- the best and less time-consuming procedures, that will safeguard the rights described in this article.

---

<sup>3</sup> Specific data available upon request.



**Article 17**  
**Access to appropriate information**

There seems to be a problem with the dissemination of the available information which is addressed to our multi-cultural society.

**Recommendations**

- The Greek Government should provide concrete data as to how it has complied with this obligation until now.
- Emphasis should be given to the production of appropriate material, taking into consideration especially the linguistic and other particular needs of children and families who belong to ethnic, religious, vulnerable and socially excluded groups.
- Information about availability of provisions and services and other forms of relevant information should be produced and disseminated in a culturally sensitive way.
- Key workers/advocates for/from within the various ethnic, religious, vulnerable and socially excluded groups should be employed to inform parents about available services.

**Article 19 and 39**  
**Abuse, neglect and recovery**

*Suggested definition* for “street children”: A “street child” or “street youth” is any minor for whom the street has become his or her habitual abode, and who is without adequate protection. This suggested definition refers to either or all of the below categories of street children.

- Children *in* the streets: refer to children who have neglectful supervision during the day and the streets are substitute for the daytime abode.
- Children *on* the streets: refer to children for whom the street is either, merely, their workplace or their daytime abode (this category consists of children living in absolute poverty or children abducted from other countries). The children may work or beg for money and are, eventually, the prevalent financial attraction for child prostitution and drug dealing. The children often spend few nights on the street, either because they are working too long, or because their home is far away.

- “Genuine” street children or “children *of the street*”: refer to orphans, unescorted children, abandoned, runaways. In this final stage the rupture between the child and adult society is complete.<sup>4</sup>

On page 57 paragraph 5 of the National Report it should be added that, in spite of the provisions of Article 409 of the Greek Penal Code, the phenomenon of street children -mainly those begging in major cities- is very common. In the last three years, projects for street children are being conducted by NGOs and by state Child Protection Agencies.

On page 59 paragraph 1 of the National Report should be totally omitted.

On page 62 of the National Report (c) should read as follows: “A project on the use of physical punishment of primary school children (1997). (Addendum:) The results of the study<sup>5</sup> show that 65.5% of parents use physical punishment, while younger children (first graders) are 3 times more in danger to be punished compared to older children (sixth graders). Moreover, children with siblings are physically punished twice as often compared to only children. In 6% of the cases, spanking led to physical injury, while 1.8% were injured severely enough to need medical treatment or hospitalization. It should be noted that 90% of the parents believe that physical punishment is negatively affecting parent-child relations and also has severe effects on the child.

Note: In Greece, physical punishment in schools is prohibited by law (Presidential Decree 497/1981), while currently there is no law prohibiting the phenomenon within the family.

In Greece, child abuse and neglect of all types is still regarded as a psychopathological and also as a social phenomenon but not yet as a public health issue (WHO 1989). This change in attitudes towards the subject is very much needed, so that it can be addressed through a public health approach.”

On page 85 of the National Report (section a), it should be added that official statistics do not record deaths of children from non-accidental injuries (abuse-neglect), except in the case of a child’s murder. It has been estimated that a considerable number of deaths of children under 1 year described as “from various diseases” are due to some severe form(s) of maltreatment.<sup>6</sup>

---

<sup>4</sup> The above-mentioned comprehensive definition is a combination of data derived from Bureau Internationale Catholique pour l’Enfance and Novartis Foundation for Sustainable Development.

<sup>5</sup> Conducted by the Institute of Child Health in 1997.

On page 86 of the National Report (at the end of paragraph 1), it should be added that the National Statistical Service of Greece does not differentiate between “accidental” and “non-accidental” injuries. Studies<sup>7</sup> have indicated that a substantial amount of recorded home accidents for children under 4 years of age, and especially those under 1 year, is due to non-accidental injury (i.e. abuse or neglect).

On page 100 of the National Report it is not clear what is meant by “Traditional Practices”. The content of this section refers primarily -if not exclusively- to legal provisions of the Greek Penal Code on child abuse and neglect which should not be put under “traditional practices”. If what is really meant by the title and the content of this section is the “physical discipline” of children by their parents or at school, the law should refer to the aforementioned Presidential Decree against physical punishments in schools -but not at home. Therefore, the entire section should be re-appraised.

According to the President of Social Workers in Greece (D. Vezyrakis, 1999), the social services functioning at the Prefectural level do not suffice, in order to cover the needs and in most of the cases they are not in a position to help. The current ratio is 1 social worker to 70,000 inhabitants, while abroad the respective numbers are 1 to 2,500. Despite the fact that the needs of certain cases are great, on several occasions they first reach “mass media”, before any professional intervention can be applied.

The guardians whose children have been victimised are offered inadequate support. In relation to this matter, two suggestions are being put forward (i) training of relevant experts and more systematic support customised to the needs of each family member and ii) improved co-operation between the legal guardians and social workers, aiming at the best interest of the child’s well-being.

## **Recommendations**

- Definition of the problem of “child abuse” with emphasis on its multi-axial aspects in relation to national statistical data on mortality, morbidity and other relevant risk factors. The current international definition identifies child abuse as a major “public health issue”.

---

<sup>6</sup> Data taken from Institute of Child Health studies (1992-1995).

<sup>7</sup> Conducted by the National Statistical Service of Greece in 1991.

- The understanding of the phenomenon of child abuse should be based on studies and research data identifying all related risk factors.
- Abolition of physical punishment within a legal and children's rights oriented approach should be one of the targets towards the application of the Convention on the Rights of the Child on the national level.
- SOS telephone lines do exist, but these helplines should ensure the provision of solid follow-up and referrals that will be able to offer specific help and effective intervention, customised to the needs of each case.

**6. *Family Environment and Alternative Care (a. 5, 9, 10, 11, 18, 20, 21, 25, 27.4)***

**Article 9**  
**Separation from parents**

**Recommendation**

- The situation and special problems of separated children, who arrive in Greece from third countries and need protection, require special attention. It is important to note that, when we refer to separation from parents, we must take into consideration not only Greek families but also alien families with diversified needs, which are accommodated or not, depending not only on national but also on international law and the relevant multilateral or bilateral agreements.

**Article 10**  
**Family reunification**

There are significant delays in the reunification process of unaccompanied, refugee, asylum-seeker children with their parents, due to bureaucracy.

**Recommendation**

- Structures need to be created or re-constructed accordingly, in order to facilitate and expedite reunification procedures. There are a lot of different categories and particularities of children and families that need to be serviced.

**Article 11**  
**Illicit transfer and non-return**

Illicit transfer of minors could involve trafficking of minors, sexual and/or labour exploitation. Efforts are being made regarding the implementation of the ratified Hague Convention (1980) concerning civil law issues on child abduction, but there are still a lot of difficulties in practice.

**Article 18**  
**Parental responsibilities (paragraphs 1 and 2)**

**Recommendations**

- The state as “parent” must provide for the smooth transition from the institutional placement to more family-centered structures (e.g. SOS villages, fostering, adoption).
- It seems that there is insufficient follow-up regarding the implementation of court decisions relating to the participation in the decision-making of the parent who does not have custody of the child.

