



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Concluding observations on the combined fourth to sixth periodic reports of Greece\*

#### I. Introduction

1. The Committee considered the combined fourth to sixth periodic reports of Greece<sup>1</sup> at its 2584th and 2585th meetings,<sup>2</sup> held on 3 and 4 May 2022, and adopted the present concluding observations at its 2630th meeting, held on 3 June 2022.

2. The Committee welcomes the submission of the combined fourth to sixth periodic reports of the State party and the written replies to the list of issues, which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the dialogue held virtually with the multisectoral delegation of the State party.

#### II. Follow-up measures taken and progress achieved by the State party

3. The Committee particularly welcomes the progress achieved by the State party regarding unaccompanied migrant children, Roma children and children with disabilities, the adoption of the first National Action Plan on the Rights of the Child, in 2021, and the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, in 2018, the International Convention for the Protection of All Persons from Enforced Disappearance, in 2015, and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in 2014.

#### III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: legislation (para. 7); non-discrimination (para. 18); violence against children (para. 27); children deprived of a family environment (para. 31); children with disabilities (para. 34); and asylum-seeking, refugee and migrant children (para. 40).

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\* Adopted by the Committee at its ninetieth session (3 May–3 June 2022).

<sup>1</sup> [CRC/C/GRC/4-6](#).

<sup>2</sup> See [CRC/C/SR.2584](#) and [CRC/C/SR.2585](#).



5. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

## **A. General measures of implementation (arts. 4, 42 and 44 (6))**

### **Legislation**

6. While noting the intensive legislative activity, the Committee is concerned about the numerous existing gaps and the still fragmented nature of the Greek legislation regarding children's rights.

7. The Committee urges the State party to bring together the fragmented provisions in the current legislation under a holistic legal framework and revise them where necessary in order to introduce a comprehensive child protection system.

### **Comprehensive policy and strategy**

8. While noting the adoption of the first National Action Plan on the Rights of the Child, in 2021, and the establishment of the National Mechanism for the Monitoring and Evaluation of Action Plans for the Rights of the Child, the Committee recommends that the State party:

(a) Ensure that the National Action Plan is equipped with time-bound and measurable goals and a dedicated budget for its implementation;

(b) Activate the National Mechanism and ensure the monitoring and evaluation of the National Action Plan at the national and local levels;

(c) Devise a comprehensive policy and a comprehensive strategy on children that encompass all areas covered by the Convention and allocate adequate human, technical and financial resources for their implementation, and ensure that children and organizations working for their rights participate in the preparation, implementation and evaluation of the policy, strategy and action plans.

### **Coordination**

9. While noting that Greece does not have a permanent body with sufficient authority and a sufficient mandate to coordinate all activities related to the implementation of the Convention at the interministerial, cross-sectoral, regional and local levels, which may lead to insufficient clarity of roles and responsibilities resulting in overlapping and conflicting initiatives, the Committee urges the State party to establish clear legal mandates for the sectoral ministries and provide adequate resources to the National Mechanism for the Monitoring and Evaluation of Action Plans for the Rights of the Child.

### **Allocation of resources**

10. While noting the reform of the social welfare system, the Committee recalls its general comment No. 19 (2016) and reiterates its previous recommendations<sup>3</sup> that the State party:

(a) Continue to increase and prioritize budgetary allocations to ensure the implementation of the rights of the child at all levels, addressing child poverty, including by increasing allocations for social services for families and children, for health care

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<sup>3</sup> CRC/C/GRC/CO/2-3, para. 18.

and education and for children in situations of vulnerability, while protecting them from cuts, including cuts to funding from external sources;

(b) Establish a budgetary process with clear allocations for children in the relevant sectors and agencies, with specific indicators and with tracking and monitoring systems;

(c) Invest in ensuring sustainability of, and follow-up action for, services funded from external sources, particularly from the European structural and investment funds.

#### Data collection

11. Recalling its general comment No. 5 (2003) and its previous recommendations,<sup>4</sup> the Committee recommends that the State party establish a central database on children with disaggregated data on all areas of the Convention and its Optional Protocols and develop indicators consistent with the Convention.

#### Independent monitoring

12. The Committee recommends that the State party allocate adequate financial resources to the Children's Rights Department in the Independent Authority of the Greek Ombudsman to ensure its sustainability.

#### Dissemination, awareness-raising and training

13. The Committee reiterates its recommendations<sup>5</sup> that the State party strengthen its efforts to disseminate and raise awareness about the Convention and its Optional Protocols and that it ensure systematic, mandatory and ongoing training on children's rights for relevant professionals, such as social workers, health workers, teachers, the police and judicial authorities.

