

Greek NGO's Network for Children Rights Convention

NON-GOVERNMENTAL ORGANISATIONS' REPORT

IN APPLICATION OF THE UNITED NATIONS

CONVENTION ON THE RIGHTS OF THE CHILD

GREECE

Athens, 16th of April 2011

*NON-GOVERNMENTAL ORGANISATIONS' REPORT
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Introduction

I. GENERAL MEASURES for the implementation of the Convention

The NGOs Committee has studied the General Measures of the National Report of– sections 4 to 81 – as well as the relevant recommendations (chapter D1) of the Committee regarding the previous period (CRC/C/15/Add. 170). The committee has registered the points of the official report that respond to the recommendations and those that do not, and comments as follows:

CHAPTER 1

Introduction

The reference of the National Report to measures that have already been taken in order to implement the Convention is characterized by general comments that touch upon the whole function of institutions and the state. It does not respond to commonly acknowledged needs of adoption of the general measures of the Convention by the Greek State. It is not making clear references regarding the progress of the implementation with respect of the protection of the rights of the child:

- Financing institutions so they can function effectively and fulfill the role/duties assigned to them by the legislation.
- Founding of institutions and coordination of the bodies which implement the legislation.
- Decentralization of the institutions so that they apply to the whole territory of the state and especially to areas of the province which are vulnerable to poverty and discrimination.
- Operation of an observatory that can provide independent supervision and documentation of the progress of the Convention.
- Broad consultation with social partners for the development of a national policy for effective support and protection of children.

The National Report has not relied on a data-base or on a credible source of information.

The answers indicate that the country had not adopted adequate measures for the protection of the rights of the child during the period 2004-2009, neither has it done so to this day, while it made little use, if at all, of the general measures that had been adopted and are mentioned in the First National Report.

GENERAL MEASURES PROPOSED BY NGOS

NGOs in the country which are active in promoting and protecting the rights of the child, have urged respective Governments to take the following measures for the implementation of the Convention:

- **To ratify the 12th Protocol of the European Convention on Human Rights and Fundamental Freedoms, this establishes a series of measures for the general prohibition of all forms of discrimination.**
- **To ensure the mitigation or/and the elimination of discrimination against marginalized groups such as immigrants and Roma. To take measures for the restitution of discrimination complaints.**
- **To offer police officers and all state officials involved in the persecution of human trafficking adequate training, in order to respond fully and effectively to the**

persecution of those responsible , as well as the effectively protect the victims, according to the relevant national and international legislation.

- **To reinforce legislation relating to domestic violence.**
- **Victims of trafficking should receive protection and assistance independently of their cooperation with the authorities in cases of legal procedures against their alleged traffickers.**
- **To ensure effective, sufficient and discreet assistance for the victims of domestic violence.**
- **The National Observatory should be made functional.**
- **To draft a National Child Policy with the wide cooperation of social partners, NGOs, care services, child and family care professionals, as well as of state or municipal agents .**
- **To form a single national policy/national legislation on child protection.**
- **To establish a Documentation and Judicial Research Center, in relation to the data concerning the legislation on child protection, and draft substantial proposals. In our view those proposal should take a legal form, hereby forming the legal framework of our country in relation to the rights of the child.**
- **The Ministry of Education should sign a Memorandum of Cooperation with the Lawyers' Unions of Athens, Volos, Ioannina and Komotini, so that children labeled as perpetrators or victims, receive free legal aid by lawyers' unions, which will henceforth take initiatives in that direction.**
- **To reinforce the Juvenile Shelters, in cooperation with the Ministry of Justice and the Ministry of Education and the work of specialized volunteers.**
- **To modify the status of Juvenile Prisons so as to support the social and psychological rehabilitation of children.**
- **To support child protection legislation by establishing the corresponding social services (see cases of children with divorced parents).**

CHAPTER 2

Comments on specific paragraphs

A. On the National Observatory (par. 4-9 & 31-39)

Purpose of the National Observatory for the Rights of the Child is to supervise and promote the implementation of the Convention on the Rights of the Child in Greece. This is accomplished by analyzing actual facts concerning children and by promoting scientific research and initiatives relating to the protection of children's rights. The National Observatory for the Rights of the Child never functioned in the direction and framework established by the relevant state official journal in 2001 (law no 2909/2001). It "functions" under the auspices of the General Secretariat for Youth. It is notable that the General Secretary for Youth, Mr Pantelis Sklias, made reference since 2008 of the effort to activate the Observatory. The National Observatory for the Rights of the Child of the General Secretariat for Youth, in cooperation with the Greek Ombudsman held a congress on the 22nd and 23rd November 2008 with the topic "Children's rights in 21st-century Greece". Afterwards, during an NGOs meeting in the premises of the Ombudsman in October 2008, its representative Mr Kousouris, Chairman of its Scientific Committee, notably stated among others the following [<http://www.0-18.gr/download/apomagnitofonimena-praktika-synantisis-16-4-proi>], confirming the formal existence of the Observatory but the lack of its functioning: "-functions on a voluntary basis".

B. Measures concerning the Roma Children (par. 13-29)

Amnesty International has also received reports concerning the abuse of young Roma by police authorities as well as the insufficient access of Greek Roma to the education system.

C. Unaccompanied Minors(par. 13-29)

According to Amnesty International annual review, in 2005 there were reports according to which 186 children aged between 13 and 16 years old were among approximately 700 people detained in the Detention Center for illegal immigrants in the area of Pagani in the island of Lesbos, in conditions of extreme overcrowding. According to the same review, there is systematic violation of standards regarding the detention of minors in special areas, different from those reserved for adults. The same review states with concern that "There is lack of a Juvenile public Prosecutor and it is the police that refers minors to the reception centers for minors – unaccompanied as we were told by the police – by simply notifying the public Prosecutor's office".

According to the annual report of the same organization, Amnesty raised in 2006 formal concerns regarding the detention and abuse of minors and unaccompanied minors by the authorities, and their treatment as adult irregular immigrants. The organization had to visit the detention center of Mytilene to investigate, among others, reports that in December 2004 a substantial number of children were detente there, despite the legislation which requires minors to be under the protection of the Public Prosecutor for Minors.

Since 2003, the Greek Helsinki Monitor, located in Athens, has reported 14 cases of unaccompanied minors who were detained with adults for three months and were then released in total lack of notification to the Public Prosecutor for Minors, and therefore, in total lack of any guaranty for their safety.

In its report on the situation of human rights in Greece entitled **OUT OF THE SPOTLIGHT: THE RIGHTS OF FOREIGNERS AND MINORITIES ARE STILL A GREY AREA (REPORT A.I. 2005)** Amnesty International reports that there is frequent and documented

violation of the principle of non-detention of minors and the provision of guardianship.

Indicative cases

Reports by Amnesty International visit to Chios, Lesbos and Patras, in 2007

... There is no Juvenile Prosecutor in the island, the prosecutor's office until that time had done nothing on the issue of unaccompanied minors, but was aware of the minors being sent to NGOs in Crete and Thessaloniki by the police. For the issue of the assignment of an official for unaccompanied minors, the Prosecutor's office announced they would inform the Prosecutor. The conversation with them was brief and inadequate, while the conclusion that emerges is that in Lesbos (as in Chios) the Prosecutor's offices don't give the proper care to cases of unaccompanied minors entering the country... There is lack of any institution responsible for covering the costs of transport of minors to reception centres. The probation officers do nothing about it...

Police violence in a juveniles reception centre

On December 13, 2004, men in plain clothes entered a reception centre in Athens, housing Afghan immigrants, presented themselves as police officers and displayed to the Afghan immigrants the picture of another man having previously escaped while he was detained at the police station Aghios Panteleimonas. The Afghans stated they knew nothing about the man in the picture. Then it is reported that the police officers began beating them. After that, the police officers brought two men separately to the local police station and abused them. One of them was a minor, was brutally beaten by the police officers, was threatened by them with a gun, was stripped and photographed naked by them with a mobile phone...

The organization had also received information that, despite the number of allegations of ill-treatment of minors, the Juvenile Prosecutor had not been involved in the hearing. (Report A.I. 2005)

E. Measures against JUVENILE TRAFFIKING (Par. 13-29)

There were also reports concerning children's trafficking and the failure of the state to ensure their protection. In particular, Amnesty International expressed concern about the disappearance of 502 children, the vast majority of which (at least 457) were migrants, from a state institution that was in charge of their protection. In March 2004, the Ombudsman released a report depicting series of gaps in the drafting and implementation of a policy for child protection, gaps which had caused the disappearance of the aforementioned children. The report noted that in the draft of this policy, there was no provision for any further funding by the state. As a result, the policy suffered from the beginning of lack of material and human resources, necessary to the implementation of the policy. Children were simply gathered from the streets by police officers and were placed in the children's home of Aghia Varvara, which was established as a boarding school for girls since 1948, and at the given time had not functioning as such. Additionally, the authorities had not taken any measures to protect children in these establishments from kidnapping by their traffickers. Given the lack of provisions in the draft for children over 12 years old, they had failed to respect the age limit stipulated in the draft. Amnesty International has urged the Greek authorities to conduct thorough, timely and impartial

judicial investigation in order to detect where these missing children are and to ensure their safety. According to information published in the Albanian press in August 2005, the Albanian General Prosecutor Office addressed its Greek counterpart for this case five times in the last two years, but did not receive any response.⁴

OUT OF THE SPOTLIGHT: THE RIGHTS OF FOREIGNERS AND MINORITIES ARE STILL A GREY AREA (REPORT A.I. 2005)

According to the protection policy provided by Greek authorities, if women who are victims of trafficking want to ensure a residence permit in Greece, they have to testify against their traffickers even if there is a risk of retaliation. In practice, the protection provided by the state is minimal.

Although the Greek government has voted since 2002 series of new laws for the elimination of trafficking, it is not yet able to correctly identify most women victims of trafficking and only few of them have received limited protection or other forms of assistance. Some of these women who were not identified as victims of trafficking, were detained and deported. The vast majority of women victims of trafficking remain hidden. Very few traffickers have been brought to justice and the victims of their crimes can not obtain justice or rehabilitation.

Amnesty International calls on the Greek government to encourage women and girls victims of trafficking to report the trafficking crimes against them. It calls on authorities not to depend the respect and protection of the victims' rights – including their right to dignity and physical integrity - on their willingness to cooperate with authorities in law enforcement operations against individuals responsible for their trafficking. It calls on authorities to strengthen law and practice in order to assist and protect victims.

