

Country session: Greece CRC

Date of session: 3rd and 4th May (90th session)

Context

The review was delayed due to the Covid-19 pandemic, which disrupted the normal planning of the CRC Sessions.

The State delegation participated remotely in the dialogue with the Committee. Therefore, the dialogue lasted 4 hours, instead of 6 hours as for the in-person reviews.

Background information

OHCHR press release : <https://www.ohchr.org/en/press-releases/2022/05/experts-committee-rights-child-ask-greece-about-roma-children-and-push-backs>

Webcast: [first part](#) and [second part](#)

[Audio file](#)

Reporting

Reporting methodology

Standard reporting procedure

Simplified reporting procedure

Concluding Observations with urgent measures

State report

Common core document	
Updated document	1 st May 2018
Previous version	29 July 2002

CRC	
No. of report	4 th to 6 th
Due date	9 December 2017
Submission	21 December 2018

Written replies	
Due date	15 June 2020
Submission	29 November 2021

Public reports from children's rights defenders

Alternative reports and additional information	
NGOs	<ul style="list-style-type: none"> Association for the Social Support of Youth (ARSIS) and ECPAT International Defence for Children International Greece

	<ul style="list-style-type: none"> • European Council on Refugees and Exiles (ECRE), International Commission of Jurists (ICJ) and Greek Council for Refugees (GCR) • Greek Helsinki Monitor, Refugee Rights Europe • Intersex Greece & NNID Foundation • World Policy Analysis Center • Still I Rise and I HAVE RIGHTS • Juvenile Justice Advocates International • Greek Council for Refugees, HumanRights360, Lighthouse Relief, Safe Passage Team Greece and Center for Artistic and Educational Training “Schedia” (Raft) • SOS Children's Villages Greece • METAdrasi • Halit Habip Oğlu • Border Violence Monitoring Network
NHRIs	<ul style="list-style-type: none"> • Greek National Commission for Human Rights
Other	<ul style="list-style-type: none"> • Greek Ombudsman

State delegation

[The State delegation](#) was very large and high level. It was led by the Secretary General of Justice and Human Rights, Chair of the National Mechanism for the Elaboration, Monitoring and Evaluation of Action Plans for the Rights of the Child, of the Ministry of Justice. Other members of the delegation were representatives of the Ministry of State, Ministry of Maritime Affairs and Insular Policy, Ministry of Migration and Asylum, Ministry of Interior, Ministry of Justice, Ministry of Health, Ministry of Labor and Social Affairs, Ministry of Education and Religious Affairs, Ministry of National Defence, Ministry of Citizen Protection, and of the Ministry of Foreign Affairs.

The State's opening statement is available [here](#).

Committee's Task Force members

Name & Last Name	Country
Velina Todorova (coordinator)	Bulgaria
Gehad Madi	Egypt
Mikiko Otani	Japan
Benoit van Keirsblick	Belgium

Dialogue description

i. Character of the dialogue

The atmosphere of the dialogue was not very constructive or cooperative. The Committee had to insist different times on some questions asked, as it noted that answers were not clear or too general, while the Committee was raising precise questions. In that sense, the Committee reminded the delegation that the purpose of the dialogue was to interact and provide concrete answers and clarifications that had not been addressed in the State report.

ii. General assessment made by the Committee

The Committee expressed its regret that the delegation did not participate in person to this dialogue. In its concluding remarks the Committee expressed its feeling that the time available was not used properly. Moreover, the Committee explained to the delegation that the task of the Committee was not to review Greece's legislation, but to analyse how the government's actions, plans and strategies concretely implement children's rights in the country, as set out in the Convention. The Committee noted with concern the gaps of the fragmented legislation and policies of children's rights and expressed its hope that the concluding observations will provide assistance in facing the current challenges.

iii. Main issues discussed:

- **Legislation and comprehensive policy and strategy:** the Committee expressed its concern about the fragmentation of the legislation regarding children's rights, and its gaps. It asked information whether the government plans to introduce a key legal framework for child protection. Moreover, the Committee asked about the implementation of the National Action Plan on the Rights of the Child for 2021-2023, and if all competent Ministers signed it. The delegation answered that in recent years, it made different efforts to face those challenges, and developed a gradual codification of legislation and policies, with a particular emphasis on national actions plans and the development of cross sectoral mechanisms. The delegation further indicated that several national actions plans were developed as for: the National Plan for the Rights of the Child, the National Action Plan Against Racism and Intolerance, the National Action Plan for the Rights of Persons with Disabilities, the National Action Plan for Gender Equality, the National Action Plan for the Protection of Children from Sexual Abuse and Exploitation, the National Strategy for LGBTQI+ persons. Moreover, the National mechanism for the elaboration, monitoring, and evaluation of action plans on the Rights of the Child attached to the General Secretariat for justice and human rights, was created.
- **Definition of the child:** The Committee expressed its concern about the provisions of the Civil Code allowing child marriage upon the Court approval and the parental consent, and it asked about measures to ban it in the law and in practice, particularly among Roma and Muslim communities. The delegation explained that early marriages are a complex issue related to extreme poverty, among other factors. It indicated that different actions have been taken to improve living conditions of Roma people, and thus reduce early marriage, as for example the new National Strategy submitted in February 2022 to the European Commission. This strategy is constructed on four pillars

- fight against poverty, equal participation in social services, dealing with stereotypes and discriminations and promoting participation of Roma people - and it focuses on awareness-raising and the establishment of advisory committees based on the dialogue with Roma representatives. The delegation also indicated that statistical data on child marriage shows an important decrease in recent years.

- **Non-discrimination:** The Committee expressed its concern about discrimination and hate speech, particularly against Roma children and migrant, asylum-seekers and refugee children. The Committee asked about measures to fight discrimination, including by the police. The Committee also asked information on the measures to recognize minorities in the country, and to promote integration and to guarantee the access to education. The delegation answered that there is no general definition of minority in international law, and that the States recognises minorities based on subjective and objective criteria. It informed that Greece have adopted several beneficial measures, in particular in relation to Muslim children in the front of education. However, it indicated that Muslims are not officially recognised as a minority, therefore they do not benefit from specific minority rights.
- **Respect for the views of the child:** In its opening remarks, the delegation indicated that the principles of the best interest of the child, the need to consider the views of the child and non-discrimination formed part of Greece's policies and actions. The Committee noted that despite the recognition of the right of the child to be heard, the implementation in practice of this principle is rare. The Committee asked about the measures in place to ensure an inclusive participation of children in matters concerning them, and if guidelines to this respect were being developed.
- **Violence against children:** The Committee noted that Greece adopted different legislations to address domestic violence, school bullying and sexual violence. However, it asked about the mechanisms in place to follow up those legislations. The Committee raised a particular concern on the gender-based violence against migrant children. The Committee also asked about the measures in place to prevent and punish domestic violence, as well as to raise awareness among the competent authorities. The delegation informed that recently, the Prime Minister of Greece presented the National Action Plan for the Protection of Children from Sexual Abuse and Exploitation. The aim of the plan is to develop child friendly procedures and reduce the number of sexual abuses cases also through the implementation of investigation services. It informed that the protection of minors was a main priority for the Hellenic police, both in the prevention of them being authors or victims of the crime. The Committee also asked about measures to combat female genital mutilation among the migrant population and clarification around the functioning of the Children's Houses.
- **Children with disabilities:** The Committee asked about measures taken to guarantee the rights of children with disabilities, including those in a most vulnerable situation due to poverty. The delegation informed that in 2021, the National Disability Authority was established. Moreover, it informed that the welfare centre of western Greece had been subsidised with over 9 million euros from the State budget to develop houses to host persons with disabilities. The Committee also asked information around the protections guaranteed in the first national action plan on the Rights of Persons with Disabilities. The delegation informed that the plan reflects the human rights-based approach as recommended in the previous recommendations of the Committee. Moreover, the

Committee raised a particular concern on the situation in the Lechania center, which it noted was already an issue in the last review.