#### Cooperation with civil society

14. The Committee notes the remarkable role of non-governmental organizations (NGOs) in providing services to children, particularly refugee and asylum-seeking children and children in situations of migration, and welcomes the establishment of NGO accreditation to facilitate collaboration with the State party's competent authorities. The Committee recommends that the State party intensify cooperation with NGOs, including those representing children belonging to the Muslim minority in Thrace, and meaningfully involve them in the development, implementation and evaluation of policies, programmes and legislation relating to children's rights, and in preparing periodic reports under the Convention.

#### Children's rights and the business sector

15. Noting the centrality of tourism to gross domestic product and employment and the exposure to air pollution in the State party, the Committee, recalling its general comment No. 16 (2013), recommends that the State party:

(a) Establish, implement and monitor regulations to ensure that the business sector, including the tourism sector, complies with international standards in the areas of human and children's rights, health, labour and the environment;

(b) Undertake awareness-raising campaigns with the tourism industry and the public at large on the prevention of sexual exploitation of children in the context of travel and tourism, paying particular attention to migrant boys; strengthen data collection in this regard; and consider ratifying the World Tourism Organization (UNWTO) Framework Convention on Tourism Ethics.

<sup>4</sup> Ibid., para. 20.

<sup>5</sup> Ibid., paras. 23 and 25.

(c) **Harmonize its current climate mitigation policy, including in relation to domestic heating and the transportation sector, with its obligation to protect the rights of children, in particular the rights to health, food and an adequate standard of living, both in Greece and abroad;**

(d) **Consider the impact of climate change on the rights of the child in its energy policy, including in relation to fossil fuel extraction and fossil fuels subsidies.**

## **B. Definition of the child (art. 1)**

**16. While noting that children regardless of their age can marry after court approval as an exception under the Civil Code or under the jurisdiction of the Mufti, the Committee urges the State party to remove all exceptions in the law that allow marriage for children under 18.**

## **C. General principles (arts. 2–3, 6 and 12)**

### **Non-discrimination**

17. The Committee welcomes the adoption of Law No. 4443/2016 and Law No. 4285/2014, the establishment of the National Council against Racism and Intolerance, the adoption of the National Action Plan against Racism and Intolerance (2020–2023), the adoption of the National Strategy for Roma Inclusion (2021–2030) and of the National Action Plan for Roma Inclusion (2017–2021), as well as legislative and policy measures taken to facilitate the access of children in situations of vulnerability to education, health care and sanitation. However, the Committee remains concerned about:

(a) The persisting discrimination against and negative attitudes towards Roma children, children with disabilities, children belonging to the Muslim minority in Thrace, asylum-seeking and refugee children and children in situations of migration, and children of single and/or undocumented migrant parents, which impacts on their access to education, limits their access to socioeconomic rights and services and keeps them poor;

(b) The underreported cases of violence, including police violence and hate crime, against Roma and migrant populations, including children, and the lack of access to justice;

(c) The insufficient visibility and involvement of NGOs working on minority issues in the National Council against Racism and Intolerance and the abolishment in 2019 of the Special Secretariat for the Social Inclusion of the Roma Population;

(d) The lack of disaggregated data on children in situations of vulnerability.

18. **Recalling Sustainable Development Goals target 10.3, and its previous recommendations,<sup>6</sup> the Committee recommends that the State party:**

(a) **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, health care, education, housing, water, sanitation, social services and a decent standard of living, and ensure regular and systematic monitoring and impact assessment of the measures taken;**

(b) **Investigate and prosecute cases of racially, ethnically and religiously motivated crime, punish perpetrators with deterrent sanctions and provide adequate compensation to the victims; establish and promote avenues for children and their caregivers to seek justice in cases of discrimination; and strongly encourage the reporting of hate crime;**

<sup>6</sup> Ibid., para. 27.

(c) **Adopt a coherent national integration strategy and undertake media campaigns to promote tolerance, living together, respect for diversity, dialogue and inclusion, and raise public awareness about the prohibition of discrimination;**

(d) **Publicize the work of the National Council against Racism and Intolerance and ensure that NGOs working on minority issues, including those representing Roma children and children of the Muslim minority in Thrace, are represented therein;**

(e) **Ensure that the implementation of the National Action Plan against Racism and Intolerance and the National Action Plan for Roma Inclusion is monitored and evaluated;**

(f) **Strengthen data collection on Roma children, children with disabilities, children in street situations, children in situations of migration, including those in irregular situations, child victims of human trafficking, and other groups of children in vulnerable situations.**