JUNE 2007 - GREECE: PROTECTION OF THE RIGHTS OF WOMEN AND GIRLS WHICH ARE VICTIMS OF TRAFFICKING FOR THE PURPOSE OF SEXUAL EXPLOITATION (REPORT A.I.)

Specifically, the organization reported four cases, in which victims of trafficking and rape (Olga B., Gina M., Camelia P. and Tatiana A.) were not provided state protection during the trial against their traffickers, despite that they had received number of threats. On the contrary, the organization learned that deportation orders were issued against two of the victims, Tatiana A. and Camelia P., before the end of the trial.

OUT OF THE SPOTLIGHT: THE RIGHTS OF FOREIGNERS AND MINORITIES ARE STILL A GREY AREA (REPORT A.I. 2005)

II. GENERAL PRINCIPLES

STATE BUDGET

Our suggestion is the state budget to include a separate allocation of funds towards children. Ideally, the same should also apply for the budgets prepared by the Regions and the Municipalities at the level of local governance. UNICEF is supporting and promoting an initiative called "Child-friendly Cities" specifically at the level of local governance, which could offer useful guidelines to the authorities at local governance level.

EDUCATION – A MEAN FOR THE PROMOTION OF THE RIGHTS OF THE CHILD

We suggest that **studies** on the Rights of the Child to be **introduced** at schools; it would be particularly beneficial to **adequately train** teachers who will deliver this course for a maximum benefit of the pupils. .

We suggest that the Convention on the Rights of the Child to be included in the **official curriculum** studies, not only aimed at teachers in the field of education, but also at people working in the health sector, as well as at **all professionals that deal with children**, such as court officials, police personnel, social workers. They should all be trained in how to deal with minors in their care.

It should be noted that (according to the research “Growing up in Athens, Quality of living for children and teenagers”. G. Kottaridi, E. Valassi-Adam, M. Malikiossi-Louizou, ed. Epikaira Thematae, issue 2/2007, EKKE) :

- In the pupil population of Athens, with 30% foreign pupils, the findings are that 40% of the teachers state that they are not adequately trained to be able to assist children into understanding a multicultural society. 65% of pre-school age teachers and 80% of the teachers of the primary and secondary school level of education are not using the various kinds of supportive material that is available on issues regarding the integration of foreign nationals.

- Also, during one school year (2006) 102 schools were running 138 programmes on issues regarding health/ behaviour, sexual health/ behaviour, and other similar, but issues regarding rights and obligations of the citizen, democratic procedures to respect “another”, and traffic education were missing completely.

For the implementation of the non-discrimination principle and the application of the measures mentioned by the Committee for the Rights of the Child in paragraph 3c, we suggest a modification of Article 121 of the 2nd and 3rd Periodical Report, which is then to write the following: **all children who live in Greece should enjoy the right to education**. And that the right of children to education should also be protected by law.

We also suggest the inclusion of the following subjects **into the school programmes of all grades**, from pre-school ages onwards, and also compulsory: 1- **civics studies** (rights and obligations of children and adults, respect for another (who maybe different, disabled, foreigner, different in religion, different in culture), democratic procedures. 2- **traffic education**.

Alongside the techniques of how to use the supportive relevant material the **compulsory training and vocational training for teachers** should also include the following subjects:

1- Civics studies 2- Dealing with the issues of a multicultural society.

THE PRINCIPLE OF NON-DISCRIMINATION

*Regarding paragraph 33b and 34b of the comments given by the Committee for the Rights of the Child, we wish to mention that, regardless of the current legislation, in actuality **not all school buidlings have the facilities needed for the movement and care of handicapped persons** (such as ramps, toilets that are also suitable for handicapped persons, etc.).*

Also, paragraph 93 of the 2nd and 3rd Periodical Report mentions the phrase “special needs” which is the exact translation from the original English text. Generally there is a confusion about the use of this phrase throughout the whole text. In other parts we read “persons with disabilities” (122) or “persons with special needs” (127, 132). Our suggestion is to keep a stable terminology and to mention everywhere the phrase **“persons with special disabilities”**, which is currently the most common terminology.

THE PRINCIPLE OF THE RIGHT TO LIFE - SURVIVAL – DEVELOPMENT

Regarding the principle “right to life, survival, development”, as mentioned in paragraph 37a (of the text with the Committee’s comments), our suggestion is to put emphasis on prevention and to include the subject of **traffic education** in the school programmes of all grades. Especially during the kindergarten and the primary school years this education should be delivered by the tutor or the teacher of the class and they, in turn, should be adequately trained in this subject during the graduate education and their vocational training sessions.

Regarding the implementation of paragraph 37b (of the text with the Committee’s comments): Our suggestion is to **start the integration process both during pregnancy and after giving birth**. As best practice we suggest to use the cases where Roma women deal with the health and care services during their pregnancy, and after birth for the newborn’s health follow-up. These are circumstances which provide ample opportunities for health education offered by the health personnel, the obstetricians, and the health visitors. The existing infrastructure, the know-how and the building of mutual trust with the health and care system, will provide an easier basis for all involved to come in contact with the educational system.

Alongside the techniques of how to use the supportive relevant material we also suggest to include the subject of dealing with problems of multicultural societies (see 34c) in the **compulsory training and vocational training of teachers**.

CAMPAIGNS AND PROGRAMMES FOR THE PROMOTION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

During the period 1998-2009 we implemented the 2-year program for the “Birds” (children aged 7 – 11 years old) of the Hellenic Scout Association. This program promoted the rights of children, and is titled “If all the children on earth”. It took place in 136 areas in Greece, with 4.500 child scouts and 500 adults, organized by the Officials of the “Birds”, who worked with initiative and willingness to materialize the following aims:

- To inform and increase awareness on issues relating to the rights of the child,
- To identify, through research, the degree of application of the articles of the convention,
- To propose actions for the promotion of children’s rights,
- To increase awareness in local societies and institutions on issues relating to the rights of children and motivate them to act.

In Skotina, Pieria region, the B’ Hellenic Conference of “Birds” scouts took place from 7-11 July 1999, under the auspices of the General Secretariat for Youth. Scouts, both young members and officials, from 100 different regions in Greece shared suggestions about the Upholdance and Promotion of the Rights of Children.

Also children from other nationalities (such as Nepal, Peru, Malta, Cyprus, Ivory Coast), who represented some Non-Governmental Organizations (U.N., W.A.G.G.S., UNICEF) participated in this Conference; this emphasized the fact that the issues at stake are of global significance, and people from different nations need to cooperate with each other to address them.

The results of the Conference were implemented by the local groups of “Birds” scouts in their relevant locations during the year 1999-2000 by taking up several projects.

The Hellenic National Committee for UNICEF, in cooperation with the TITAN Group LLC and PANTECHNIKI S.A., implemented the programme “I PLAY SAFELY” in Thessaloniki,

Ioannina and Patra during 2007. This is an interactive campaign aiming to inform children and parents of risks and to prevent children's accidents in areas of play; it combines the training of children on safety issues through games (such as theatrical performance, painting, pantomime, etc.) with providing information to parents.

GENERAL ACTIVITIES – BEST PRACTICES

Since 1994 the Hellenic National Committee for UNICEF implements in collaboration with the Ministry of Education the program entitled "Schools as Defenders of Children". It is a program that aims to promote the Children's Rights and values such as social justice, peace, solidarity. Thousands of children throughout the years have been educated.

Since 1995 the Greek department of the UN High Commission for Refugees organizes yearly an age appropriate drawing and essay contest with the aim to increase awareness in the pupil population about refugee related issues. About 200.000 pupils participate yearly.

Since 1995, through a project initiated by the Hellenic Red Cross, Greek families host children from the countries of former Yugoslavia during the Christmas and Easter vacations and also during the summer period.

In 1995 the National Youth Parliament was introduced; this is an innovative project that provides the opportunity to selected pupils from various schools of the country to present their observations to the state and also their suggestions about the improvement of state functions.

Since 1999 the Hellenic National Committee for UNICEF organizes the educational programme on the rights of the child, with the title "Children Write & Paint their Rights". More than 500 schools participate in it on a yearly basis. It was reported by the Committee on the Rights of the Child as the best project for the promotion of the Rights of the Child in our country. This programme is still running. Each year, during a special ceremony on the 20th of November, the Universal Children's Day, the Hellenic National Committee for UNICEF give special awards to schools, persons and institutions for their significant contribution to the promotion of the Convention on the Rights of the Child.

Since 1999 the Hellenic National Committee for UNICEF organizes a Multicultural Festival aiming to promote solidarity and friendship among children and to fight racism and discrimination. Many NGO's and hundred of children from socially sensitive groups, refugee and immigrant children and also children from various schools in Athens participate in an educational and entertaining program held by experts educators.

Since the end of 1999 the University of Athens Medical School hosts a centre for research and prevention of children's accidents. .

In 2000 a school (primary and secondary school) was founded in the correction centre for minors in Avlona, in order to provide access of detainees to education. .

Because it was noticed that the detainees were not very interested in education, hence the Greek Society of Criminology established, since 2008, an award, which should encourage the participation in school of the minor detainees.

In 2001 the National Observatory for the Rights of the Child was established.

In 2002 the Ombudsman for Children was established.

In 2002 the law against trafficking in human beings was passed.

In May 2003 the centre for research and prevention of children's accidents and the Hellenic company for social pediatrics carried out a campaign with the theme to prevent children's accidents in aquatic environments.

In 2004 the Greek Centre for Safer Internet was founded in Greece; it conducts research on the risks children face in the Internet and also offers educational programs for pupils, teachers and parents for safer use of the Internet.

In October 2005 the Network for Prevention and Combating of Physical Punishment of Children was established. Several institutions participate in it, such as the Ombudsman for Children, the Hellenic National Committee for UNICEF, the Ministries of Education and Health, the General Secretariat for Youth, the General Secretariat for the Education of Minors, the Institute for Social Protection and Solidarity, the Institute of Child Health and the Hellenic Pediatric Company.

In 2005 a school was established in the Children's Hospital for children suffering cancer and stay long term in the premises for their medical treatment. The equipment for the school was bought by private funding.

In 2005 the first centres for medical treatment of drug addiction (OKANA) were established and in 2009 66 centres are operative.

In 2006 the Ministry of Health set up a national committee for breastfeeding and sent a memo to all maternity hospitals to encourage breastfeeding from the moment of Birth of each child.

Since 2007 E.P.S.Y.P.E started its interventions in schools in Athens and Thessalonica, which resulted in a reduction of the incidents of intimidation and an increase of pupils who reported such incidents.