**Article 20**  
**Deprivation of family environment**

Juvenile Protection Societies that were established by Law 2724/1940 are inactive in most Prefectures. In major cities, where they exist, they are inadequately staffed, without multidisciplinary and adequate funding (p. 51 of the National Report).

On page 53 of the National Report the section on “Foster Families” should start: “Although established by law and functioning with limited capacity in the Greater Athens area since 1928, fostering was established ...”.

The quality of fostering varies from adequate to very inadequate. It does not cover the real needs of children at risk, or those who live for years in residential care, even though they could have been accommodated in foster families (note: the National Report’s data is dated back to year 1996!). At present, very few foster families operate outside the Greater Athens

area; there has been an attempt to open foster schemes , wherever local chapters of the National Welfare Organisation exist, mainly in Northern Greece.

Fostering at Prefecture level, although provided by law, is inactive mainly because of understaffing of the welfare services, organisational and structural in-service problems, lack of training for the scheme and limited funding.<sup>8</sup>(p. 54 of the National Report)

### **Article 21** **Adoption**

On the section on Adoption on page 54 of the National Report, it should be added that, the Law on Adoption, Fostering and other Child Protection issues, was revised in 1996 (Presidential Decree 2447/278/30.12.96). The Law, although conforming to a large extent with the contemporary Child Protection scheme, provides for private adoptions -an issue that has been opposed by the leading (public) adoption agencies.

### **Recommendation**

- Improved co-ordination is required, in order to avoid possible delays in the overall adoption procedures. Appropriate structures with knowledgeable and sensitive case-workers should be created, within social welfare services, for the recruitment and training of prospective adoptive families. The same applies to fostering.
- Greece should urgently sign and ratify the International Convention of the Hague of 1993 on International Adoptions and sign bilateral agreements which will secure smooth national and international adoption procedures.

---

<sup>8</sup> Some of the recommendations in this Report constitute a natural outcome of the commentary on each article, therefore they cannot be separated from it.

## **7. Basic Health and Welfare (a. 18, 23, 24, 26, 27)**

### **Article 23** **Children with special needs**

On page 57 of the National Report (end of page), it should be added that in spite of i) the considerable progress in the organization of services for the disabled, ii) the growing movement of NGOs involved with the handicapped, iii) the good co-operation between the Government and NGOs and, iv) the available EU funding, the conditions vary depending mainly on two factors: i) the residential or day care provision, with the first being of much lower quality than the second and ii) the differences between the state and the NGO provision, with the state offering lower quality residential care.

Children, who are both handicapped and rejected by their families, are in the worst situation, mainly because they are under the complete responsibility of the state –as the “parent”- without natural parents to advocate for their rights. There is a great need for de-institutionalisation of the children that have been abandoned by their families.

Nevertheless, one should positively compliment on the serious work that has been done in the last ten years in the field of people with special needs. This movement had more coverage for adults and it is time to emphasize more on children and youths.

Children with special needs have no possibility to attend secondary schools because there are only primary special schools. Necessary provisions should differentiate though, according to the different needs of the different categories, such as:

- Children having the necessary cognitive and mental abilities but facing problems of accessing the school establishment, should be offered ways and means to overcome the practical obstacles.
- Children with extremely specialized needs, should be provided with educational schemes at home.
- Children lacking the cognitive abilities, should be equipped with basic daily living skills.

There also seems to be lack of information regarding available financial provisions for children with special needs.

## **Article 24** **Health care**

On page 83 of the National Report (at the end of paragraph 1, section entitled: “Family Planning”) it should be added that, in spite of the progress made in the field, discrepancies exist due to organizational and structural problems. For example, some family planning centers are offering counseling only, without medical practice care (i.e. the application of contraceptive devices). Lastly, abortions as a birth control solution are widely practiced, mainly in the private medical sector, where there is little or no control regarding the safety of the methods applied.

### **Recommendations**

- A holistic approach regarding Roma and other gypsy groups is needed, in order to formulate and apply proper health, educational and social practices. The same should apply for all other ethnic, religious, vulnerable and socially excluded groups living in Greece, in order to override problems such as: illegal status and problematic access to basic health and psycho-social services, as well as educational schemes.
- Further improvement is required on the pre- and post- natal provisions, with an emphasis on vulnerable groups such as: single mothers, teenage mothers, mothers of ethnic groups, immigrants, refugees, asylum seekers etc.

## **Article 26 and 18 paragraph 3** **Social security and child care services and facilities**

Children whose parents have no social insurance have no access even to basic health care. This proves once again that social policy is “family-centered” and not “child-centered” as it should be.

Not every child benefits from the existing programmes of social welfare. There is no immediate intervention from the social welfare services in case of neglect or abuse. The latter might also imply a lack of collaboration between law enforcement and social services involved in such cases.



## **Recommendations**

- On page 102 of the National Report (at the end of the first paragraph of section on Article 26), it should be commented that the allowance of approximately 44 Euro (15,000 drachmas) is extremely low and degrading for the dignity of unprotected children. Therefore, it should be re-appraised according to the realistic needs.
- On page 102 of the National Report (at the end of the first paragraph), it should be noted that, there are cases that the required percentage of educators in nurseries is not followed, due to lack of staff (e.g. 1 educator to 8 babies or 1 educator to 12 infants).

### **Article 27** **Standard of living**

On page 105 of the National Report (as regards Article 27 paragraphs 1-3), it should be mentioned that this section focuses entirely on institutionalized services for children, especially those with special needs. This way, only one part of the term “standard of living” is addressed, omitting the state’s obligation to support parents in guaranteeing an adequate standard of living for their children, which at the moment can be described as inadequate. At present, a political debate is in process as regards the need for a “minimum income”. It should be noted that 19.5% of Greeks live under the minimum poverty standard.<sup>9</sup>

Article 1501 of the Greek Civil Code (p. 49 of the National Report) has been annulled by Law 2447/96, even though in the National Report is presented as valid.

## **Recommendations**

- Projects should be conducted on national level to fight poverty as an element that negatively affects children’s health, development and well-being.
- On Article 27 paragraph 4, regarding the person having financial responsibility for the minor that lives in a state different from that of the minor’s, Greece must promote the accession to international agreements or the conclusion and making of such and other agreements, that permit and expedite the resolution of the issue.

---

<sup>9</sup> Research data published in the attachment of “TA NEA” newspaper (TACHYDROMOS), 12/5/01.

## **8. *Education, Leisure and Cultural Activities (a. 28, 29, 31)***

### **Article 28 Education**

According to the ministerial decision no. F 2/378/G1/1124/8-12-94 inter-cultural schools have been inaugurated with the mandate of receiving, training and educating alien minors including asylum seekers and refugees. However, alien children have always had access to basic education in Greece. On the other hand, children asylum seekers and refugees cannot register due to lack of certificates. Although special circulars of the Ministry of Education (no. F ?? 1789 ?? 28-09-1999) facilitate these children to enroll in schools, even without the necessary certificates, the problem very often persists at the level of school administration. The above-mentioned development of more tolerant and less xenophobic attitudes becomes all the more urgent.