#### **Best interests of the child**

19. **While noting that Law No. 4636/2019 recognizes the principle of the best interests of the child with regard to international protection and that Law No. 4554/2018 sets rules on determining and assessing best interests in respect of unaccompanied migrant children, the Committee recalls its general comment No. 14 (2013) and recommends that the State party:**

(a) **Integrate and consistently interpret and apply the right of the child to have his or her best interests taken as a primary consideration in all administrative and judicial proceedings, decisions, policies, programmes and projects that are relevant to, and have an impact on, children;**

(b) **Develop and implement procedures and criteria – and provide systematic training and guidance for all relevant professionals – on assessing and determining the best interests of the child in every area covered by the Convention, and on giving the principle due weight as a primary consideration.**

#### **Respect for the views of the child**

20. **While noting the lowering of the voting age to 17 years (Law No. 4406/2016), the Committee recommends that the State party:**

(a) **Ensure the effective implementation of the legislation recognizing the right of the child to be heard in relevant legal proceedings, including by establishing systems and/or procedures for social workers and courts to comply with the principle and by building their capacity to use such systems and procedures;**

(b) **Ensure that the participatory structures, including the Youth Parliament and the student councils, represent children with distinct ethnic, religious, linguistic and cultural backgrounds, as well as children with disabilities;**

(c) **Promote meaningful and empowered participation of all children within the family, in alternative care, in communities and in schools, and include children in decision-making in all matters related to children, including environmental matters.**

### **D. Civil rights and freedoms (arts. 7–8 and 13–17)**

#### **Birth registration, name and nationality**

21. **While welcoming the adoption of Law No. 4554/2018 and Law No. 4332/2015, the Committee recalls Sustainable Development Goals target 16.9 and recommends that the State party:**

(a) Further facilitate access to birth registration procedures and identity documentation, and to correction of birth certificates for Roma children and children of migrant parents, free of charge;

(b) Repeal the requirement of a certified marriage certificate for registering both parents on the birth certificate of their child;

(c) Establish legal safeguards to prevent statelessness of children born to foreign parents and of children born to same-sex couples and facilitate their access to Greek citizenship;

(d) Establish statelessness determination procedures;

(e) Consider ratifying the 1961 Convention on the Reduction of Statelessness and the 1997 European Convention on Nationality.

#### Right to identity

22. 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 as in the case of adoption.

#### Freedom of religion

23. While welcoming the amendments prohibiting schools from holding records about children's religion, and providing for the possibility of exemption from religious classes for non-Orthodox students, the Committee reiterates its previous recommendation<sup>7</sup> that the State party ensure and promote respect of the right of the child to freedom of thought, conscience and religion, and recommends that the State party:

(a) Implement Decision No. 28/2019 of the Data Protection Authority and Decision No. 1759-1760/2019 of the Supreme Administrative Court to remove the reference to religion from school files and leaving certificates;

(b) Ensure that all students, regardless of their or their parents' religion or belief, can be exempted from religious classes, including by reviewing the Ministerial Decision of 22 January 2018;

(c) Review Law No. 344/1976 to repeal the requirement to register parents' religion on birth registration certificates.

#### Right to privacy

24. While noting the transposition of Directive (EU) 2016/800, the Committee reiterates its previous recommendation<sup>8</sup> that Greece ensure respect for the child's privacy and non-disclosure of private information in the context of criminal and child-protection proceedings, and that it prosecute violations and impose deterrent sanctions, including with regard to the media.

#### Access to appropriate information

25. Recalling its general comment No. 25 (2021), the Committee recommends that the State party:

(a) Protect children from information and material harmful to their well-being, including by developing specific guidelines and a code of conduct for the media, providing for mechanisms to prosecute violations, and enhancing the digital literacy and skills of children, teachers and parents;

<sup>7</sup> Ibid., para. 35.

<sup>8</sup> Ibid., para. 37.

(b) **Ensure that children have access to diverse information and materials in languages they can understand;**

(c) **Provide information in migrant children's languages and in child-friendly formats on their rights, administrative procedures, access to international protection, health care, housing and education.**

## **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

### **Violence against children, including sexual violence, abuse and neglect**

26. The Committee welcomes the introduction of more severe penalties for sexual violence against children, the adoption of Law No. 4322/2015 and Law No. 4823/2021, the establishment of 72 domestic violence agencies, and the setting up of "children's houses" to examine child victims and witnesses of sexual violence and human trafficking in a way that avoids traumatization (see Law No. 4478/2017). However, the Committee remains seriously concerned about:

(a) The lack of a comprehensive strategy to address all forms of violence against children, including domestic violence and corporal punishment;

(b) The rise in the number of cases of child sexual exploitation and abuse, including in relation to child sexual abuse material, within the circle of trust and with regard to migrant children, while data to assess the magnitude of the phenomenon is lacking;

(c) The reported bullying in schools, including based on sexual orientation and gender identity;

(d) The lack of specialized services for children who are victims of such abuse, and of child-friendly information on how to seek compensation, while the "children's houses" are not fully operational;

(e) The low rates of intervention, investigation, prosecution and conviction in cases of child sexual exploitation and abuse;

(f) The lack of information about the implementation, and the sanctions imposed for violations, of legislation prohibiting domestic violence, corporal punishment and bullying.