On 23/5/07 a network consisting of state authorities (9 ministries), Media agencies (8 radio and TV channels), other private companies and institutions (mobile phone companies, electronic sites, airports, metro, attiki odos) as well as citizens was established to immediately inform the public when a child disappears.

In July 2007 the Athens Church announced the sponsoring of a therapy facility and a guest house for teenagers, suffering of drug addiction and having generally legal problems.

Since 2008 a youth panel - group of pupils- as representatives is operative for a safer Internet.

Since April 2008 the General Secretariat of Communication is running the website www.dialogos.gov.gr which hosts a dialogue about the protection of minors from harmful content promoted by the Media.

Since 2008 the Hellenic National Committee for UNICEF with the assistance of the Ministry of Foreign Affairs and the cooperation of several N.G.O.'s started a campaign for the protection of children from trafficking of human beings. Relevant research conducted by the Hellenic National Committee for UNICEF about exploitation of children and trafficking in Greece has shown the seriousness of this problem and the importance given to it by the Greek society. The Greek public shows a great response in offering economical assistance to the Hellenic National Committee for UNICEF during the radio-television "marathons".

In 2008 the Council of Teenagers was set up as a counseling body to the work of the Ombudsman.

In 2008 the Hellenic National Committee for UNICEF in cooperation with the Ministry of Education distributed to pupils of the E' class (11 years old) of primary school a special booklet with the full text of the Convention on the Rights of the Child and with specific comments helpful for teachers. More than 150.000 pupils received this booklet; with it came a memo from the Ministry of Education encouraging teachers to take up actions in their school about the Rights of the Child. Furthermore, when several schools requested special supportive material to take up similar projects, the Hellenic National Committee for UNICEF actively assisted them in this direction.

In May 2009 a Network of institutions for the Rights of the Child was established.

In November 2009, with the initiative of the Ministry of Justice, a Network of Institutions active in children's protection was founded.

In 2009 radiotherapy equipment specifically for children was bought by private funding.

In March 2009 the Hellenic National Committee for UNICEF with the assistance of the Ministry of State printed and distributed amongst journalists a guide about the role of the Media in the respect for and the implementation of the rights of the child according to the Convention on the Rights of the Child.

Since 25/5/2009 the telephone number 1160, a number common for European Union countries, is operative for emergencies.

In May 2009 the guest house of the association ELIZA was inaugurated.

Since the 1st of July 2009 it is prohibited to smoke in all indoors facilities and also to sell tobacco to minors (Law No. 3730/2008).

Since August 2009 the helpline "SUPPORT" 80011080015 provides free of charge information and advice about the Internet.

The Ministry of Education announced in February 2010 that it starts a campaign, in cooperation with Harvard and Greek Universities and the Greek Cancer Society, to prevent smoking in schools.

The Filekpedeutiki Company organizes for several years an anti-smoking festival for the youth, in cooperation with the Greek Cancer Action. Thousands of pupils take part in these festivals.

At the beginning of 2010 the Greek government introduced a draft-law about granting nationality to migrant children born in Greece, providing their parents have legal documents.

III. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

FAMILY AND ALTERNATIVE CARE

- The highlights of the discussion on the applied allowances policy, focus on:
 - The low level of projected funds. For example, the child protection allowance, amounts to 88 Euros every two months for each child, the annual lump-sum family allowance starts from 150 Euros and for large families ranges from 350 to 600 Euros.
 - The inability to control whether these allowances are actually used for the benefit of children for whom are intended. This is due to inadequately staffed social services, that are the responsible authorities, which are unable to monitor the beneficiary families.
 - In regards of foreign citizens, it is an issue whether, the bureaucratic procedures and the lack of awareness of public administrators about their rights, or both , exclude a large proportion of them from receiving the potential benefits.
 - In cases of unaccompanied minors (asylum seekers/refugees and immigrants), the right of taking a similar allowance (unprotected child) is not exercised, as the institution of the commissioner has not been activated, so as to take the allowance exceptionally, on behalf of the child.
 - The needs of families that face specific problems, regarding the proper care and protection of children, such as these of mentally ill parents, are omitted.
 - A specific reference should be made to the institutions accommodating children with disabilities in Greece. According to estimates, (E.P.S.Y.P.E.), within the country operate 34 public residential units , that in total treat about 3,000 people of all ages (except senior citizens) with mental, physical and social disabilities. The capacity of each unit is of 40-200 disabled people. . Among them there are five

Child Care Centers (KE.PE.P), for children suffering from chronic (incurable) diseases, physical disabilities or severe mental retardation, of total accommodation capacity of 300 children. In addition, there are dozens of small private institutions (charities and religious institutions) for 3,000 cared people with disabilities. Altogether about 6,000 people with disabilities are accommodated in these institutions, most of them for many years and some for their whole life. 30% of these are children, adolescents and youth. These institutions do not have clear admission criteria for patients based on age, illness, type of disability and degree of functionality. They accept in undifferentiated way, people with many and various needs. This combined with the meager resources available for their operation - in terms of financial and human resources - has resulted in little or no provision of specialized services for people with disabilities. .

- The mental health needs of children and adolescents have been additionally covered by various mental health services for children and adolescents, within the 60 public psychiatry services, which have been developed by local authorities, NGOs and associations or the private sector. These kinds of centers are not stable in operation and have not developed a system of evaluating and monitoring the quality of their services.
- The educational programs for children and adolescents with mental health problems in different disciplines are not consistent with contemporary needs and developments. Thus quality in education is not guaranteed. The number of child psychiatrists is limited compared to the real needs and is estimated that many more years would be needed so as to be covered. This fact is the result of the small number of specialist positions opened and the delay in making decisions to create new ones according to need. There is complete lack of mental health services for adolescents. There are only 4 specialist units and all of those in Athens.
- In addition, in this inadequate Child Psychiatry services, there is almost complete lack of necessary services for psychosocial rehabilitation (Asimopoulos, 2007). Of the 60 child psychiatry services in the country, only the 8 are psychosocial rehabilitation services and these are concentrated in 2 cities.

(The related proposals of E.PSY.P.E. can be incorporated as recommendations in the final text)

- **In respect of matters relating to sexual abuse of children, discussion focus on:**

- In term of regulation (see Law 3064/2002), there is no clear definition of the term “assistance” to trafficking victims as well as of the “constituent elements” necessary for its implementation (see art 12).
(on legislative issues see also the comments in the report of E.E.D.A. p.15)
- The efficiency, staffing, operating conditions, financing and effectiveness of the units of protection and assistance, are in doubt. Units such as (see Annex PD 233/2003), the “St Helena” in Ioannina and “St Sofia” in Magnesia, have already closed, some are semi operating such as “St Barbara” in Athens and almost all lack adequately trained staff.
- On the organizational level, even though there is a prediction according to the Presidential Degree Art.9 233/2003 concerning the establishment and operation of a committee aiming to coordinate the work of protection and assistance to victims, the collection of data and the recommendation of measures for improvement , in practice this committee, neither has ever operated nor has produced any work.
- The Law 3064/2002 article 13, which is the only institutional response to cases of foreign victims of child sexual abuse, proposes repatriation.
- Under consideration is the issue of contracts with NGOs with experience in providing assistance and protection to victims(see PD 233 art 3). There is a question regarding the

lack of quality regulations about their services , the adequacy of structures and the “stillborn” of their funding. The majority of accommodation units were operating based on European funding programs on an annual or biennial basis, although it is the duty of the state apparatus to continue funding, this did not happen as the units expenses did not become part of the state budget , so either they underperform or in many cases closed down. Indicative of the problematic situation is that the Ministry of Health and Welfare, in 2007 and 2008 has reduced by 40% the funding of psychosocial rehabilitation services that have been created in the context of the psychiatric reform, among them the few services for children and adolescents. In 2008, because of lack of funding , the Therapeutic Accommodation Unit IRIS of the Psychosocial Company for Health of Children and Adolescents (E.P.S.Y.P.E.) and the Accommodation Unit for adolescents with Adversative behavior of SOS Children Villages have suspended their operations.

- Regarding domestic violence E.E.D.A. has highlighted some shortcomings of Law 3500/2006 as:
 - a. Article 4 provides the application of article 1532 Civil Code (consequences of poor exercise child custody), only in matters of physical violence towards the minor, due to correction in the context of raising, while it should have been applied for every act of violence against a minor.
 - b. The juvenile is a victim of domestic violence, when before him is committed one of the criminal acts defined in Article 1, paragraph 3 (eg. unlawful violence and threats, rape and sexual abuse, etc.) and not in any case of violence before him/her. Also E.E.D.A. has stressed that for reasons of legal certainty, all provisions relating to domestic violence should be including in their respecting codes. The E.E.D.A. judges as crucial the Circular of the Ministry for accommodation and care for children should be accompanied by specific legislation so as to make clear the prohibition of any use of violence against children even for educational purposes. In this direction, more efforts needed for effective information, awareness and education of all stakeholders, including police. Informatively, an informal committee under the auspices of E.E.D.A. Commission Study and Abuse Response Team School Students (EMASOKM) has been established, aiming for the formulation of recommending measures for prevention and treatment of the phenomenon of violence in schools. The publication of research results is expected in February 2010.
- Regarding the provided, (see arth.6 Law 3727/2008), information in schools about sexual abuse/exploitation is doubtful whether there have been any related actions.

Information concerning child abuse and neglect

- There is lack of existence of a National Record/Registry Office for reporting all cases of abuse against children, as well as the cases of children who have been victims of abuse and are now under surveillance.
- There is need for the creation of a national register for handling all cases of child neglect or abuse.
- There is lack of counseling and specialized services in giving support to vulnerable groups of people (families of low socio-economic status, one parent families, migrant families, drug-users, etc.)
- There is a number of institutions that according to the Greek law are responsible for the care of abused children. In reality however, they cannot support them properly, because they lack specialized child protection professionals. . In a survey done in April 2009 all

the listed institutions answered that they would not accommodate a child-victim of abuse, because they lack specialized staff. Some of them also reported ignorance of the legal framework concerning such cases of children and the fact that they were listed by the Ministry of Health as official specialized accommodation units for abused children.