No mention is made in the National Report as to the children between 13 and 18 years of age who have dropped out of school and are not entitled to attend any state or technical school and therefore remain inactive until they reach 18 years of age.

### **Recommendations**

- Improvements are needed in the development and application of effective projects combating illiteracy and the phenomenon of dropping-out before the completion of the 9-year compulsory education (e.g. literacy projects addressed to different ages, sexes, socially excluded, vulnerable, religious and ethnic groups). Family support and incentives should be offered for the enrollment and attendance of children in school.
  - The phenomenon of asylum seekers and refugees having difficulties to register in schools, due to lack of certificates, has been observed and needs to be tackled on a national level and through transnational and international agreements. In light of the new demographic “mapping” of our country, schooling and other educational schemes must correspond to and provide for the multiple socio-cultural particularities, in an effort to facilitate the social integration of all different ethnic, religious, vulnerable and socially excluded groups in a functional and effective manner.
-

- Not all children have equal access to education. The law on compulsory education is not implemented in case of violation. A family-friendly monitoring approach of local authorities with regards to children's schooling, may address the cases of violations of the law on compulsory education. In any case, police intervention in such matters should be avoided.
- The Greek Government should take special measures to increase the attendance of children from remote, mountainous and agricultural areas, when the school establishment is very far.

## ***9. Special Protection Measures (a. 22, 30, 32, 33, 34, 35, 37, 38, 39, 40)***

### **Article 22 Refugee children**

Refugee children are a particularly vulnerable category of children, coming from war situations and civil strifes, often having experienced the loss of their families and homes and having suffered torture and ill-treatment themselves. The refugee children arrive alone or with their families in the host country, in which their rights are difficult to be safeguarded and need to be protected by the local/national authorities. In particular, the basic rights such as the right to life, survival and development without discrimination, as well as the best interests of every child should be safeguarded and its views should be taken into account by the authorities of the host state.

The state's obligations are not an easy task, as refugee children often lack any documentation which makes it really difficult to assess if they are accompanied by their natural parents or legal guardians. Illegal entry and lack of immediate registration obstructs their prompt identification and the servicing of their needs.

Refugee children also have difficulties in adapting to new environments with different cultures, languages and customs compared to the ones in the country of their origin. Inefficient information on the available state provisions maximizes these problems. Refugees should be able to be informed in their language at a first stage and then they should be offered incentives to gradually learn the Greek language.

On page 140 of the National Report, before the last paragraph, the new legislation regarding unaccompanied minors should be added. According to Article 1 paragraph 4 of the

Presidential Decree 61/1999, an unaccompanied minor aged between 14 to 18, may apply for asylum by himself or herself. In any case, unaccompanied minors may apply for asylum after the competent police authorities have informed the competent Prosecutor for Minors, in order to act as the minor's special guardian until the final decision on the asylum application.

In practice, the implementation of the provision proves to be problematic starting from the registration of minors by the competent police authorities, which do not usually inform the Prosecutor in due time for the best interest of the child. On the other hand, it has been noticed that there is a delay on behalf of the Prosecutors for prompt action as regards the appropriate accommodation and living conditions of minors. However, their task is impeded by the insufficient infrastructure guaranteeing the unaccompanied minors' reception who happen to be refugees and asylum seekers. It should be noted that according to the ministerial decision ? 2a/52/2671/5-3-2001 the National Youth Institution-Students' Hostel in Anogia (Crete) was assigned as premises for accommodation of unaccompanied children who apply for asylum. The lack of similar reception centres around Greece<sup>10</sup> creates many problems considering the urgent need for protection of this particular category of minors. At this point, it should be pointed out that according to the National Report no asylum applications have been submitted by unescorted minors.

Despite the available international and national legislation<sup>11</sup>, as regards the substantive and procedural guarantees regulating one's detention, aliens including minors who apply for asylum, after their arrest for illegal entry or residence in Greece, remain detained until the final examination of their asylum application. Their detention takes place in detention centres for indefinite periods of time, without being subjected to any judicial review. These detention centres are designed and equipped for a short period of detention and their conditions as described by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment are inappropriate for long periods of detention, lacking basic facilities and infrastructure.

---

<sup>10</sup> The Refugee Reception Centre at Lavrio, Attica, provides refugee children with shelter, schooling opportunities and projects on learning Greek, English and their mother tongue.

<sup>11</sup> Article 27 paragraph 6 of Law 1975/1991 provides that the Minister of Public Order (as revised by a recent ministerial decision, the Secretary General) may in the public interest and if the person to be expelled is dangerous or risks absconding, order his detention until his deportation from Greece becomes feasible. According to the ministerial decision no. 4803/13/7A/18.6.92, although the submission of an asylum application postpones the ordered administrative decision of deportation, it does not postpone the detention of asylum seekers. It has to be noted that there is no special provisions for minors in this case.

In many detention centres, particularly at border areas, where there are massive group arrivals, there is no special department designated for minors. In the Greater Athens area, apart from the detention place designated for minors at the Alexandras General Directorate, minors are also detained in Amygdaleza Detention Centre, when they are accompanied by their mothers. It has to be noted though, that both detention places are not appropriately designed and equipped to accommodate minors.

In the recent case of *Dogouz v. Greece* the European Court for Human Rights concluded that “... the serious overcrowding and absence of sleeping facilities, combined with the inordinate length of period during which he was detained in such conditions, amounted to degrading treatment contrary to Article 3 [of the European Convention on Human Rights]...”. The aforementioned conclusion applies the foremost to minors, who happen to be in a much more vulnerable position.

Asylum seekers and refugees have free access to the national health system (PD 266/1999). However, the delay of the asylum procedure deprives the asylum seekers and in particular minors of their access to basic health services, facilities and child care. According to the ministerial decision no. ? 3a/F.32/2671/14-07-2000 welfare subsidies are provided to recognised refugees.

### **Recommendations**

- The child refugee should be offered protection both as a child and as a refugee. Child-oriented and refugee-oriented specific provisions should cater effectively for his/her needs.
- The asylum procedure involving refugee children should be prompt without delays, in order to guarantee that they and their families enjoy the basic rights for the protection of asylum seekers and refugees, as outlined in the relevant international and national legislation, with emphasis on the principles of family unity and family re-unification – whenever possible.
- The principle of family unity should be the cornerstone in determining the entire procedure. Therefore, in cases of minors having been separated from their families, the process of family reunification should be considered as a priority and be accelerated by all states involved.