27. **Recalling its general comment No. 13 (2011), the Committee urges the State party to:**

(a) **Further develop the national database of all cases of violence against children, including sexual violence, and undertake a comprehensive assessment of the extent, causes and nature of such violence in order to formulate a comprehensive strategy for preventing and combating it;**

(b) **Ensure that the prohibition of corporal punishment, bullying and domestic violence covers all settings, and is enforced effectively, including by monitoring the implementation of Law No. 3500/2006 and Law No. 4322/2015;**

(c) **Raise the awareness of children, caregivers, teachers and other professionals working for and with children about the prohibition of corporal punishment, bullying and domestic violence, and develop broad campaigns to promote positive, non-violent and participatory forms of child-rearing and discipline;**

(d) **Establish mechanisms, procedures and guidelines to ensure and promote mandatory reporting and multi-agency intervention in all cases of violence against children; and strengthen teachers' and health professionals' training to prevent, detect and address different forms of violence, including based on sexual orientation and/or gender identity;**

(e) **Ensure that children have access to confidential, child-friendly complaint mechanisms, including hotlines, for the reporting of all forms of violence and abuse, and encourage children to make use of them;**

(f) Ensure that: (i) cases of violence against children are promptly reported and investigated, applying a child-friendly and multisectoral approach to avoid traumatization of the child; (ii) reparations are provided to child victims; and (iii) perpetrators are prosecuted and duly sanctioned and are deterred from having contact with children, in particular in their professional capacity;

(g) Make the Athens-based Children's House (under Law No. 4478/2017) a place for child victims and witnesses of violence to receive all the specialized services they need in one place, and further develop this concept and generalize it to the whole country, while encouraging courts to use it to collect testimony from children, avoid repetitive questioning and allow audiovisual recordings of testimonies as evidence in the court procedures;

(h) Provide specialized services and access to information about compensation for children who are victims of violence, including psychological support, to ensure their recovery and reintegration, and allocate financial, human and technical resources to public authorities and NGOs supporting this work.

### **Harmful practices**

28. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014), and Sustainable Development Goals target 5.3, the Committee urges the State party to:

(a) Raise awareness about the harmful effects of child marriage on the physical and mental health and the well-being of girls, targeting in particular the Roma community and the Muslim minority in Thrace, encourage the reporting of child marriage and establish protection schemes for victims;

(b) Strengthen its efforts to prevent female genital mutilation in relation to migrant girls;

(c) Ensure that no child, including intersex children, is subjected to unnecessary medical or surgical treatment during childhood, and provide social, medical and psychological services, as well as adequate counselling, support and reparations, to intersex children and their families.

## **F. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))**

### **Family environment**

29. While noting Law No. 4808/2021 and Law No. 4800/2021, the Committee recommends that the State party:

(a) Promote equal parenting and ensure that both parents, regardless of marital status, have common parental responsibilities under the law and in practice, in line with article 18 (1) of the Convention;

(b) In the case of parental separation, ensure that joint parental custody is applied unless it is not in the best interests of the child, and build the capacity of the judiciary to undertake this assessment;

(c) Strengthen family support and community-based services as well as cooperation between social protection, education, health-care and other community services, while allocating adequate resources thereto, to prevent child abandonment and family separation;

(d) Prevent child abduction, including by monitoring the implementation of the Hague Convention on the Civil Aspects of International Child Abduction, and consider requiring written consent when a child travels abroad with one parent.



### **Children deprived of a family environment**

30. While welcoming the adoption of Law No. 4538/2018 and Ministerial Decision No. 13734/538, as well as the launch, in May 2021, of the awareness-raising campaign on foster care, and the establishment of community centres, the Committee remains concerned about:

- (a) The overinstitutionalization of children deprived of parental care and the lack of sufficient family-based care options due to a shortage of resources and trained staff;
- (b) The lack of standards for care provision and the insufficient review of placements, despite the high number of placements managed by private institutions and the church;
- (c) The insufficient efforts to ensure the right of children in care to have their views heard and to have contact with their parents;
- (d) The hospitalization of children not requiring care in the absence of emergency accommodation, and a lack of consideration for special needs of children in situations of vulnerability;
- (e) The insufficient support for children leaving care.