- In paragraph 236 of the National Report, some of the information given is misleading. (eg. The institution “Mitera” accepts only babies and pre-school age children, that their parents are unable to look after temporarily and it is lacking in organization and quality of services.. As at present it is under-staffed and lacks necessary material resources .
- The National Center of Social Solidarity (E.K.K.A.) - (Look at the law. 3106/2003 and law 3402/2005) - is in the risk of shutting down because of staff shortage. The group-houses (accommodation units) of Oreokastron in Thessaloniki and Drapetsona, as well as the Centers of Social Support in Agios Sostis and Ilion are not in operation. Moreover the Center of Social Security in Nea Ionia was recently closed. The group-house of Rentis is running with just two members of staff and the group-house of Ilion is in a similar position.
- The group-houses of EEKA do not accommodate juvenile girls and boys.
- Paragraph 225: In those cases of abused children who do not speak Greek, there are not interpretation services in the institutions. . Interpretation is undertaken by volunteers and personnel of NGO's.

As a consequence of the above, a sense of insecurity and obscurity is created to the juveniles, since the volunteers have neither the knowledge, nor the availability to undertake such tasks.

There is also lack of interpreters and political intermediaries in governmental institutions.

- There is a lack of staff in telephone help line 197, at the centers of social support, at the group-houses and the team that undertakes emergencies. In fact there are great problems in the running of all the above posts at present.
- Concerning the law: 3370/2005 and the Institute of Health of the Child, it is reported that:
- Not only there is lack of staff, but also there is an ambiguity of responsibilities among the departments.
- The professionals who work there, often lack the necessary education and communication skills to cope with their duties.

There is lack of institutional mechanisms and systems for the monitoring cases of abuse against children .

- There is lack of a comprehensive policy concerning the monitoring, diagnosis and recording of all cases of child abuse.
- Paragraph: 236 : The list is incomplete and there are ambiguities.

D. Being in charge of children:

Paragraph 264: There are serious problems about the implementation of the scheduled social and psychological support measures that concern juveniles, not only because of insufficient structures, but also because of the lack of a comprehensive legal framework. For example measures such as **η, θ** and **κ** (*The letters are in Greek*) have not been applied yet.

The Service of Attendants for Juveniles is also understaffed. In a survey taken place all over Greece, it was reported that on average each service is staffed with only one member of staff..

E. Concerning other issues of alternate care of children

- There is lack of a system for certifying the quality of services offered in the units that accommodate children and adolescents.
- There is insufficient human and material resources.

Regarding the former remarks, there is a recent study of the Department of Welfare in the Prefecture of Thessaloniki (October-November 2009), which depicts the situation of child care : 63% of the sample of the study reported that there is insufficient scientific staff and specialized staff for the care of children, 45% reported lack of structures (houses offering accommodation) and 36% reported that there is need for modernizing the existing structures, as well as the laws, the regulations and infrastructures. 48% reported the lack of a clear legal framework in general and more specifically a framework regarding fostering. .

There is lack of organized support for the young people leaving care. According to the aforementioned study, 45,5% of the sample answered that there are not institutional structures in their prefecture and the ones that already exist do not have the ability to help the children when they have to leave the institution. It is worth noticing that, according to the survey, two out of three prefectures in the country do not have any intermediate structure, such as semi independent units, for very young adults who have to start living on their own. The situation is also ambiguous concerning their vocational orientation and their employment prospects. There is total lack of structures (houses) for juvenile boys and girls -mainly girls- in the whole country irrespectively of the place of their origin.

- The juveniles aged 13 – 18, irrespectively of their sex or origins, have no place to stay temporarily in case that they do not have a house of their own, no family, or their family rejects them.
- Broadly speaking it appears that there is a great inflexibility concerning children and juveniles that need to be accommodated temporarily. There is lack of specialized professionals that have skills and knowledge of how to treat these juveniles, as well as how to coordinate the existing public services, (police, social services of municipalities and prefectures, public prosecutor's offices etc.), in order to act for the best interest of the children. . In the majority of cases a number of NGO's cooperate and take the responsibility to support these cases of juveniles, as well as to inform public services for the procedure that is to be followed and other additional measures that have to be taken in order to seek solutions.

Special remarks

- The National Action Plan for the rights of children remains inactive since April 2007.
- The right for nursery care does not apply to all children , since it is required that the mother has a full time job and can prove it by official means. This however reinforces the vicious circle of unemployment-poverty-social exclusion, since mothers are easily excluded from the labour market.
- NGO's are undertaking a great part of the day-care of children offering programs of creative and recreational activities.. The Centers of Creative Occupation -(ΚΔΑΠ in Greek)-, are a state institution in Greece, however many run the risk of closing down and some have already closed, like the one in Keratsini,-an area with great social needs.
- There is a continuous effort from NGO' to support every policy in favor of vulnerable groups of children. Unfortunately, on the local level these NGO's do not form a network. They work independently. In a survey undertaken by the "Xatzikiriakion" –a

children's home in Piraeus-, it was reported that there is an evident lack of working together, forming networks, in both services of the private and public sector. The absence of a network results in the lack of coordination of depriving the beneficiaries of multiplicative benefits.. (There is an evident contradiction with the law 2909/2001)

- There is not any institutional provision for homeless families.
- Regarding the running of the municipal nursery schools and kindergartens, look at the remarks made by E.A.D.A.P.)

IV. BASIC HEALTH AND WELFARE

Our network claims that health policies should be coherent and not fragmented and provided by diverse ministerial sources or be circumscribed by other policy priorities.

Today in Europe, the right to medical care is not respected for all and especially for, asylum seekers, undocumented migrants and children. When they face so many administrative difficulties, when they face restrictive orders, or enactments that exclude them, when they are discouraged or denied access, when discriminatory practices exist, then the ethical dimension of medicine and health care is affected. Within this framework, it is important that we reassure our faith in the ethics of our professions and demand from the authorities to ensure access to medical care for every vulnerable population group. The European Declaration for equality and access without discriminations to medical care will be given to the Council of the Health Ministers in December.

A lot of organizations and health professionals have already signed the Declaration, amongst them the Standing Committee of European Doctors and Active Citizens.

The report that was posed presents:

1. Insufficient and ambiguous data for the indexes of national health of the infantile population of the country.

1. Health Care of Roma children

The Roma children run major risks of tuberculosis, malnutrition, accidents, dental decay and are less probable of being immuned. It is an acknowledged risk group for chlorosis and poisoning and the number of admissions in hospitals, in rooms of special exigency, are continually rising, probably because this minority seeks medical attention when it is too late.

The Government's report is stating interventions, incoherently and without specific structure, for the promotion and health education of Roma children, undertaken by medical mobile units. However, neither the viability of educational programs and health promotion is clarified, nor the procedures and the target of the intervention. Additionally, the number of interventions stated are extremely insufficient given that they concerns a seven year action plan covering the whole country. The actions are not defined as they should be, and as a result any outcomes cannot precisely measured. . The generally accepted practice to admit, healthy Roma children abandoned by their parents into Rehabilitation Centers for Disabled Children, comes as a surprise to the Government's report. The health level and vaginal cover of Roma children remains low in comparison with the general population, as documented by scientific studies. Life expectancy of Roma children is still a decade lower than that of the general infantile population.

A recent study was done by the A' Pediatric Clinic, of the Pestilent Diseases Department of the University of Athens to 216 children, 118 Roma and 98 non Roma, with an average age of 9 years, in order to compare the hepatitis indexes (HAV, HBV and HCV). The study revealed that amongst Roma children 98.3% had HAV traceable antibodies, in comparison to 32.7% amongst

non Roma ($P < 0,0001$). Regarding hepatitis B, 22% of the Roma children were detected with evidential data of an old infection (anti-HBc (+)), amongst whom 5 (4% of the total) were chronic carriers (HBsAg (+)), whereas older infections were not detected amongst non Roma children ($P < 0,0001$). Indexes of bypass HBV vaccination (anti-HBs (+), anti-HBc (-)) were detected in only 14 % of Roma children, whereas 96% in non Roma children (value $p < 0,0001$). There was some indication about inter-familial infection of HAV and HBV to Roma children when they went to school. Poor and unhygienic living conditions, frequent change of habitat, the lack of protection and primary medical-pharmaceutical care are related to the abundance of the HBV infection amongst the Roma. No child was found in any group positive of HCV indexes. These findings document and corroborate the existence of social inequalities in the health sector, as it happens with infectious diseases, as HAV and HBV, and underlines the necessity of intensifying health and political acts targeting populations that represent socially vulnerable groups or ethnic minorities. Additionally, the vaccination for HBV is the best preventative practice both for the general population, and for the Roma children. (**“Seroprevalence and risk factors for hepatitis A, B, and C among Roma and non-Roma children in a deprived area of Athens, Greece”**, Michos A, Terzidis A, Kalampoki V, Pantelakis K, Spanos T, Petridou ET, 2008).

Here we would like to state that the dental health of Roma children of very poor quality as found from the dental checks held in intercultural schools as part the project “Health Education-Intervention”. Something to be expected as the basic rules of oral hygiene are not followed by the vast majority of Roma children, and access to public dental services is extremely limited, almost null.

Problems can also found regarding prenatal care. A lot of pregnant women go to the doctor for the first time during labor without any prenatal checks. The phenomenon that they state false personal details corresponding to another member of the community that has insurance coverage is frequent.

Recommendations

1. A systematic recording and mapping of population’s health needs is required, as well as an increase and support of socio-medical centers that can provide a holistic socio-medical support with continuity and effectiveness.
2. Substantial support for families in order to place children in preschool education. Organize structured educational projects to promote social and preventive medicine in schools.
3. Ensuring easy access to health care for every child irrespective of insurance coverage or legal status of his/hers parents.
4. Health projects for the development of public health policies, especially and specifically focusing on the needs of the Roma community (provision of information regarding health matter, provision of socio-medical services, access to health services, information about exercising and claiming their rights etc).

2. Smoking- alcohol

Greece has the highest smoking rate within European Union, teenagers hold the highest level of exposure to passive smoking. In July 2009, the national law prohibiting smoking in public places came in to power. . A research study was undertaken from May to June 2009 looking in to the attitude of young Greeks on smoking, passive smoking, and the impeding legislature. Semi-structured qualitative interviews were held in 11 groups of 14-16 year old smokers and non smokers.. The participants described smoking and passive smoking as something natural and acceptable. They had small insight in the health hazards for passive smokers. Smoking was perceived as integral part of their socialization and extremely addictive. They regarded their right to smoke’ as more important than the right of non smokers to a smoke free environment. They had limited knowledge on the impeding legislation concerning prohibition of smoking. The interviewees talked about their experience from previous legislations, and in a

'revolutionary' and cynical manner concluded that the legislation would not be effective as other were not before. The perception of social norms on smoking and passive smoking in conjunction with little understanding of health dangers, and the negative attitude concerning the impending legislation explains the subsequent limited effect of legislation when it came in to force. ("These things don't happen in Greece': a qualitative study of Greek young people's attitudes to smoking, second-hand smoke and the smoke free legislation.", Tamvakas I, Amos A, 2010.)Public Health Sciences, UK Centre for Tobacco Control Studies, Centre for Population Health Sciences, Medical School, University of Edinburgh, Teviot Place, Edinburgh EH8 9AG, UK.