- A functional strategy of tracing unaccompanied refugee children should be developed by the Greek Government, as soon as possible, in order for their timely registration by trained and specialized personnel.
- Appropriate “reception centres” designed and equipped for minors should be established by the Greek Government, throughout Greece, with an emphasis in border areas and urban centres, where the number of refugees tend to be really big.
- Appropriate and stable accommodation, health care, psychological support and educational opportunities should be provided to all children refugees.
- Their legal representation before the authorities should be free and safeguarded.
- The co-operation among all the relevant intergovernmental, non-governmental and governmental agencies should be enhanced in order to achieve the best protection provided.
- Special provisions should be introduced for ending the detention of minor asylum seekers. Anyhow, provision of this nature should always take into account the basic right of a child to be with his family or, when this is not possible, at least in a “substitute” family environment, supportive of its needs. It is very difficult to accommodate the needs of such refugee child -according to its rights- without creating dilemmas in other sectors and areas of life. This should be resolved on an international basis as it is an international issue.
- The Article 27 paragraph 6 of law 1975/1991 and the ministerial decision no. 4803/13/7A/18.6.92, which provide for the administrative detention of aliens, including asylum seekers, must be banned since they both violate, not only the Greek Constitution, but also international conventions, which Greece has signed and ratified.
- Special reception centres designated for minors should be established which must be accessible to all minors, who happen to be asylum seekers. These centres should be staffed by trained and specialized personnel. Minors should remain under the protection of the Greek state, and in particular under the supervision of the prosecutor for minors in

case of unaccompanied ones, until their status is regularised and/or they unite with their family.

### **Article 32** **Child labour**

Child labour does exist in Greece. But it is very hard even to estimate how many child labourers exist, since in Greece -as in the rest of Europe- child labour is not open to the “public eye”. Poverty is obviously at the core of the child labour problem in Greece, as in so many other countries. Usually the families of these children are too poor to afford not to send their children out to work.

The Ministry of Labour and Social Affairs (Press Release of 08.02.2001) estimates that in Greece there are some 80,000 adolescents aged 14 to 19 who are ‘helping their family’ and work -which is permitted by the law under certain circumstances- but the number of the youngsters, who face harsh conditions or are forced to work without pay, is considered to be much higher (because these figures do not include child labourers without employment contract or permission, those working in family businesses or private households and the children of economic migrants, Muslims and gypsies). The most common sectors where children are employed are agriculture (63,4%), fishing, wholesale and retail trade, street trade, repair of motor vehicles, manufacturing (garment industry mostly), construction, sports, hotels and restaurants. Since many children help out in family businesses and farms and with family animals, a labour force activity rate for children is relatively high in poorer rural areas.

The Ministry of Labour and Social Affairs also believes there are some 5,000 children under 14 who are made to work in Greece, but we think this is an underestimation. A recent study<sup>12</sup> found there are an estimated 5,800 street children between the age of 2 and 15 in Greece, well known as the ‘traffic lights kids’. These youngsters -dressed in shabby clothing- clean car windows or sell tissues and flowers for spare change at busy intersections, restaurants, coffee-shops and public spaces. The vast majority of these children are Greek gypsies, Albanians, Greeks and Greek Muslims.

### **Recommendations**

---

<sup>12</sup> Commissioned by the Greek Committee of UNICEF in November 2000.

- The Greek Government should be requested to implement fully and effectively at the national level the relevant international and European instruments on the Rights of the Child and to ratify, as soon as possible, those instruments and particularly the two Optional Protocols to the Convention on the Rights of the Child and the ILO Convention No.182 on the Worst Forms of Child Labour.
- The general recommendation about a set of studies on the current situation of children in Greece, which should be undertaken by the soon to be established National Observatory on the Rights of Children refers to this article too. Only if the area in question is researched carefully the necessary measures will have effectiveness and success.

### **Article 33** **Drug abuse**

On page 165 of the National Report, at the end of the first paragraph, it should be added that according to a research conducted in 1999<sup>13</sup>, in relation to the characteristics of adolescents between 13 and 20 years of age who contacted a therapeutic programme themselves, drug use and drug addiction seem to occur mainly at the big, urban centres and involve boys more often than girls. Among the young people who participated in the research more than 6 out of 10 experimented with illegal substances at the age of 15. From the collected data, it became obvious that the beginning of use may be related to the dropping out from school, as more than half of the participants dropped out from school at the age of 15,9. 53% of the boys used cannabis and 52% of the girls used heroine. 6 out of 10 of the boys and 5 out of 10 of the girls, who participated in the research, had been arrested in the past for an offence and 4 out of 10 (both boys and girls) mentioned that they faced some sort of pending legal proceedings.

On page 168 of the National Report, at the end of the first paragraph, it should be added that the services regarding the secondary and tertiary prevention in Greece are not sufficient compared to the extent of the phenomenon of drug use. These services focus on Athens, resulting in being non-accessible for a significant number of adolescents and their families. These services are free of charge, voluntary in nature and the parents' participation is a prerequisite for the adolescents' participation in the therapeutic process. The above mentioned services are designed to cover a wide range of needs: from the adolescent, incidental user with a supportive family environment combined with educational/professional activities, to

---

<sup>13</sup> Conducted by the therapeutic programme STROPHI of the Centre for the Treatment of Dependent Persons.



the adolescent addicted to opiate substances with disrupted family relations and without any educational/ professional activities, as well as to the adolescent being brought to the juvenile court for breaching the legislation on drugs, etc. Special emphasis is given to encourage juveniles to re-enter the educational scheme, often through pioneering interventions, in which all classes of secondary education are taught, in order to facilitate the continuation of education in combination with the therapeutic interventions.

### **Recommendations**

- A coherent social policy against drugs, smoking and alcohol should be developed for the underage, with the support of public safety and justice sectors. According to a recent research study 43.1% of the Greeks started smoking during adolescence, whereas Greek school students smoke three times the quantity that their European peers do.<sup>14</sup>
- From the above mentioned data, the need for designing and implementing programmes of primary and secondary intervention is emerging, for the effective drug-abuse prevention during childhood and adolescence.
- Primary, secondary and tertiary prevention programmes need to be applied throughout Greece for the tackling of drug-use and drug-addiction.

### **Article 34** **Sexual exploitation and sexual abuse**

It should be noted that sexual abuse is still a social taboo, with the majority of cases in hiding. The systematic recording of cases brought to social/legal services, would only reveal a portion of the extent of the “best kept secret” in today’s society.

Therapy to offenders, especially to juvenile ones, is not provided as an alternative to the penal sentence. The traditional way of dealing with disclosed cases is to remove the child from the family and place it into care, with doubtful long-term planning.

### **Recommendations**

---

<sup>14</sup> Research data published in the attachment of “TA NEA” newspaper (TACHYDROMOS), 12/5/01.

- On page 169 of the National Report, regarding sexual exploitation and sexual abuse, it should be mentioned that the relevant legal framework needs a series of amendments and provisions, in order to better correspond to the realistic needs of the sexually abused child. The real lack is observed in the tremendous gap between legal provisions and every day practice. Although sexual abuse appears in the press and “mass media” frequently, the service sector (public, NGOs) does not address the subject competently.
- Mental Health Multidisciplinary Services, in general, require the collaboration of the family in order to offer support and therapy, which is rarely the case -while the Social Services lack multidisciplinary- trying to address the issue with old fashioned social work methodology. Nevertheless, there are conscientious professionals within all sectors, trying to do the best they can under the circumstances.
- This aspect of child maltreatment should be given special priority by the Greek state.
- Children victims of sexual abuse are sometimes victimised, once again, during criminal proceedings (the so-called “systems’ abuse”). The various legal or quasi-legal procedures should be adjusted to meet children’s needs, e.g. (legal representation).
- Specialised training of all professionals involved is needed, in order to ensure a child-sensitive approach.