31. Recalling the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:

- (a) Implement the newly adopted National Deinstitutionalization Strategy, together with a specific and time-bound action plan with a budget and staff allocations to prevent and phase out institutionalization, by: (i) supporting families in vulnerable situations; (ii) referring them to appropriate services, including for the strengthening of parenting skills; and (iii) supporting family-based care options;
- (b) Ensure that children are separated from their family only if it is in their best interests and after a comprehensive assessment of their situation, and that poverty, disabilities or a lack of identification documents are never the sole justification for family separation;
- (c) Monitor the implementation of Law No. 4538/2018 and further promote and strengthen the capacity of foster care, including by conducting a national recruitment campaign for foster parents and providing regular and adequate training for them before and during the placement of children, especially on fostering children with special needs and unaccompanied migrant children;
- (d) Strengthen data collection on alternative care settings and children living in them, including with regard to privately run and church-run institutions;
- (e) Develop and implement national standards for quality alternative care across all forms of care, in public, private and church-run institutions alike, including regarding staffing and premises; provide training to staff working in institutions to enhance their awareness of the rights and needs of children deprived of a family environment; monitor the respect for children's rights; and ensure regular, periodic and substantive reviews of placements, with a view to facilitating family returns or family-based solutions, including by providing the needed support to families in that regard;
- (f) Provide opportunities for all children in care to maintain contact with their parents and to have their views heard and taken into account;
- (g) Develop emergency care solutions to end the practice of hospitalization of children in need of temporary care; and ensure that the provision of care meets the needs of children belonging to ethnic or religious minorities, children with behavioural, psychological and/or psychosocial issues, children with disabilities, children in conflict with the law and unaccompanied migrant children;
- (h) Ensure adequate support for children leaving care, including unaccompanied migrant children, and further develop community-based services and supported independent living.

**Adoption****32. The Committee recommends that the State party:**

- (a) Reduce unnecessary procedural delays, including regarding the substitution of the birth parents' consent, and review the legislation accordingly;**
- (b) Address the confusion between adoption and foster care – in legislation, and among professionals and the general public;**
- (c) Strengthen the capacity of the adoption services, and their knowledge and application of the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption;**
- (d) Ensure post-adoption monitoring and services;**
- (e) Consider extending adoption to same-sex couples.**

**G. Children with disabilities (art. 23)**

33. While noting the adoption of the first national action plan on the rights of persons with disabilities and the elaboration of the National Deinstitutionalization Strategy and Action Plan, the Committee remains concerned about:

- (a) The lack of disaggregated data on children with disabilities and information regarding the implementation of the Deinstitutionalization Strategy;
- (b) The high institutionalization rates of children with disabilities, specifically children with multiple and psychosocial disabilities;
- (c) The limited support for parents of children with disabilities, particularly those with severe and multiple disabilities, and with autism and developmental disorders; and regional disparities in the provision of specialized medical and social support, including access to day care and to leisure and play, which is affected by budget shortages, the lack of qualified personnel and the discontinuation of the disability allowance;
- (d) The reports of violence and inhumane conditions in institutions.

34. **Recalling its general comment No. 9 (2006), the Committee urges Greece to adopt a human rights-based approach to disability, set up a comprehensive and inclusive strategy for children with disabilities, and:**

- (a) Organize the collection of data, disaggregated by age, sex, disability and region, and develop an efficient and harmonized system for early detection and intervention including for children with autism and developmental disorders, in order to facilitate access for children with all types of disabilities to education, health care, social protection and support services;**
- (b) Strengthen the implementation of the National Deinstitutionalization Strategy and Action Plan and urgently close down the Children's Care Centre in Lechania;**
- (c) Address the root causes of the institutionalization of children with disabilities, including by strengthening the support for parents in urban, rural and remote areas and in the islands; ensuring the availability of and access to day care, home nursing and relief services; allocating adequate budgets and employing personnel trained to work with children with disabilities and meet their specific needs; developing community and outpatient health-care services with an adequate number of trained health-care professionals; and providing opportunities and facilities for leisure and play;**
- (d) Urgently investigate and prosecute the cases of violence in childcare institutions, including through ad hoc and systematic monitoring of them.**

## H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

### Health and health services

35. While welcoming Law No. 4368/2016, the Committee recalls its general comment No. 15 (2013) and Sustainable Development Goals target 3.8 and recommends that the State party:

(a) Ensure effective access to health care, including the delivery of the Social Security Number (AMKA) and Foreigners' Health Care Card as appropriate, to Roma children, children in a situation of migration, children in street situations and other children in vulnerable situations;

(b) Strengthen access to dental and ophthalmological services and to vaccination, while raising the awareness of parents about the benefits thereof;

(c) Ensure an adequate number of skilled health-care personnel, including paediatricians, nurses and mental health specialists, in all the regions, and remote and in the islands, and in emergency situations;

(d) Consider introducing intercultural mediators in health care;

(e) Address malnutrition, including overweight and obesity, among children, and promote healthy lifestyles and physical activity.