- **Asylum-seeking, refugee and migrant children:** The Committee expressed concern and asked information about the situation of children living in camps and reception centres, and the exercise of their rights, including education. The delegation answered firstly that Greece is complying with all relevant human rights provisions and obligations in relation to Ukrainian refugees. To this answer, the Committee welcomed the protection provided to Ukrainian refugee children and raised that other refugees should receive a similar treatment and rights, without discrimination. Secondly, the delegation provided information on the reception centres system, and indicated that the construction of new centres is underway. It indicated that the new centres would have higher accommodation capacity, including specific areas for unaccompanied minors and families with children.

The Committee also raised a particular concern on the serious allegations of push backs of migrant children and their families, and the measures taken to stop those acts and investigate and punish the authors. The delegation answered being aware of the European Anti-Fraud Office report and the allegations made, and it indicated that all necessary actions, as foreseen in the European Union legislation, have been conducted. The delegation informed that investigations and implications were examined, and that punishments will be provided whenever identified.

- **Optional Protocol on the involvement of children in armed conflict :** The Committee expressed its concern about the lack of explicit criminalization of child recruitment. The delegation indicated that legal clarification is offered for children under 15 years old. Moreover, it explained that minors are not recruited for the purpose of hostilities.

Recommendations of the Committee

In its [Concluding Observations](#), the Committee drew the State party's attention to the need for urgent measures concerning the following areas:

- **Legislation:** The Committee urges the State party to bring together the fragmented provisions in the current legislation under a holistic legal framework and to revise them where necessary in order to introduce a comprehensive child protection system.
- **Coordination:** The Committee urges the State party to establish clear legal mandates to the sectoral ministries as well as adequate resources to the National Mechanism for the Monitoring and Evaluation of Action Plans for the Rights of the Child.
- **Definition of the child:** The Committee urges the State party to remove all exceptions in the law that allow marriage for children.
- **Non-discrimination:** The Committee recommends the State party to intensify its measures to ensure that Roma children, children belonging to the Muslim minority in Thrace, children with disabilities, refugee and asylum-seeking children, children in situations of migration and children of single and/or undocumented migrant parents have effective access to food security, healthcare, education, housing, water, sanitation, social services, and a decent standard of living. The Committee also recommends investigating and prosecuting cases of racially, ethnically, and religiously motivated crime, and providing compensation to victims and sanctions to perpetrators. Among other measures

the Committee also invites the State to ensure that the implementation of the National Action Plan against Racism and Intolerance and for Roma inclusion is monitored and evaluated.

- **Right to identity:** The Committee urges the State party to ensure the right of children to preserve their identity in cases of abandonment in institutions and to have access to information about their origin if born through assisted reproduction technologies, including surrogacy and donor arrangements, as well in case of adoption.
- **Violence against children:** The Committee urges the State party to further develop the national database of all cases of violence against children, including sexual violence, and to undertake a comprehensive assessment of the extent, causes and nature of such violence. The Committee also requests the State party to ensure that the prohibition of corporal punishment, bullying and domestic violence are effectively enforced. Moreover, it stresses to establish mechanisms, procedures, and guidelines to ensure and promote mandatory reporting and multiagency intervention in all cases of violence against children and to strengthen teachers and health professionals training to prevent, detect and address different forms of violence. Finally, among other measures, the Committee invites the State to further develop Athens-based Children's House and generalize it to the entire territory.
- **Harmful practices:** The Committee urges the State to raise awareness about the harmful effects of child marriage on the physical and mental health and well-being of girls, targeting in particular the Roma community and the Muslim minority in Thrace, to encourage the reporting of child marriage and to establish protection schemes for victims. The Committee also recommends strengthening efforts to prevent female genital mutilation in relation to migrant girls and ensuring that no child, including intersex children, is subjected to unnecessary medical or surgical treatment during childhood.
- **Children deprived of a family environment:** Among other measures, the Committee recommends the State party to ensure that children are separated from their family only if it is in their best interests and after a comprehensive assessment of their situation. The Committee also stresses that poverty, disabilities, or a lack of identification documents should never be the sole justification for family separation. Moreover, the Committee recommends developing and implementing national standards for quality alternative care across all forms of care, in public, private and Church-run institutions alike.
- **Children with disabilities:** The Committee urges the State Party to adopt a human rights-based approach to disability, to set up a comprehensive and inclusive strategy for children with disabilities and, among other recommendations, to strengthen the implementation of the National Deinstitutionalization Strategy and Action Plan. The Committee also urgently calls the State to close down the Children's Care Centre in Lechania and urgently investigate and prosecute the reports of violence in childcare institutions, including through their ad-hoc and systematic monitoring.
- **Asylum-seeking, refugee and migrant children:** The Committee urges the State party to end the practice of forced returns of families and migrant children and ensure that they are individually identified, registered, and protected against refoulement. It also urges to adopt binding codes of conduct for border officials and establish an independent border monitoring mechanism, to conduct in depth investigations on reported pushback cases including the ones that have been identified by