### **Article 35** **Sale, trafficking and abduction**

Political instabilities in the Balkan region leading to refugee and migrant influxes, to which Greece has been repeatedly subjected, have tended to exacerbate existing social problems and consequently working children’s conditions. In recent years, there are increasing numbers of illegal migrants from the Balkan states and Eastern Europe being trafficked to Greece by the organised crime networks, although the Greek Government is stiffening its border controls (in part because of the EU Schengen Agreement).

On page 173 of the National Report, as regards the section on “sale, trafficking and abduction”, the same observation about the gap between the law in the books and the law in action applies. There is serious evidence and police data on the trafficking, sale and abduction

of children from neighbouring countries, especially Albania, for purposes of exploitation of all types, including sexual exploitation.

Trafficking in women and girls for prostitution in Greece has increased sharply in recent years. A survey, carried out from September 1995 to March 1997 in Athens<sup>15</sup>, revealed the presence of around 3,000 children and young persons involved in prostitution and the forced provision of sexual services.

### **Recommendation**

- It is self-evident that an impartial research should be conducted, in order to reveal the real number and characteristics of the ethnic, religious, vulnerable and socially excluded groups involved, in order for the appropriate social policy measures to be implemented, customised to address particular aspects and consequences of this rising societal phenomenon.

### **Article 37**

#### **Torture, death penalty and deprivation of liberty**

The alleged recorded cases of torture and ill-treatment by law enforcement officials are not that rare to be considered as “accidental”. The dark figure of this phenomenon does not allow for valid statistical data. The core principle is that, even a single substantiated complaint suffices to generate mobilisation, in order for the problem to be dealt accordingly. The last incident that shocked the whole Greece was the severe beating of a 16 year-old migrant which resulted in the rupture of his spleen. Such practices lead to the annulment of the relevant safeguards.

(Please also, see section on Refugee Children).

### **Recommendations**

- Perpetrators should be brought to justice and punished, irrelevant to who they are or what their professional position is.

---

<sup>15</sup> The research was conducted by the Marangopoulos Foundation of Human Rights.

- Law enforcement officers should be appropriately trained to cater for and respond to the special needs and characteristics of juvenile detainees.

#### **Article 40** **Administration of juvenile justice**

The poor quality of provisions for young delinquents often leads to violations of their basic rights. The number of NGOs for the social support and rehabilitation of young delinquents is increasing, exerting pressure for improvements in collaboration with the competent national Ministries.

On page 142 of the National Report (after the first paragraph of the section on “Minors in Greek Criminal Law”), it should be commented that the penal treatment of minors often follows the paternalistic model that most times leads to unfavourable results (e.g. restriction of a legal remedy which is mentioned below).

On page 143 of the National Report, number 4 mentions that the minor is deprived of the legal remedy of appeal against a sentence of penal correction imposing a penalty less than a year. This is definitely not in the best interests of the minor and of the administration of juvenile justice, particularly in light of the fact that penal correction means incarceration which should be the *ultimum refugium* in cases of minor offenders.

On page 143 of the National Report, number 6 refers to the establishment of the Juvenile Probation Officer. The Juvenile Probation Officers’ Service has virtually been abandoned. In Athens there are only 10 Juvenile Probation Officers who cannot possibly cover the all increasing needs. This means that the supervision of the juvenile offender is a provision only “in name”, due to limited personnel.

On pages 144 and 145 of the National Report, a number of guarantees are mentioned as regards the training of officials, the provision of interpretation for foreign juvenile offenders, etc. At this point, it should be said that the involvement of Greek police in the administration of juvenile justice is not a simple, technical detail. The involvement of law enforcement officers is of strategic importance, because they determine the future of a number of juveniles. The respect of the rights of the accused juveniles depends on the police officers’ attitude, when the law enforcement is their first “contact” with the state. Therefore, the allegations of police violence against juvenile offenders -in particular migrants- cannot be disregarded.

Specific measures should be taken by the Greek Government to prevent such behaviour. Furthermore, if the necessary interpretation is not provided for, it becomes virtually impossible to gather detailed information for the foreign juvenile's family history in order to trace his/her parents. It is no wonder that mass arrests of child labourers and their subsequent detention in police stations under unsuitable conditions equal to an undeterminable number of violations of the provisions of the Convention on the Rights of the Child.

On page 146 of the National Report, at the second paragraph, the issue of legal representation of minors is addressed. Although legal representation is safeguarded for juvenile offenders, it is not guaranteed for those between 17 and 21 years of age, unless a felony is committed. Given the low socio-economic status of juvenile delinquents, such lack results in the virtual deprivation of the right of legal representation for young delinquents of the above-mentioned age. However, the *ex officio* appointment of a legal representative in cases of felonies committed by juvenile offenders, does not guarantee enjoyment of the right in question, as the legal counsel does not have knowledge of the case or enough time to prepare himself. The lack of free legal aid makes the dimensions of this problem even more dramatic. The Greek Government should be requested to establish the regular provision of free legal aid for juvenile offenders as a priority.

On page 146 of the National Report, at the last paragraph, the issue of prompt hearing is addressed. This is not always the case, because a lot of minors or young adults (between 17 and 21 years of age) are held awaiting trial for longer than six months.

The number of foreigners and cultural minorities (e.g. gypsies) among the juveniles who are brought to trial is very high. This indicates the filtering process followed by the police and Juvenile Courts. According to data based on a report submitted by the Governor of Avlona Juvenile Detention Centre in 2000, from 287 young detainees at Avlona Juvenile Detention Centre, 160 were foreigners, whereas the number of gypsies among Greek detainees was high. The total of juvenile detainees comes from families with low income. These young offenders grew up in poor/underprivileged areas of Athens and Thessaloniki and had problems with schooling (the percentage of illiteracy is high in comparison to that of the general population). The majority of detainees started working early, mainly since they were 13 years old, without having permanent employment.

It is true that the number of juvenile offenders who are tried and convicted to the juvenile detention centers is relatively low. Most of the times, courts impose rehabilitation measures instead of confinement. However, juvenile detainees could be fewer and this would,

undoubtedly, serve the best interests of the child. According to the above mentioned research, from 287 juvenile detainees at Avlona Juvenile Detention Centre, 120 were awaiting trial (percentage 42%). A significant number of them (29) were awaiting trial for theft. However, according to the provisions of the Greek Criminal Procedure Code, juveniles offenders cannot be detained awaiting trial, unless they are accused of having committed crimes punishable with at least ten years imprisonment. There are therefore cases of unlawful juvenile detention which the Greek Government should stop and should provide appropriate reparation.