### Adolescent health

36. Noting the introduction of sexual and reproductive health education in schools as of 2021, the Committee is concerned about the low level of use of contraception, and the lack of information on the measures taken to prevent and address suicidal behaviour among children. Recalling its general comments No. 4 (2003) and No. 20 (2016), and Sustainable Development Goals targets 3.4, 3.5 and 3.7, the Committee recommends that the State party:

(a) Ensure that all children, including those who are out of school and those in rural and remote areas, receive confidential and child-friendly sexual and reproductive health information and services, including access to contraceptives;

(b) Address mental health issues among adolescents, including issues that contribute to suicidal behaviour; and increase the availability and accessibility of child psychiatrists and child psychologists and encourage children to seek mental health services, without stigma;

(c) Continue its efforts to prevent substance abuse, and provide accessible and youth-friendly substance dependence treatment and support services.

### Standard of living

37. While noting the efforts of the State party to tackle child poverty, the Committee is concerned that still around one third of children live in poverty, and half of those experience severe material deprivation. Recalling Sustainable Development Goals target 1.3, the Committee recommends that the State party:

(a) Lift barriers for parents to access financial support, and establish a community-based system of universal social services that strengthen and enable families to care appropriately for their children;

(b) Increase the uptake of childcare by improving the access and incentives for parents;

(c) Adopt legal provisions to establish a system of social housing with fair and transparent allocation criteria.

## **I. Education, leisure and cultural activities (arts. 28–31)**

### **Education, including vocational training and guidance**

38. The Committee, while noting the measures taken to improve access to education for children in vulnerable situations, recalls Sustainable Development Goals targets 4.1, 4.2 and 4.5, and recommends that the State party strengthen the inclusiveness of its education system, and:

(a) Remove barriers to school enrolment and ensure that children with disabilities, Roma children, asylum-seeking and refugee children, and unaccompanied migrant children are promptly integrated into, are retained in and finish the mainstream preschool, primary and secondary education, regardless of their place of residence;

(b) Collect and analyse disaggregated data on school attendance and dropout, to inform its policies, programming and budgeting to respond effectively to the needs of these children;

(c) Ensure an adequate number of, and quality of education in, minority schools with the curriculum in Greek and Turkish, and modernize and align curricula, educational materials and teacher training in Greek and Turkish, with a view to ensuring the right of children belonging to the Muslim minority in Thrace to receive quality education, along with the official language, in their mother tongue, in compliance with articles 2, 14, 29 and 30 of the Convention;

(d) Operationalize and mainstream inclusive education for children with disabilities, including by allocating adequate and dedicated financial, human and technical resources to schools, employing an adequate number of teachers and teaching assistants, developing teaching programmes and methods and educational materials, and ensuring reasonable accommodation at school; and seek the assistance of the United Nations Children's Fund (UNICEF) in this regard;

(e) Strengthen the quality of learning, and cross-cutting skills, in schools, ensure school transportation and ensure that schools are fully and safely accessible and equipped with adequate infrastructure and educational technologies;

(f) Develop and promote quality vocational training and facilitate equal access to it;

(g) Address inequalities generated by the coronavirus disease (COVID-19) crisis during home schooling, including by ensuring the availability of computer equipment and sufficient Internet access, giving particular attention to children in vulnerable situations;

(h) Allocate adequate financial, human and technical resources to expand the coverage, capacity and monitoring of preschool education and ensure access thereto, including in rural and remote areas, for children with disabilities, Roma children, asylum-seeking and refugee children and unaccompanied children, and to ensure an adequate number of bilingual preschools serving the Muslim minority in Thrace;

(i) Intensify efforts to promote respect for diversity and living together in peace through education, with an emphasis on training teachers, on school curricula, and on positive communication actions at the local level to address negative perceptions and stereotypes;

(j) Ensure the right of all children to rest and leisure and to engage in recreational activities, and maintain a sufficient number of certified playgrounds for young children and spaces for adolescents.