In Greece the problem of alcohol consumption does not pass unnoticed as according to studies 15% of young people aged 11 to 15 years old consume alcohol at least once a week . First amongst their preferences is beer, second comes hard liquor and third is wine.

During adolescence alcohol reduces school performance, the ability of soaking knowledge and concentration. The consumption of alcohol in these ages has a dramatic effect on the personality; it creates hyper excitability, hostility and aggressiveness increasing the danger of experimenting with other addictive substances.

Adolescents that drink have more possibilities of dying due to drowning, falls or car accidents. It is very important that the family discusses openly so children from a young age learn about the consequences of alcohol consumption . Parents have to teach children not to get into a car when the driver has drunk, even more so if he is in a state of drunkenness, reassurance has to be given that parents will go and collect their children irrespective of the time.

The reason that drives adolescents to (excessive usually) consumption of alcohol is because they are pressured from their social environment. The fact that must not be neglected is that during the phase of adolescence the individual tries to be part of the social entity and simultaneously is exploring his/hers limits. When young people are pressurized to consume alcohol may feel anger, stress, guilt, sense of cowardice and disappointment concerning themselves. As a result they may behave in ways they do not normally behave and the reasons can be many: fear of rejection or fear for loosing a friend, wish to be liked or even to look older and avoid being mocked.

Recommendations

- It is considered necessary to make active the law that provides the framework for Health Education lessons in the student's population (children-adolescents).
- Emphasis has to be given to training of educators in matters concerning smoking, and other crucial health matters, like nutrition, exercise, stress, drugs, accidents, prevention of sexually transmitted diseases, etc. Provisions should be made , in order for training to be funded and primarily so they can implement programs for Health Education and produce the necessary educational material.. All of the above should be incorporated into a holistic and well designed national antismoking policy, especially because the results of the recent antismoking campaign were disappointing.

Especially:

1. Prohibition of selling tobacco products and alcohol to minors. .
2. Prohibition of advertising and promoting tobacco products and alcohol.
3. Implementation of programs for promotion and health education regarding smoking and alcohol consumption.
4. Creation of a Dispatch Centre for smokers and alcohol users in order to provide information, consultation , psychological support and a holistic intervention encountering smoking and alcohol use.
5. To organize antismoking campaigns concerning the effects of smoking and alcohol use to individual and public health.

6. Educational programs that are addressed to children and adolescents with focus on information on health education matters (nutrition, exercise, stress, smoking, alcohol etc). A long term and effective planning against smoking and the use of alcohol must be developed, with the support of different sectors such as education, health, public insurance and justice.

3. Children with Special Needs

Children with special needs can be distinguished from their peers, cognitively and behaviorally. Regarding movement, perception, communication, development and their relations with others, they have different needs. We often tend to focus upon a child's disability, and forget the fact that it is a child, as well as an individual with rights.

The International Convention on the Rights of the Child guarantees that these children are entitled to all the rights it proclaims, without discrimination and on an equal basis with their peers. In addition it promotes rights to special care, so as to provide an environment which will ensure a full and dignified life, encourage self-sufficiency and facilitate active participation with the collective, provide access to education and professional training, treatment, security, and recreational activities, all aimed towards greater social integration and personal development.

Despite the Convention, fundamental rights to education, social integration, as well as health, insurance and entertainment, are violated on a daily basis.

Parents of children with special needs, face a number of problems pursuing health care. Insurance companies refuse to provide the funds necessary for medically recommended treatments, limit the number of treatments in accordance to their regulations, or refuse treatment altogether, arguing that it falls under the education department's obligations. A link between health and educational services does not exist. There are no institutions for prevention of disabilities, or early diagnosis and intervention, support or education for families, no long-term housing to relieve parents, or any institution providing structured daily activities for mentally disabled children and adults living at home.

Indicatively, we should note the lack of data on the number of children with special needs, which is necessary in order to plan any services for them. Data collected from the various organizations which provide services to children with special needs, can enable the Ministry of Health to make more accurate estimation of the number of these children in the country.

In addition, in the informative campaigns for children with special needs,

- a) Any outcomes of previous campaigns were not taken in to account.
- b) Most campaigns or educational projects were based on individual efforts of teachers, rather than being incorporated into the educational program.

Statistical data-regarding the number of children with special needs in Greece, their ages and gender, their location, their disability and what special care it requires, what kind of education would be appropriate, how many live with their families, etc. should be collected in order to facilitate policy planning, and distribution of human and material resources.

Recommendations

1. Increased access to health services for children with special needs
2. Creation of Educational health centres to which children with special needs may refer, which will focus on education and health, and provide social and psychological support to children and their families.
3. Health education programs for children with special needs and their families.
4. Training programs for special care or social and preventative medicine. .

4. Adolescent Health – Welfare and relevant health information

According to recent statistics, 1.300.000 adolescents aged from 11 to 19 years old, live in Greece and represent approximately the 11% of the total population.

Youth is a valuable part of the Greek population and represents the future of the country. The recognition of their specific health needs is a necessity in our society and an important investment for the future.

In Greece there are not enough services for these ages, as a result adolescent's needs are neglected and they are exposed in several dangers.

Recommendations

1. creation of youth centres
2. promotion of adolescent health care through specialized medical care
3. annual check-up of teenagers (up to 18 years old)
4. health tests on specific groups with high indicators for specific illnesses (hyperlipidemia, sexually active adolescents and young people)
5. early diagnosis and treatment of physical and psychological issues/problems
6. multidisciplinary approach in order to address problems without unnecessary and awkward references
7. the provision of health and suitability for sports certifications
8. psychological support
9. consultation of adolescents in prevention - health education (sexual health, nutrition, insurance, sports etc.)
10. creation of supporting and informative services for the families
11. promotion of epidemiological and clinical research
12. training and education of medical students and pediatric residents in the area of adolescent health, in order to acquire the knowledge for proper treatment of adolescents
13. information campaigns for students, at schools and their encouragement to take part in voluntary health projects
14. motivating the participation of teenagers in activity groups , through which the will strengthen their self-esteem.

The above recommendations can be implemented by organizing educational events and by setting up information websites.

5. Maternal breastfeeding

Breastfeeding is the basic nutrition for babies and young children. Nutrition based only on maternal breastfeeding can ensure development and health for the child. Maternal breastfeeding is neither promoted nor supported, as it should be.

Many organizations providing health services and social support, without intending to do so, impede maternal breastfeeding. As a result, many children in Europe do not start their life with the best nutrition. The low percentages of babies breast feeding and the early end of it of have negative consequences on the health and welfare of mothers and children. These negative consequences affect the whole society and the environment as well. They result in extreme expenses on the prevention sector of public health care and bigger inequalities in health provision.

Previous studies indicate that public and private maternity hospitals in Greece, do not support the right of mothers to breastfeed their children. A recent survey under the title “Do maternity hospital practices support Greek mother’s decision to breastfeed?” was realized in several maternity hospitals, studied the percentage of mothers that follow the “Ten steps for successful maternal breastfeeding”. (Daglas M, Petoussi V, Dionysiou G, Athanassakis I., 2010).

The survey was based on a sample of 140 mothers, who live in Athens, have recently given birth and completed voluntarily some questionnaires. The results showed that 40.5 % of the mothers did not know about the first meal of their children. Regarding the practices of hospitals, 68.3% of the mothers mentioned that their children was given artificial milk and 63.6% of them believe that artificial milk was given to their child, though they had decided to breastfeed. 90% of mothers who give birth in public maternity hospitals and 60% in private medical clinics, mentioned that health professionals support maternal breastfeeding ($p < 0, 05$). The survey pointed out that Greece hasn't created yet the appropriate informational procedure and the supportive environment to promote maternal breastfeeding. The Global Strategy for infants and young children alimentation of WHO and UNICEF underlines that:

“As a global public health recommendation, infants must breastfeed exclusively for their first six months, in order to obtain ideal growth, development and health. After that period, so as to meet nutritional needs, infants are to be fed with adequate and safe supplementary food, whilst breastfeeding should be continued for at least the first two years.”

In a study, led by Emmanuel Galanakis, a pediatrician – infectologist, from the University of Crete, the doctors observed 926 infants over a period of 12 months.

The infants were put on a regular vaccination schedule and received common medical care when required.

Meanwhile, the doctors monitored the progress of mother's lactation. After one month, nearly 2/3 of the mothers continued to breastfeed, however, after the completion of the six month period only 1/5 continued to do so. In fact, only 10%, which means only 91 infants were fed exclusively with breast milk without supplements.

During the study, infection incidents were recorded on a three month basis.

The final conclusion was that infants who were fed solely with maternal milk showed far fewer incidents of infections than those that either did not breastfeed at all or were breastfed but also consumed at the same time nutrition supplements.

The National Committee on Breastfeeding was introduced few years ago as an initiative of the Ministry of Health but remained inactive. It was activated again recently and began an awareness campaign on merits and advantages of breastfeeding and established a body of evaluators for the certification of Baby Friendly Hospitals. In the Committee is involved also the Hellenic National Committee for UNICEF which started a relevant campaign in maternity hospitals and obstetric clinics throughout the country on the occasion of Breastfeeding Week, which is celebrated in Greece 1-7 of November.

Recommendations

- 1) Access to pre and postnatal qualitative health care.
- 2) Quality aid to be given during delivery and for a short period afterwards
- 3) Access to postnatal obstetric and pediatric health services
- 4) Professional support for breastfeeding
- 5) Access to specialized advisors and breastfeeding support groups
- 6) Priority and funds to be allocated for the promotion of breastfeeding
- 7) To introduce official policies, recommendations and plans
- 8) To put in place recording and observation systems
- 9) Qualitative education focused on breastfeeding for health professionals
- 10) Financial aid towards activities of voluntary groups for motherhood.
- 11) Post-education, communication and use of various means of informing the public about breastfeeding
- 12) Legal ratification and implementation of the International Code
- 13) Legal protection of motherhood and its implementation
- 14) Presentation and illustration of ways of infant care on the Media

- 15) Existence and mobilization of support groups of mothers within the community
- 17) To secure the viability for projects that promote and aid breastfeeding

6. Family planning

The World Health Organization (WHO) is viewing family planning, not as a choice of every couple, but an irremovable right. In developed countries, family planning is a fundamental factor in the prosperity of citizens. Main aims of family planning are: the avoidance of unwanted pregnancies, the emergence of wanted pregnancies, time adjustment of births in relation to the parents' age, the determination of the appropriate number of children for every family and the birth of healthy infants.