The sanction of penal correction – although it was introduced for the benefit of juvenile offenders – creates a number of problems. The duration of detention is vague and leads to injustices: for example, imprisoned adults may qualify for a “leave” after 1/5<sup>th</sup> of the imposed sentence is served, whereas imprisoned minors qualify to apply for a “leave after the 1/3<sup>rd</sup> of the minimum sentence is served. This is unfair as it is illogical, because a juvenile offender is qualified to take a “leave” later than adult offenders. Therefore, the relevant provisions should be amended accordingly.

Pioneering institutions of alternative methods of correction, which have been provided for in law, are not enacted, because the necessary Presidential Decrees have not been issued. Such implementation would greatly benefit juvenile offenders, as it would offer them the opportunity to be re-integrated in the educational process, etc.

### **Recommendations**

- The Greek Government should undertake to appoint a fixed percentage of police officers with special training to deal specifically with minors.
- A set of alternative methods in the administration of juvenile justice, as well as alternative measures to imprisonment should be introduced for juvenile offenders in Greece.
- Trained social workers and juvenile probation officers should be included at the District Attorneys Office for the underage, as well as at the Law Enforcement Agencies at local and regional level, tuned into the particular needs and characteristics of children (0-18).
- Customised projects in relation to the prevention of juvenile delinquency should be designed and conducted as a matter of priority.

## ***10. General observations/recommendations***

- This National Report mainly presents a set of legal provisions with no emphasis on their application and its assessment with an exception on the area of education.
- The next National Report should be more comprehensive by including data, suggestions and information from both the government-public sector and NGOs.
- The effective application of the Convention on the Rights of the Child is possibly hindered by the lack of a Central Data Centre with co-ordinating and supervisory scope that will cover the multilevel project of promoting children's rights (e.g. Ombudsman for Children and Youths, National Observatory on the Rights of Children, etc).
- A National Centre for reporting all the cases of violence against children would help create a realistic picture of the extent of children's victimization in Greece, in order to develop effective policies.
- A permanent co-ordinating Committee should be established for collecting and updating information periodically; this will facilitate the communication, collaboration and co-operation among all parties (public-private-NGOs-EU partners) involved in the promotion of children's rights.
- Root causes, such as poverty and other social inequalities, should be addressed in order to combat social exclusion and marginalisation and improve the quality of children's lives; inclusion of the analysis of macroeconomic links in policies developed and interventions applied in the area of child protection, will promote the effectiveness of projects tackling poverty and its social "by-products".
- There is a need for unified "child-centered" social policy that will deal with issues pertaining to all children, in order to facilitate the collaboration of all parties involved.
- Multidisciplinary collaboration of professionals/scientists, such as psychologists, psychiatrists, educators etc., as well as better co-ordination of the involved agencies, will enhance the promotion of children's rights.

- The co-ordination and collaboration between the state and NGOs for the development and application of programmes promoting children rights is imperative. This will, also, ensure the fair distribution of grants to each programme conducted.
- A set of studies on the current situation of children in Greece (e.g. “street children”, “child labour”, “sexual abuse”, etc.) should be undertaken by the National Observatory on the Rights of Children (which will soon be established by Presidential Decree), in order to promote knowledge and identify gaps in service provision. These studies should have a multidisciplinary approach and derive from all the relevant efforts in the field. Only through such systematic way, will we acquire a realistic picture as to the situation of children in Greece, in order to address each one of the different phenomena effectively.
- The media should participate in the dissemination of the Convention on the Rights of the Child to raise awareness. Its personnel must be amicably approached and trained, in order to better understand the importance of childhood and children’s rights, so they will become “partners” in making children more “visible”.
- The dissemination and application of the already proposed “Code of Ethics for the Protection of Children’s Rights with regards to the Media”, will enhance the profile of childhood as the “consumer” and will re-frame the use of minors as “objects” for the promotion of products, ideas and attitudes.
- Projects on continuous customized training, education and sensitization for all professional groups working with children and families, for the proper and timely identification, intervention and follow-up of all cases.

## **Questions**

- When was the data included in the National Report collected? The State must indicate time period.
- Why there is no national data submitted regarding Article 42 (fulfillment of the obligation of the State to disseminate the text of the Convention on the Rights of the Child)?



***APPENDIX I. Glossary***

(The Glossary is in hard copy format only).

## ***APPENDIX II . Organisations which participated in the drafting of the report***

**Note:** The discussion about the integration of the comments which were submitted by the following organisations was conducted by a steering committee, consisting of representatives of the organisations: Amnesty International Greece, ARSIS, Institute of Child Health and Save the Children. The text of this Report was edited by Nina Angelopoulou, Attorney at Law-Amnesty International Greece, and Maria Tsangari, Psychologist-Institute of Child Health.

**AMNESTY INTERNATIONAL GREECE\***

30 Sina Str. 106 72 Athens Greece

tel: +30 1 3600628, 3631532 fax: +30 1 3638016

e-mail: [info@amnesty.gr](mailto:info@amnesty.gr)

Amnesty International (AI) is a worldwide movement of people who campaign for human rights. AI's work is based on careful research and on the standards agreed by the international community. AI is independent of any government, political ideology, economic interest or religion. It does not support or oppose any government or political system, nor does it support or oppose the views of the victims whose rights it seeks to protect. It is concerned solely with the impartial protection of human rights.

AI works independently and impartially to promote respect for all the human rights set out in the Universal Declaration of Human Rights. The main focus of its campaigning is to:

- free all prisoners of conscience. According to AI's Statute, these are people detained for their political, religious or other conscientiously held beliefs or because of their ethnic origin, sex, colour, language, national or social origin, economic status, birth or other status – who have not used or advocated violence;
- ensure fair and prompt trials for all political prisoners;
- abolish the death penalty, torture and other ill-treatment of prisoners;
- end political killings and “disappearances”;
- ensure that governments refrain from unlawful killings in armed conflict.

Amnesty International Greece was founded in 1976 and functions according to the organisation's international mandate.

(\* ) Amnesty International Greece has **only** co-ordinated and facilitated the drafting of this Report. It has not provided any data, as this is done on an international level.

## **ARSIS – ASSOCIATION FOR THE SOCIAL SUPPORT OF YOUTH**

*ARSIS* is a n.g.o., working since 1992 for the social support of disadvantaged young people, the prevention of youth marginalization and the defence of youth rights. The association is officially recognised as a centre providing support services to young people at risk of offending, young ex-offenders and other youth facing social exclusion. Specialised professional staff assisted by trained volunteers delivers *ARSIS* services. *ARSIS* has branches in Athens, Thessaloniki and Volos, where it operates Youth Support Centres, employment preparation and youth club activities. In all young offenders institutions *ARSIS* develops educational and support initiatives. The association co-operates with many state, local and private agencies and participates in a large number of networks, attempting to influence youth policies and promote new models of youth work, participation and solidarity.