## J. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)

### **Asylum-seeking, refugee and migrant children**

39. The Committee notes the draft legal framework to establish a uniform national guardianship system for unaccompanied migrant children, the launch of a dedicated helpline in 2021 and the relocation of over 1,000 unaccompanied migrant children to European Union member States. It also notes the establishment of the Special Secretariat for the Protection of Unaccompanied Migrant Children under the Ministry of Migration and Asylum, the adoption of the national protection strategy (2021–2025) and the national protection mechanism for unaccompanied children living in precarious conditions. Noting the numerous violations of the rights of asylum-seeking, refugee and migrant children in Greece and noting also that the State party hosts a high number of unaccompanied migrant children and Ukrainian children, the Committee is seriously concerned about:

- (a) The reports of forced returns (“pushbacks”) of migrant families and children, and of harassment of human rights defenders who rescue migrants and provide assistance to them;
- (b) The immigration detention of children for identification purposes;
- (c) The generalized and inappropriate age determination procedure;
- (d) The lack of safeguards to protect children’s rights in Law No. 4636/2019;
- (e) The delays in activating the guardianship system for unaccompanied children;
- (f) The precarious living conditions in reception centres on the Aegean islands, including the risk of lead poisoning in the Mavrovouni camp on Lesbos, while adequate and sustainable accommodation is lacking and “safe zones” remain in place;
- (g) The lack of access to food and health care, and the alarming rates of physical and mental health conditions, including self-harm and suicide attempts;
- (h) “A two-tier refugee response”, one for Ukrainians and one for all other refugees.

**40. Recalling joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 (2017) of the Committee on the Rights of the Child, and the Committee’s general comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin, the Committee urges the State party to:**

- (a) **End the practice of forced returns (“pushbacks”) of families and migrant children and ensure that they are individually identified, registered and protected against refoulement, including through effective access to asylum procedures, and free legal and humanitarian assistance, in accordance with articles 6, 22 and 37 of the Convention; adopt binding codes of conduct for border officials and establish an independent border monitoring mechanism; conduct in-depth investigations on reported pushback cases, including the ones that have been identified in the European Anti-Fraud Office report, and hold accountable those responsible by prosecuting them; provide support, compensation and protection to child victims; and stop all measures of harassment of human rights defenders who rescue migrants and provide assistance to them;**
- (b) **Completely ban the placing of children in immigration detention, ensure that protective custody is no longer applied and prioritize the immediate transfer of asylum-seeking children and their families out of detention centres, while ensuring timely identification procedures;**
- (c) **Ensure that the age determination procedure is multidisciplinary, scientifically based, respectful of children’s rights, harmonized across the country, and used only in cases of serious doubt about the claimed age, and takes into consideration**

documentary or other forms of evidence available, and ensure access to effective appeal mechanisms;

(d) Review Law No. 4636/2019 to ensure that specific consideration and appropriate safeguards in asylum proceedings are provided for children, including unaccompanied and separated children, and that such children are exempt from the accelerated border asylum procedures, and to expand the definition of “family members” to include families created in transit; and facilitate family reunification;

(e) Adopt the revised legislation on the guardianship system and foster care for unaccompanied children and implement it, while taking into account the specific needs of children;

(f) Ensure access to free legal aid and appropriate assistance in a timely manner, for all migrant children, at all stages of the procedure, and guarantee the training and availability of lawyers throughout the territory, in particular for children living in camps and reception centres;

(g) Ensure that migrant children have access to age-appropriate, child-friendly justice mechanisms and remedies to challenge all decisions related to their migration status;

(h) Provide all refugee, asylum-seeking and unaccompanied children with sustainable, open and quality accommodation and shelter outside detention, including by increasing reception capacity and quality, implementing the European Union relocation initiative, promptly closing “safe zones” and developing a protection database;

(i) With regard to the lead levels in the soil and dust in the Mavrovouni camp, provide blood testing and treatment to children and relocate them to safe areas;

(j) Ensure access to essential services, including food and hygiene;

(k) Address the barriers hindering access to education, including by ensuring transportation to school, and access to vaccination, medical examinations and documentation, ensuring access to distance learning, reviewing the school curriculum, providing catch-up courses and Greek language classes, ensuring an adequate number of teachers and building their intercultural capacity, and increasing the presence of “refugee education coordinators” in schools;

(l) Provide all possible facilities, services and protection to all refugees on an equal basis with Ukrainian refugees.

#### Children in street situations

41. Noting with concern the lack of information provided, the Committee reiterates its general comment No. 21 (2017) and its previous recommendations,<sup>9</sup> and calls upon the State party to develop an integrated approach to deal with children in street situations, including assessing their numbers, the specific situations and the root causes, establishing a monitoring mechanism, and adopting a strategy and programmes for prevention and to protect and support them; and to promptly investigate the Aghia Varvara case.