Recommendations

- 1) The creation of information centres on issues such as: sterilization, sex education, abortion, prevention of STDs, contraception, aid for having healthy and wanted children
- 2) Information campaigns concerning family planning
- 3) The creation of advisory call centres which will employ specialized staff (doctors, psychologists, social workers etc)
- 4) Circulation of leaflets or the creation of an Internet site where young people can be informed on family planning matters (contraception etc)

V. TRAINING, RECREATION & CULTURAL ACTIVITIES

3.50 Percentage of the state budget is spent on public education (paragraph 67a of the National Report)

Contrary to the UN 2002 recommendations and in accordance with the National Report, there is a reduction in the national budget line for education, namely for the years 2005-2007, when it didn't exceed 3,1%, one of the lowest averages in the EU. Furthermore there is no mentioning of the expenses families have to pay.

Access to education-increase in the number of enrolments and decrease of the number of dropouts (par. 67b) & Enforcement of legislation relative to compulsory education (par. 67c.) p. 351-358

Despite the European Commission recommendations, the problem of non completion of compulsory education (schooling up to the age of 16 year old), continues to be one of the most important problems of the Greek educational system. For example, during the academic year 2006-2007, some 17.850 pupils dropped out before completing their compulsory education, unjustifiably¹. The way in which this matter was dealt with is insufficient for the following reasons.

Firstly, it must be reported that the law provides a detailed procedure which must be followed in case of unjustified absence of primary school pupils and whose parents or legal guardians

¹ See. Center for the development of Training policy of GSEE, a study for training in Greece... primary and secondary education (proceedings for school years 2004-2005, 2005-2006, 2006-2007), Athens, October 2009, p.348.

have not informed the school². On the contrary, in the case of the secondary Education, which comprises the three years of Junior High that are compulsory as stipulated by the Constitution (art.16, par.3), there is no similar provision for looking for the pupil's whereabouts in case he/she drops out of school for no apparent reason. The only responsibility the class teacher has is to inform the principal when the pupil has had thirty absences, justified or unjustified and to notify accordingly the pupil's legal guardian by conventional mail sent by the school authority³. The pupil's legal guardian has the obligation to visit the school once a month, in the first ten days, to be briefed about the pupil's attendance by the class teacher and to receive a note to this effect, signed by the latter⁴. It becomes obvious from the above, that there is no real search procedure for an absconding pupil in secondary education.

But even in primary education, the procedure established by law has not, to date, been effective in solving the problem. The Education, Lifelong Learning & Religious Affairs Ministry, is satisfied with just the recording of students who interrupt, without any apparent reason, their mandatory schooling. Indeed, despite the fact that serious studies have been conducted on this issue by the Transition Observatory of the Pedagogical Institute⁵, nothing much has been done, so far, by the Ministry to utilize these studies' conclusions, and plan a general policy dealing with this phenomenon. A special service ought to be set up, with the exclusive task of monitoring and managing the school dropout problem.

An effective mechanism for the tracing of pupils, who drop out of primary or secondary education unjustifiably, should be established. This mechanism is an obligation of the State and its competent Bodies, and is directly connected with a series of other positive obligations, i.e. obligations vis-à-vis the children-pupils, resulting from the Convention on the Rights of the Child (see. Mainly. art. 4, 6, par. 2,19, 20, 22, 24, 26, 27. 32-36, 39, 40). Undoubtedly, school dropout may be the result of family problems whose gravity may require a State intervention. In this context, education practitioners need to undergo special training in order to be able to manage efficiently the problem of unjustified absences of the pupils from school, and the Presidential Decree which allows for educational social workers to be employed to be activated.

Second, the Polity considers that the factors that contribute to school dropout phenomenon in Greece's in tourist areas are primarily financial. It thus downplays the importance of two other interrelated factors: a more general devaluation of the importance of education and the premature turning of children towards lucrative activities. Consequently, in these regions, the solution to school dropout problem cannot be restricted to the "provision of resources and educational/vocational orientation", as the Government claims in its Second and Third Report, but must include the restitution of education on a higher level in the scale of values, which can be achieved by the change of social models: meritocratic social advancement by means of ones studies, and generally speaking, rewarding of the individual efforts in all fields. Additionally upgrading of the Mass Media's educational role and enrichment of the images children are exposed to, other than consumer images, upgrading of culture as a value, better training in human rights etc.

² The procedure in question includes four consecutive steps (P.D. 201/98, article 11, par.2b): in the first place, the pupil's family is looked up by the "municipal or police authorities". In case this search proves fruitless, interruption of school attendance is reported to the competent Head of service, who is also handed all the documents relative to the search for the pupil. The Head of Primary Education (P.E) office or Directorate looks for the missing pupil in all the schools of the prefecture. If that action does not yield any results either, than the Head of the P.E Office submits a report, containing all the facts of the investigation to the Direction of P.E of the Ministry for Education and Religious Affairs. Search in all the country's schools is conducted by the P.E Studies Directorate of the Ministry.

³ Art. 3 of P.D 485/83 (O.J 184A).

⁴ Art. 3 of P.D 485/83 (O.J 184A).

⁵ See. <http://www.pi-schools.gr/programs/par/p5.html>

As for the issue of Roma children dropping out of school, their restricted financial resources are not the only cause of the problem. Negative reactions to their schooling don't only come from their parents, but also from certain educators⁶, a fact which is highly indicative of the insufficient information and rising of awareness provided by the State to the educational agencies themselves.

More specifically, studies in Greece have shown that the percentage of Roma children enrolling in primary education doesn't exceed 40%.

Given that most of these children interrupt their schooling very quickly, the percentage of Roma children who have a regular schooling is in reality much lower. Their numbers in the secondary and tertiary education are practically nil, while the percentage of illiteracy among Roma amounts to 80%.

More specifically, in relation to Roma children education, the following can be stated:

Total absence of systematic pre-school education

Low percentage of enrollment in schools

High percentage of school dropout from the first year of Primary school

Poor school attendance rate

Poor performance

The factors which play a prevalent role in the exclusion of the Roma children from the educational system are directly associated with poverty, discrimination and prejudice and can be classified in three categories:

A. Difficult living conditions

-insufficient medical care and no vaccinations

-insufficient clothing and school supplies

-nomadic way of life impeding regular school attendance

-living in settlements or camps situated at a great distance from school's

-parents' illiteracy and their lack of a reading and writing skills

-high percentage of working children

B. An educational system which reproduces social exclusion because:

1. It is incapable of catering to the particular needs of Roma children, as it lacks wide inclusion policies based on alternative and novel educational approaches which appreciate and tap on the cultural assets of vulnerable social groups

And

2. It doesn't encourage cooperation between schools, state or municipal social services and NGOs which are in contact with the families

C. An attitude of rejection on behalf of fellow students, parents and often of teachers themselves. This may be the most important reason for Roma children dropping out of school.

As to school dropout of immigrant children, supportive and preparatory courses needs to be enhanced and intensified for children to learn fluent Greek, in order to enable them to be placed in a class suitable to their age. If immigrant children attend classes without knowing the Greek

⁶ National Committee on Human Rights, Annual Report 2008, p.50.

language the right to education – art. 28 of the Convention – for all pupils is violated as they are not in a position to understand and follow the lessons to the degree required. Equally for their class mates who know Greek but cannot progress due to the delays in the educational process.

In relation to participation or dropout rate of children with special abilities, the voting of a new law 3699/2008 on Special Education which replaced the previous one was in spirit opposite to the European outlook, has created new problems. Consultations were very short and inconclusive. The Ombudsman for Citizens' Rights submitted a memorandum of recommendations.

A great number of articles in objection to the law appeared in the press and in education periodicals, as well as on the internet, uploaded by associations, societies etc. All objections relate to the regression of Education for All and to the pointless replacement of a law which was compatible with the spirit of the European agency for Special Educational Needs. (See the annex with the relevant articles and the Proposal of the Editing Committee of the magazine “the child – special rights”, on the bill of law for Special Education.

No measures have been taken to help poor students' access schooling and not to drop out.

The number of Reception classes has been increasing at a very slow pace in primary school and has remained practically stagnant in secondary (par. 355). A table is attached to the annex, showing the approvals for 2006. The table in question reveals that there is no funding for the access and reception of pupils with special educational needs in regular school by means of a supportive classes, despite the fact that the maximum number of Reception classes has been approved by law.

Supportive Teaching (Remedial Education)

Courses for Supportive Teaching begin with delays almost every year. There are several reasons for this, the main one being the insufficient number of teachers. Classes are usually staffed by permanently employed teachers who cover all their working hours and they can not be sufficient for all the extra hours supporting classes require. Despite the Ministry's promises every year that it will proceed to recruit more teachers on hourly payment, this doesn't happen and consequently parents and students alike are turned towards private institutions, at least those who can afford it. Another problem is that no data kept regarding supporting classes which are set up. While initially the limit number of students in such classes was to be between 5 to 10 at the most, the number was increased to 14, although it has been shown that a class of above 10 students doesn't operate effectively.

Reception Classes I & II and preparatory courses

Late starting of lessons in reception and preparatory courses causes major problems, as newly graduated teachers appointed on a temporary basis with little experience and no specialization are mobilized to fill the gaps. Late starting of lessons results in late dispatching of teaching materials, which further deprives practitioners of adequate support. The tests pupils have to take focus on their level of knowledge on the Greek language alone and not on their overall educational level, while knowledge of their mother tongue is completely ignored which is totally incompatible with the principles of intercultural education. A very indicative example of this is the court action taken against of Mrs. Stella Protonotariou, head Mistress of the 132e Primary School of Grava. Mrs. Protonotariou was transferred and is now facing criminal charges, accused of illegally using the school premises in the afternoons to give free lessons of Albanian and other languages to the pupils of the school and Greek language lessons to their parents.

Intercultural Schools

According to data on the official web site of the Ministry of Education

(<http://www.ypepth.gr/eleccategory196.htm>) and the Institute for Greek Diaspora Education and Intercultural Studies (http://www.ipode.gr/default.asp?V_ITEM_ID=918&VLANG_ID=6), the total number of intercultural schools in the whole of Greece is 26, only in 6 out of the 52 prefectures of the country. These are 13 primary schools, 9 gymnasiums and 4 lyceums. The 13 primary schools are distributed as follows: 3 in Attica, 6 in Thessaloniki, 1 in Ioannina, 1 in Chania and only 2 in the Prefecture of Rodopi. Out of the 9 gymnasiums, 4 are in the Prefecture of Attica, 2 in Thessaloniki, 1 in Ioannina, 1 in Kozani and 1 in Rodopi. Numbers speak for themselves. In Greece where the numbers of immigrants have grown exponentially over the last decade and these people live and work everywhere in the country and not in 6 prefectures alone, these intercultural schools are nowhere near answering their real educational needs.