## **FAMILY AND CHILD CARE CENTER**

The **FAMILY AND CHILD CARE CENTER** (FCCC) is a non-governmental organisation founded in 1977. The Center's goals are mainly to support the family institution by providing integrated social services; to reinforce the local development of under - privileged areas and to help individuals threatened by social exclusion. The FCCC basically focuses on:

1. Families with social, financial and employment problems
2. Children of all ages with difficulties of adaption to their environment as well as children and teen-agers who have dropped out of compulsory school education
3. One-parent families
4. Elderly people
5. Long-term unemployed
6. Refugees, immigrants and migrants
7. People with special needs without mobility problems
8. Juvenile delinquents and released prisoners

The Family and Child Care Centre operates with a permanent team of specialists (social workers, psychologists, teachers, special educators, lawyers, sociologists etc.) while it also collaborates with a great number of external associates according to needs. Its establishments are situated in Athens, in Perama and Hymettus. A few of the center's services have however occasionally operated in the areas of Kareas, Alimos, Melissia, Vyronas, Chalkida and Arta. In 1977 the FCCC was officially recognized by the United Nations as a cooperating non governmental organization (Information office for Greece, Isarel and Cyprus) while in 1978 it was recognized by the Greek Ministry of Health and Welfare as special charity institution (FEK 944/78). In 1998 it was also certified by the National Certification Centre (EKEPIS) as Centre of Accompanying and Supporting Services (KESII) for the following target groups:

1. One-parent families
2. Refugees, immigrants and migrants
3. People with special needs without mobility problems
4. Long term unemployed between 45 and 64 years old.

## **GREEK COUNCIL FOR REFUGEES**

The Greek Council for Refugees is a non-governmental, non-profit Organization which provides Legal and Social assistance to refugees and asylum seekers.

The Council was founded in 1989 and it is an Implementing partner of the United Nations High Commissioner for Refugees.

Funding for the Council's activities is provided by the European Union, the Office of the UN High Commissioner for Refugees, the Greek Government, donations and membership fees of the members of the Council.

The main aim of the Council is to assist in the solution of problems faced by persons who have valid claims to be considered as refugees according to the 1951 Geneva Convention and the relevant supplementary 1967 New York Protocol and to help also people who have sought refuge in Greece fleeing war, civil strife or generalized violence.

Lawyers, political scientists and social workers supported by administrative personnel and volunteers, carry out the functions of the Council. Furthermore a Legal Assistance Network composed of volunteer lawyers has been established by GCR to facilitate refugees or asylum seekers all over Greece.

In pursuing its aims of advocacy for the cause of refugees and the provision of coordinated services to them and to asylum seekers, the GCR specifically:

- Provides legal counselling to asylum seekers to establish whether they can qualify for aid as refugees or on humanitarian grounds.
- Ensures the access to the asylum procedure.
- Assists officials to identify justifiable asylum applications at points of entry (missions to the border areas).
- Offers legal assistance to refugees and advises them about their rights and obligations.
- Advises and facilitates refugees and persons in refugee-like situations seeking repatriation or resettlement.
- Provides orientation services, gives direct psycho-social and material assistance to refugees aiming at self-sufficiency and social integration.
- Operates intercultural community centers which promote the collaboration between refugees and the local community.

- Advocates vis-a-vis the Greek Government, Parliament and the Judiciary, measures which it considers necessary for the protection and assistance to refugees within the framework of refugee, human rights and humanitarian law.

Endeavours to raise the consciousness and keep Greek public opinion accurately informed about the needs of refugees in Greece and propitious ways of meeting them, while highlighting at the same time the global refugee picture. This is pursued through TV and radio programmes as well as lectures, newspaper articles, reports in magazines etc

- Encourages the involvement of the local community in this process.

- Collaborates closely with the UNHCR acting also as the operational partner, with the European Union, Council of Europe, European Council for Refugees and Exiles, National Refugee Councils, the Red Cross, etc as well as with other Organizations capable of helping refugees, which are active in Greece and abroad, with a view to promoting programmes beneficial to refugees.

- Organizes colloquia in which members of academia and other experts from Greece and abroad discuss with members of the judiciary, the executive and the legislative branches as well as the private sector questions on refugee matters.

- Undertakes missions, particularly to border areas of Greece in order to become acquainted with issues involving asylum seekers/refugees in those areas, sharing information with the officials concerned regarding developments in the field of refugee protection and assistance in Greece and abroad

- Offers its expertise in national and international training programmes briefing personnel who undertake work with refugees/asylum seekers.

# **INSTITUTE OF CHILD HEALTH**

**(I.C.H)**

## **Department of Family Relations**

### **Center for the Study and Prevention of Child Abuse and Neglect**

3 Established in 1965; in 1979 -P.D. 867/1979- it became a Legal Entity under Private Law, belonging to the broader public sector, under the supervision of the Ministry of Health and Welfare.

3 The Institute of Child Health provides specialized task on the areas of prevention and public health ("health" meaning wellbeing, welfare, organic, psychosocial and psychosomatic health), and also develops research and educational activities in the area of child health and wellbeing

3 The Institute of Child Health is characterized by a multidisciplinary and holistic approach towards the study, prevention and intervention in the area of child's health

3 The I.C.H.'s Department of Family Relations objectives are :

- Prevention of violence against the child on the axes of research, service provision, training of professionals, and education of the general public

- The study and promotion of healthy family relations and the rights of the child (0-18)

- The study of Greek families in psychosocial crisis that links to the child's maltreatment

- Epidemiological and clinical approach of the phenomenon of child abuse and neglect, as a public health issue (WHO 1999)

- Development of preventive practices within the community

- Development of assessment methods with regards to dangerous carers

3 Address: Institute of Child Health

3 Department of Family Relations

3 Head: Dr. Helen Agathonos-Georgopoulou

3 7 Fokidos Street, Athens, GR-11526, Greece

3 Telephone: 30-1-77.93.648, 77.15.791

3 Fax: 30-1-77.93.648

3 E-mail: [agatinst@otenet.gr](mailto:agatinst@otenet.gr)

Website: [www.ich.gr](http://www.ich.gr)



## INTERNATIONAL SOCIAL SERVICE

The International Social Service (ISS) was established in 1924 as an independent, international Non-Governmental Organization with branches and correspondents in over 130 countries in the world. ISS provides help without any political, racial, religious or national discrimination.

The Hellenic Branch of ISS was one of the first offices to open in 1924, for the purpose of assisting refugees from Asia Minor and families encountering difficulties caused by migration.

- Today, people who benefit from the services of the International Social Service – Hellenic Branch include Greek migrant families abroad, returning Greek migrants, EU citizens in Greece, foreign migrants in Greece, cross-cultural families, asylum seekers and refugee families and any other persons who request assistance on an inter-country level.

### **Main fields of activities**

- Inter-country case work:  
Special attention is given to child protection in such cases as: guardianship, custody, abduction by one of parent, etc.
- Inter-country adoption  
The Hellenic Branch is authorized by the Hellenic State to handle inter-country adoption cases.
- Local counselling services:  
Pre-marital and marital counselling to cross-cultural couples.  
Social Service and Educational Programmes in the Lavrion Reception Centre for Asylum Seekers.