#### Sale, trafficking and abduction

42. While welcoming the criminalization of forced marriage, and the establishment of the national referral mechanism in 2019, the Committee is concerned that many of the victims of trafficking identified in the reporting period were children, especially children in situations of migration and in street situations, who were being subjected to sexual or labour exploitation and/or were engaged in forced begging. Taking note of Sustainable Development Goals target 8.7, the Committee recommends that the State party:

<sup>9</sup> CRC/C/GRC/CO/2-3, para. 67.

(a) Strengthen the application of victim identification procedures, including at border crossings, and ensure that these are disconnected from the victim's cooperation with law enforcement authorities;

(b) Build the capacity of law enforcement authorities to identify victims of trafficking, particularly among children in a situation of migration and in street situations, Roma children, and other children in vulnerable situations, and refer them to assistance and protection;

(c) Strengthen the provision of specialized services, particularly shelter, health care, including COVID-19 testing, and social reintegration, and ensure effective access to compensation for child victims; and provide support to NGOs providing assistance to victims;

(d) Effectively investigate and prosecute cases of trafficking of children, and ensure appropriate convictions for perpetrators, including for official complicity;

(e) Ensure that victim- and witness-protection provisions are implemented and that prosecutions are victim-centred, child-friendly and gender-sensitive, and provide training to judges, prosecutors and law enforcement officials in this regard; and decrease the length of court proceedings for trafficking cases.

#### Administration of child justice

43. The Committee welcomes the decriminalization of begging, the transposition of Directive (EU) 2016/800 into Law No. 4689/2020 and the introduction of home confinement with electronic supervision in Law No. 4855/2021. Recalling its general comment No. 24 (2019), the Committee urges the State party to align its child justice system with the Convention and other relevant standards and in particular to ensure that:

(a) Specialized judges for children and professionals working with child offenders receive appropriate continuous training on the rights of the child;

(b) The procedural safeguards for all children, that is, all persons below 18 years of age, entering the justice system are respected and that children benefit from the provision of legal assistance from the investigation onwards;

(c) Detention is used as a measure of last resort, for the shortest possible period of time, and is reviewed on a regular basis, with a view to its withdrawal;

(d) The necessary legislation and other measures are adopted in order to implement the non-custodial measures as stipulated in the Penal Code (Law No. 3189/2003);

(e) Children deprived of liberty are detained separately from adults;

(f) Detention conditions, including for temporary detention and "reformatory measures", comply with international standards, including with regard to access to health care and education, and that all detention facilities undergo continuous monitoring;

(g) Disaggregated data on child offenders is collected systematically.

#### K. Follow-up to the Committee's previous concluding observations and recommendations concerning the implementation of the Optional Protocols to the Convention

##### Optional Protocol on the sale of children, child prostitution and child pornography

44. Recalling its 2019 guidelines on the implementation of the Optional Protocol and its previous concluding observations on the report of the State party submitted under article 12 of the Optional Protocol, the Committee urges the State party to:

(a) Align the Penal Code with articles 2 and 3 of the Optional Protocol;

- (b) Prevent and explicitly criminalize sale of children;
- (c) Establish mechanisms for identifying, protecting and supporting victims of all offences under the Optional Protocol beyond human trafficking;
- (d) Establish extraterritorial jurisdiction for all crimes under the Optional Protocol.

#### **Optional Protocol on the involvement of children in armed conflict**

45. Recalling its previous concluding observations on the report of the State party submitted under article 8 of the Optional Protocol, the Committee urges the State party to:

- (a) Explicitly criminalize the recruitment of children under 18 years of age by non-State armed groups;
- (b) Collect data on, assess the situation of, and protect children who may have been involved or used in armed conflict abroad;
- (c) Establish a mechanism for the early identification of foreign children who may have been involved in armed conflicts abroad upon entering the State party, and provide them with physical and psychological recovery and social integration into society;
- (d) Include peace education in school curricula;
- (e) Prohibit in law the export of arms to States that may recruit children under 18 years of age.

### **L. Ratification of the Optional Protocol on a communications procedure**

46. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol on a communications procedure.

### **M. Ratification of international human rights instruments**

47. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

## **IV. Implementation and reporting**

### **A. Follow-up and dissemination**

48. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fourth to sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

### **B. Next report**

49. The Committee invites the State party to submit its combined seventh and eighth periodic reports by 9 June 2027 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the



Committee's harmonized treaty-specific reporting guidelines<sup>10</sup> and should not exceed 21,200 words.<sup>11</sup> In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

50. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents<sup>12</sup> and paragraph 16 of General Assembly resolution 68/268.

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<sup>10</sup> [CRC/C/58/Rev.3](#).

<sup>11</sup> General Assembly resolution 68/268, para. 16.

<sup>12</sup> [HRI/GEN/2/Rev.6](#), chap. I.