the European Anti-Fraud Office (OLAF). The Committee also stresses to hold accountable those responsible by prosecuting them, to provide support, compensations and protection to child victims and to stop all measures of harassment of human rights defenders who rescue migrants and provide assistance to them. Furthermore, the Committee urges the State to ban the placing of children in immigration detention and to ensure that protective custody is no longer applied. The Committee also expects the State to ensure that the age-determination procedure is multidisciplinary, scientifically based, respectful of children's rights and harmonised across the country. Finally, among other recommendations, the Committee requests the State to provide all possible facilities, services, and protection to all refugees on an equal basis with Ukrainian refugees.

- **Optional Protocol on children on the sale of children, child prostitution and child pornography:** The Committee urges the State Party to prevent and explicitly criminalise sale of children and to establish mechanisms for identifying, protecting, and supporting victims. The Committee also expect the State to align the Penal Code with articles 2 and 3 of the Optional Protocol, and to establish extraterritorial jurisdictions for all crimes under the Optional Protocol.
- **Optional Protocol on the involvement of children in armed conflict:** Among other recommendations, the Committee urges the State party to explicitly criminalize the recruitment of children by non-state armed groups, and to prohibit in law the export of arms to States that may recruit children.

The Committee drew the State party's attention to the recommendations concerning the following areas:

- General measures of implementation: **Comprehensive policy and strategy; Allocation of resources; Data collection; Independent monitoring; Dissemination, awareness-raising and training; Cooperation with civil society; Children's rights and the business sector**
- General principles: **Best interests of the child; Respect for the views of the child**
- Civil rights and freedoms: **Birth registration, name, and nationality; Freedom of religion; Right to privacy; Access to appropriate information**
- Family environment and alternative care: **Family environment**
- Basic health and welfare: **Health and health services; Adolescent health; Standard of living**
- Education, leisure and cultural activities: **Education, including vocational training and guidance**
- Special protection measures: **Children in street situations; Sale, trafficking and abduction; Administration of child justice**
- Follow-up to the Committee's previous concluding observations and recommendations concerning implementation of the Optional Protocols to the Convention
- Ratification of the Optional Protocol on a communications procedure
- Ratification of international human rights instruments

Sustainable Development Goals

Throughout its Concluding Observations the Committee referred to the following targets:

- target 10.3 to ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices
- target 16.9 to provide legal identity for all including through birth registration



- target 5.3 to eliminate all harmful practices, such as child, early and forced marriage and female genital mutilations
- target 3.8 to achieve universal health coverage
- targets 3.4, 3.5 and 3.7 to reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being; to strengthen the prevention of treatment of substance abuse; to ensure universal access to sexual and reproductive health care services
- target 1.3 to implement nationally appropriate social protection systems and measures for all
- targets 4.1, 4.2 and 4.5 to ensure complete free, equitable and quality primary and secondary education; to ensure access to quality childhood development, care and pre-primary education; to eliminate gender disparities in education
- target 8.7 to eradicate forced labour, modern slavery and human trafficking, and secure the prohibition of worst forms of child labour, including child recruitment and use of child soldiers

Next State report

CRC	
No. of report	7 th to 8 th
Due date	9 th June 2027

Disclaimer: Child Rights Connect reports are all drafted in English. If the State report and/or the alternative reports were submitted in another UN language (Spanish, French, Arabic, Russian or Chinese) the report will be translated accordingly.