Finally, the Hellenic Branch of the ISS is accredited by the National Accreditation Board as an Accompanying Social Service for the EU projects designed to combat social exclusion, for the beneficiary group of migrants and refugees. The Branch has implemented EU Projects on the Integration of Refugees and participates in European Networks on exchange of good practices among Member States.

**Sources of funding**

Its source come from State subsidies, membership fees, Co-financing by International Organisations (UNHCR, EU, etc), Private Donations and Fund-raising events.

**Main Collaborators**

Our main collaborators are: the Ministries of Health and Welfare, Public Order, Foreign Affairs, Justice, Education, Labour, the Departments of Social Welfare of all Prefectures, the United Nations High Commissioner for Refugees (UNHCR), the National Organisation for Social Protection, the Greek Red Cross, other Non-Governmental Organizations and also Embassies in Greece.

## MARANGOPOULOS FOUNDATION FOR HUMAN RIGHTS (MFHR)

The MARANGOPOULOS FOUNDATION FOR HUMAN RIGHTS (MFHR) is a non-governmental organization established in December 1977. Its President is Prof. Alice Yotopoulos-Marangopoulos.

The basic aims and objectives of the MFHR are the research, study, protection and promotion of fundamental human rights and freedoms, through the advancement of human rights education and training and the raising of public awareness in human rights, peace and democratic institutions.

### ACTION

- Organization of courses, seminars, conferences in Greece and abroad (more than 110 to date).
- Granting of scholarships for specialized studies in human rights.
- Conducting and/or financing of research.
- Co-operation with intergovernmental organizations (consultative status with ECOSOC) and NGOs, both Greek and foreign.
- Submission to public authorities and international organizations of reports, proposals and memoranda relating to human rights issues.
- Issuing of appeals, press releases and statements as well as holding of press conferences.
- Offering of free legal aid (judicial and extra-judicial) to persons whose fundamental rights have allegedly been violated.
- Fund-raising and humanitarian aid for afflicted countries or groups of people.
- Compilation and dissemination of information and material on human rights.
- Publication of books (numbering 36 volumes to date) on the protection and promotion of human rights.
- Maintaining of a specialized and continuously updated library open to the public.

## **SAVE THE CHILDREN**

Save the Children, Greece is a non-profit, non-governmental organisation, member of the International Save the Children Alliance. It has operated in Greece since 1947 as a branch of Save the Children US and since 1974 as an independent organisation managed by a seven - member Executive Board.

The overall aim of the organisation is to improve the quality standard of living for children. All activities focus on the protection and promotion of children's rights, as well as the rights of their families. Our activities are also directed towards combating discrimination and social exclusion.

The above is achieved by:

- Supporting socially and geographically isolated communities
- Implementing community oriented health projects for deprived children
- Implementing development education programmes with the aim of combating discrimination and racism
- European funded projects on:
  - combating sexual exploitation and abuse of children (DAPHNE Initiative)
  - promoting the rights of separated children in Europe (ODYSSEUS Programme)

Save the Children, Greece actively participates in the European and Hellenic Anti-Poverty Network and in the Greek Platform of Development NGOs.

**SUPPORT CENTER FOR CHILDREN AND FAMILY**

**(Social Educational Action, NGO)**

6 Aristonos Street, Kolonos, 10441 Athens, Greece Tel: 301-5239402 Fax 5228957

E-mail [socedact@otenet.gr](mailto:socedact@otenet.gr)

**The Support Center for Children and Family**, established in 1997 by **Social & Education Action** (NGO), has devoted its efforts to supporting socially excluded children (street children) and children who belong to racial, ethnic or religious minorities, as well as to those who experience family problems as a result of racism and marginalization. The Center provides direct services through the Children's Day Center and the Family Center, both located in two rented buildings in a problem area of central Athens, Metaxourgio-Kolonos.

The Center seeks to arouse and develop children's imagination and creativity, developing it wherever possible through a variety of school and non-school activities (painting, cooking, sport, theatre) encouraging social habits, bathing, health education, etc. The aim is for the children gradually to be integrated into society and, most importantly, made aware there are alternatives to their present condition.

The Children's Day Center functions as a learning institution, its primary mission being to prepare both children and parents to come to terms with the necessity of school and face it constructively. The ultimate objective is that the children be enrolled in local schools. The Family Center is a problem-solving agency for the older family members, especially mothers, offering assistance with social, legal, health and educational matters.

## **THE SMILE OF THE CHILD**

"The Smile of the Child" was created in order to help and support children in danger and in need. It protects children from all forms of exploitation and abuse, it shelters them upon the Act of the District Attorney, and it offers them psychological and physical support to heal their traumas.

"The Smile of the Child" also supports children with serious health problems, and in cases of poor family conditions, it provides them with all the means required for their treatment and hospitalization.

It intervenes in cases of child abduction or disappearance, in cooperation with the carriers in charge (Police, Ministry of Public Order, Ministry of Foreign Affairs, District Attorney's Office, etc), and has lately created an Internet site for searching and finding children missing, the [www.lostchild.gr](http://www.lostchild.gr).

The Association has a wide range of activities, as for example supporting deprived families with children, supporting children victims of the great earthquake (in Athens in 1999, in Turkey, in 1999), of the war in Former Yugoslavia, children of ROM families and many others.

It has put into action a special program for children working at the streets, using a specially reformed bus and a well-trained team of people to carefully approach those children. It also disposes of an SOS support telephone line for children in danger (that operates 24 hours a day, seven days a week), of a "fleet" (consisted of five medical units and one motorcycle, for helping children with serious problems of health), of four shelter houses, of a well-trained and experienced Social Service that deals with all sorts of situations. Moreover, the Ministry of Aegean Sea has donated us a ship called Ippokratis which is destined to be formed into a multi-activities center.

Our sole mission is the protection and support of children, whatever actions this may require.

## **THERAPY CENTER FOR DEPENDENT INDIVIDUALS**

KETHEA (acronym for Therapy Center for Dependent Individuals) is a non-governmental organization, the first ever to be created in Greece for the purpose of providing comprehensive treatment services to drug addicts and their families. It was founded in 1987, following the successful outcome of the first Greek therapeutic community ITHAKI (1983). The main goals of the organisation are the treatment, vocational guidance and social re-integration of addicted individuals, the support of their families, as well as the development of activities in the field of primary prevention, professional training and research.

KETHEA's nation-wide network of services comprises more than 50 therapeutic and other units, such as Counselling Centers, Therapeutic Communities, Rehabilitation Centers, Specialised Vocational Centers for former drug addicts, Family Support Programmes, Motivational Programmes for Imprisoned Addicts, a Training Institute, a Research Department etc. An important part of its activities is dedicated to the promotion of the health and well being of children and adolescents through the implementation of treatment and primary prevention programmes, which are addressed to these age groups.

KETHEA has consultative status with the Economic and Social Council (ECOSOC) of the UN and is associated with the UN Department of Public Information.