Compulsory preschool education

December 2006: a law is voted making compulsory the attendance of the kindergarten (L.3518, art. 73, OJ 272 issue A', 21.12.2006). According to the Ministry of Education, to make preschool education compulsory was judged necessary by scientific studies in which it is pointed out that pre-school education plays a decisive role in the academic progress of children and in their adaptation to our very demanding modern society.

Unfortunately however, this one year of compulsory preschool education ended in nothing, as it was not accompanied by concrete measures, such as construction of new class rooms for the kindergartens (there is an urgent need for the opening of 1600 kindergartens), and recruiting of kindergarten teachers. 70% of the country's kindergartens are housed in unsuitable buildings and kindergarten teachers are obliged to teach 25 kids in 15 square meter rooms. Public kindergartens in the capital cities,, mainly in Attica and Thessaloniki, cannot receive any more children in their already super full premises. In all-day schools, classes have to function with 25-30 kids and due to lack of infrastructure provide only care, rather than educational activities to them.

As the state does not provide the necessary infrastructures to cater for the needs of all kids who go to kindergarten, many of them have no alternative but to turn to private education. The establishment in 2008-9 of compulsory preschool education increased significantly the number of private kindergarten pupils. This measure however has an impact on even younger children, as the needs of a compulsory enrolment for the five year olds are met by taking away places from nurseries. Even today things are not clear. Within 3 years the situation has changed over and over again because of the different laws at play (2006-2009), making life difficult for kids, parents and teachers alike.

4. "Public Kindergarten is going through a very serious turning point in its history", Stella Traga, a Kindergarten teacher and a member of the coordinating council told the newspaper "To Etnos tis Kyriakis" during an interview. She added: "after the voting in of the law on one year of compulsory preschool education and given the State's inability to cater for the needs of all children aged between 2 and 6, municipalities were given the opportunity to open up kindergartens in nurseries. The same possibility was given to private nurseries, introducing thereby some adequacy criteria. By means of the new amendment 683/14-04-2009, the very same criteria the Ministry had set up are not in force any longer and everybody feels entitled to a leave of absence! To mitigate the confusion prevailing, the Ministry issued the decision Φ.6/50654/Γ1 6-5-2009, which allows for the possibility to enroll kindergarten children in the first class of primary school.

359. With regard to special Enrollment Card for Roma children (in force since 1996), the creation of pupil's registry, accessible by all school units, has been proposed. NGO's pointed out that such a measure violates children's right to privacy.

Teachers' recruitment (paragraph 67γ)

361. The second teacher practice for other languages has not been applied in practice.

6. Space and facilities in schools (par. 67ζ)

Reduction of school units by 0.2%, due to respective cuts in the number of Primary Schools, mainly by abolishing multigrade school units and reducing the number of Technical Vocational Education schools (TEE). It should be pointed out that Junior High Schools (Gymnasiums) and General Senior High Schools (Lyceums) show a 0.8 to 0.9% increase per year.

The “survey” undertaken by the Educational Research Center for the 2003-2004 school year has shown that: 49.1% of kindergartens are housed in the same buildings with other schools. This percentage is even higher in Attica basin (55.3%). Double shifts have even reached the preschoolers in 4.7% of kindergartens. This percentage is indeed 7.3% in Attica-Piraeus. For schools housed in the same buildings, double shift rate is even higher, at 8.1%. As for the ‘location’ of kindergartens in the city, data are dramatic. 3.6% are close to industrial or manufacturing plants, 2.3% are close to pollutant places, 31.6% to highways and 6.7% to sound pollution sources. As far as the buildings’ age is concerned, it occurs that a significant percentage (21.4%) is housed in buildings that are more than 40 years old and 9.8% in buildings more than 30 years old. The percentage of kindergartens housed in rented buildings (14.1%) is higher compared to other schools (2.1% for primary schools, 3% for junior high-schools, 3.4% for senior high-schools, 11.9% for TEE). Of the rented buildings, 8.4% had been build asshops, while 8.4% had been designed for other uses, not clearly defined. There are still wood-burning stoves. It is particularly interesting to see here how school principals assessed the general condition of buildings, the functionality of premises and the structural health of school buildings. As for the first, the general condition of buildings, 6.8% characterized it as poor, 38.9% as mediocre and 54.3% as good. The premises’ functionality was assessed as poor or mediocre at 13.5% and 45.1% respectively. But what really needs to be reflected upon by those in charge is that 46% of the principals consider that the schools’ structural state is poor or bad. Respective concerns have to be raised by the fact that 14% of the school principals reported inadequate water supply and ventilation, 18% insufficiency of natural light and 12% inadequate heating. There is indeed a percentage of 2% stating that heating has not worked at all. In the academic year 2003-2004 when this “survey” is taking place, there are nursery schools trying to be heated with electric stoves (12.1%), gas stoves (0.2%), oil stoves (5.9%), even with wood-burning stoves (1.4%). Information Technology labs are available only in 1%, Arts Room in 0.2%, Music Room in 0.2%, Library in 0.8%, Multiple Use Rooms in 4%, Theater in 1.6% and Auditorium in 0.6%. Only 27.6% of kindergartens have a kitchen, a place of particular importance if we are talking about all-day schools, and only 0.2% has a medical office. Photocopying machines are available at 42.5% of schools, camcorders at 2.2%, slide projectors at 13.7%, projection screens at 7.2%, timberwork material at 60.1%, clubs/hoops at 80.4%, microphone installations at 8.8%, peg puzzles (sizes/shapes) at 55.7%. 3.6% of the kindergartens do not even have a school yard available. 26.6% report lack of green spaces. The surface of the area per pupil during the break in Attica basin is just 8.6 m². 24.4% of the kindergartens do not even have water taps in their yard. Only 19.2% of the kindergartens have a playing yard, while sandpits are available just in 15.7%.

7. Training and updating for teachers on multicultural issues of interest (67η)

Teachers’ needs for continuous and ongoing further education and training become urgent, especially on issues related to cultural diversity, since the number of pupils from foreign countries keeps rising.

The existing training programs for teachers are inadequate duration-wise, and ineffective as far as their methodological approach is concerned.

Initial teacher education programs need to be reformed, and constantly renewed further training is required on a regular annual basis.

8. Academic credit for school attendance (par. 67θ)

365.

After eight years, and despite the indisputably positive steps taken in relation to the enrolment of foreign students residing in Greece (Greece’s second and third report, par. 365), the issue of

full school recognition for school attendance by migrant children remains unresolved, causing problems also linked to school drop-out and vocation of those students. Although for the enrolment of minor aliens with public schools the supporting documents required are respective to those prescribed for Greek nationals⁷, certain exceptions have been provided for. Thus, according to article 40, par. 3, L.2910/2001 (Gazette 91, A'): "the following minor aliens may register with public schools despite lacking complete documentation: a. children of aliens protected by the Greek state as refugees and of those protected by the United Nations High Commission, b. children of aliens who come from areas with irregular conditions, c. children of those who have applied for refugee status, d. children of aliens who stay in Greece although their legal stay in the country has not been settled yet".

However, this last exception actually concerns exclusively the existence or not of a residence permit and has nothing to do with the other supporting documents required for enrolment.

Therefore, if this documentation is incomplete, i.e. if for example the primary school leaving certificate or other certificate proving completion of one or more years of primary or secondary education is missing, or if there is no birth certificate, then the pupil is not registered in the rolls, and no degree is granted even if he/she has successfully completed the school year. Such pupil is considered to be a listener, and is only granted a certificate of attendance.

This constitutes a violation of the right to education vested in article 28, par. 1 of the Convention on the Rights of the Child, where the right to acquisition of a degree under certain conditions is also included. Taking into consideration the circumstances under which most migrants enter Greece, we consider that practically it is almost impossible that they hold the supporting documents required for their children's enrolment with any school. Besides, it is difficult for them to get the papers later on with the mediation of their country's consular authorities, both because of bureaucratic rigidity, and also because many illegal immigrants avoid contacting those for fear of potential deportation or acceleration of other unfavorable measures against them.

Practically, the obstacle of lacking necessary documentation could actually be overcome relatively easily, especially as far as degrees are concerned. Pupils or students could take rating exams and be integrated in a certain grade, after having first attended intensive language courses.

9. Objectives of education (par. 67ι)

366. Educational goals were improved by law in 2003, including the support and promotion of children's rights.

According to the General Principles of the Law:

H.

«η) Raising awareness on issues related to human rights, global peace and ensuring of human dignity.

School has to be a place of exemplary implementation of human rights principles, such as respect for the other, ensuring of individual dignity, freedom from any form of discrimination, freedom of thought and expression, participation and cooperation. The whole range of the educational process must constitute an application of article 1 of the International Convention on the Rights of the Child, which stipulates that it is "the best interest of the child" that has to be considered and warranted".

To implement the above, a special educational program was set up under the title "KALLIPATEIRA", to train pupils on human rights. It was Physical Education Teachers (!) who were called upon to teach the program, because of administrative incoherence in the Ministry of Education and Religions regarding the adoption and promotion of Olympic Education.

One more example of "inconsistency" in relation to the implementation of the legislative framework is the fact that, although it is stipulated that students "of a different religion" may be exempted from the lesson of Religious Education, in practice no provisions are made for them

⁷ Article 40, par. 3, Law 2910/2001 (Official Gazette 91, A')

to make any other use of the school hours when Orthodox Christian Religion is taught according to the weekly schedule, so they finally stay in the classroom.

The overview of education in the context of the International Convention on the Rights of the Child does not serve the purposes, as it is characterized by several overlapping laws which, thus, are ignored and not being applied by teachers, incomplete training of educators on all levels, gaps in the educational process, discriminations in students' admission and stay, problems in the appraisal process, material and technical inadequacy, poor mapping of educational needs and lack of coordination among agencies involved from other Ministries and Local Authorities.

SPECIAL MEASURES

1. Police force

During the decade of reference, Central Social Service was established at the police headquarters, and the plan was for local police stations to be staffed with specialized personnel (social workers, psychologists, health education officers).

(See police force information from Amnesty International)

2. Refugee and asylum seekers children (Paragraph 69)

376. The statement that in all cases of unaccompanied minors seeking asylum and refugees the Public Prosecutor for minors undertook legal responsibility to act as a guardian is not holding truth. Up to June 2008, when the new draft law on asylum procedures applied, rarely the prosecutor of minors took responsibility as a special commissioner in cases of asylum applications and asylum-granting. Additionally no guardian was appointed to unaccompanied minors seeking asylum in the reference period. The response of the Public Prosecutor for minors was s/he could not identify either a natural person or a legal one which would fulfill this role (lack of social services department attached to the public prosecutor for minor's office).

382. Although since the beginning of 2007 a separate juvenile detention facility was created in Amygdaleza area of metropolitan Athens, question remains regarding detention of female juveniles; who at the moment are detained in the same facility with adults in Athens Aliens Police Headquarters. Male juvenile offenders are detained in the same jail with adults. By the end of 2009 the medical facility of the detention section in the Aliens Police Dept was not staffed with appropriate medical staff. Only one non-governmental organization (Medical intervention / Med In) was offering medical and psychological support to detainees, male and females, implementing a European program funded by the European Refugee Fund, (renewed annually through a bidding process).

At the specific time of reference, cases of minors who were detained were recorded (see related articles), although since 2007 it was observed that the detention of minors was brief, only for few days in most cases, but still with adults. Also in the reporting period the length of time required for asylum procedure was not shorter specifically for juvenile cases (e.g. cases of asylum applications after 2005 are still pending final decision).

The only legal representation minors can have access to is from NGO's and independent agencies that provide legal assistance and not from any governmental body. No special asylum procedure is applied for refugee children and especially unaccompanied ones.

The procedure followed by the Police is no different for children than the one followed for adults, eg. there is no child psychologists present or any specialized personnel at the interview of the child, and for the collection of personal data. In cases of repatriation to Albania there is no prior investigation of the family conditions where the child returns. Illegal minors have access to health only in cases of emergency. Regarding education they

can occasionally registered as listeners with difficulties in obtaining proof of attendance. Especially in cases of unaccompanied minors where the juvenile prosecutor that supposedly acts as a Guardian is only responsible for the asylum procedure and not for any other aspect in the child's life. In matters of appointing a guardian: thArticle 19 Presidential Decree 220/2007, provides that "in case of unaccompanied minors, the competent authorities shall take appropriate measures to ensure the necessary representation. For this purpose the competent authorities shall inform the Public Prosecutor for Minors and, where there is none, the territorially competent First Instance Court, acting as temporary guardian and arranges for the appointment of Guardian." In practice, when the Public Prosecutor for Minors is informed undertakes action limited only to the asylum procedure, following that there is no responsible body/institution nor suitable person to be appointed as a guardian for the minor.

The registration of a child at school requires a person with parental responsibility, role that a guardian should fulfill, in order to monitor the child's performance, his/hers participation in events and trips and generally to advise, support, communicate and work with teachers to resolve any problem.

Regarding employment, the appointment of a guardian is absolutely necessary to conclude a valid contract, to issue a child labor book, to get work permit and to issue social security and tax number. Without a guardian for in practice, unaccompanied minors are employed illegally, often working long hours and in jobs that are prohibited to minors by employment law.. Their employment rights are being circumvented and the children are often exploited. Child labor is an intractable social problem. In the case of an unaccompanied minor, the situation is getting worse because none is there to ensure appropriate conditions of employment and their employers do not respect the rights of children.

This demonstrates that the institution of the Guardian for unaccompanied minors remains inactive until now, due to lack of structures, institutions and natural or legal persons that could undertake practical representation of children and ensure their protection. We believe that our duty is to exert pressure on the authorities, to remove obstacles and that it is possible to urgently appoint legal representatives for all unaccompanied minors.

Note, that the Government's report does not separate between protective measures for migrants and refugees, the way that police responds and the lack of a guardian's appointment makes no difference whatsoever in addressing the needs of the two populations. Additional information is provided in the Appendix, where two reports are attached : a) a report from the Greek Council of Refugees, titled "**Separated Children in Greece: Concerns and Suggestions**"; and, b) a report by the Human Rights Watch.

4. Street children (para. 73rd)

The report on the subject of child labor presents only legal provisions concerning minors' formal employment prerequisites. The population of these children is neither recorded nor supported, while in cases of unaccompanied children or families with children that lack legal documents, there is no access to any state structure for support.

During 2004 - 2007, around 450 minors appeared in Athens and Thessaloniki who were working illegally, selling items at nightclubs and entertainment places. Most of them were Roma from Albania, and, in most cases, their parents were illegal. (NGO ARSIS- TACT project).

Moreover, the fact of the non-appointment of a guardian to unaccompanied minors in order to protect them, and the lack of adequate hospitality structures/ shelters, drove a large proportion of children to work in particularly dangerous and inappropriate conditions (construction, agricultural, livestock operations, etc.).

In addition during the review period , no efforts were recorded to reduce the number of minors involved in difficult, skilled and inappropriate occupations.

Despite calls and the implementation of a number of relevant programs by non-governmental organizations in cooperation with the Greek state, the issue does not seem to be of priority (see Amnesty International/ 200 juvenile loss).

Child trafficking

Specific and comprehensive actions involving child victims have not been observed. Regarding child victims, while the relevant law provides for specialized accommodation and support shelters, , these are not staffed with trained personnel, as they aim to accommodate every child in need of accommodation (removal from the family environment, orphans, unaccompanied minors, etc.). In most cases these are places for children up to 12 years of age. There are no places for hosting minors over 12 years old, either specialized in cases of child victims, or specifically oriented for girls over 12 years old. There are no specific provisions for child victims.

Juvenile justice (para. 79th)

The institution of juvenile probation remains inadequate and understaffed to properly support juvenile offenders. At the same time in various parts of the country, the Ministry of Justice operates “shelters” for young people exhibiting delinquent behavior

According to the national report “the decriminalization of children begging has proceeded, also ensuring that the new situation will not be exploited by adults who use children as beggars.”

Homelessness, however, has not been decriminalized.

According to the national report, new measures are in place “to ensure respect for all standards of juvenile justice, including the rights of children during arrest and detention procedures, and minimum conditions of detention and unlimited rights of appeal and legal advice, for free interpretation where needed and any other relevant assistance.”

The family court, however, is still not established. Also, legal aid does not respond fully and effectively in all cases involving minors, due to the lack of permanent support from defense lawyers.

Detention before trial is still in use, particularly in cases of illegal entry into the country, while alternative detention measures are not available. . The penalty of ‘community work’ as a form of minors’ rehabilitation has only taken place in certain circumstances in large urban centers.

Law provisions permitting the imprisonment of a child for a period of more than 20 years have not been eliminated. Minors without a supportive environment and with limited economic means, face insurmountable obstacles in their exercise of civil rights, particularly when confronted with criminal justice. Juvenile victims of crime have very limited access to legal aid (N.3226/04). As regards the accused minors, the issue becomes more difficult. Under Article 18 of the Criminal Code a minor is regarded as having ‘committed a crime’ even if prosecuted for felonies (Article 18 PK). Thus, until 2009 – there was no provision to automatically appoint a defense lawyer from the juvenile court office, even for felonies. For the same reason, in principle, the minor is not covered by legal aid.

In addition, because the legal aid law does not explicitly provide for the appointment of a defense lawyer in cases of juvenile offenses, minor defendants have been denied the right of defense.

In some cases, minors are covered by a specific project run by the General Secretariat of Youth. This project, however, does not cover all children, as it is not implemented across the country and has limited (ad hoc) resources.

We have to note here that, even if the criminal law provides for the possibility of automatically appointing a defense lawyer for juvenile cases and felonies, the issue will not be resolved as the

system of appointment does not automatically guarantee the effective defense of the child. Suffice to note that in cases of automatic appointment, the lawyer is appointed by the court. In these cases the lawyer is unknown to the accused, it usually has only a few minutes to prepare the case and the prerequisite of a previous conversation with the defendant is not guaranteed.

In comparison with the previous national report on this issue, a limited number of new legal provisions have been introduced in the relevant legislative framework. Even regarding these improvements however, there is still inadequate support in terms of staff and structures.

Appendix

Separated Children in Greece: Concerns and Suggestions

Mariella Michailidou

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Athens 20/09/2006

Outline

This paper attempts to present in a concise manner the difficulties faced currently by separated children in Greece in relation to their legal status and the absence of an integrated policy framework and services offered to them. It is necessary to approach both the legal and the social care aspects of the issue together as the latter derive directly from the former and they are equally important in influencing the day to day lives of separated children. Hence, I am grateful for the information, advice and directions regarding the legal framework provided to me by my colleagues in the legal department of the Greek Council for Refugees. References will be made to the International and the National legislative framework when necessary. The aim, however, is to approach separated children asylum seekers in a holistic way as viewed by a social work practitioner such as myself with experience in child care and direct work with separated children in the Greek Council for Refugees.

While it is recognized that this paper can only schematically touch upon some of the complex issues concerning separated children, it is also hoped that it will serve as a starting point for a discussion. The paper is organized in two parts. The first section brings together key definitions of separated children and sketches the Greek legal framework on the issue. The second section discusses the care provisions made for these children focusing on parental responsibility, accommodation, health, education and employment.

“We cannot begin to improve the lives of disadvantaged and vulnerable children unless we identify their needs and understand what is happening to them in order to take appropriate action” (DoH, 2000, p. vii).

Separated Children

- According to UNHCR, an unaccompanied asylum seeking child is someone under the age of 18 years who has been separated from parents and other adult care-givers, is making a claim for refugee status and needs the care and protection of welfare services in the country of asylum while that claim is examined and settled (UNHCR, 1994, *Refugee Children: Guidelines on Protection and Care*).
- A broader definition is the one stated in the Separated Children in Europe Programme (SCEP) statement of good practice which includes: “...children under 18 years of age who are outside their country of origin and separated from both parents, or their legal/custody primary care giver. Some children are totally alone while others who are also the concern of the SCEP may be living with extended family members. All such children are separated children and entitled to international protection...” (Save the Children and UNHCR, 2004, p.2). The latest definition includes unaccompanied minors while it draws attention to the need for support and protection of minors presented to the authorities with an ‘uncle’ or a ‘brother’ supposedly willing to look after them.

Asylum applications submitted by Unaccompanied Minors in Greece

206	247	314	302	158
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(source: Ministry of Public Order)

In some European countries such as the UK a child is not considered unaccompanied if he/she is being cared by an adult that assumes responsibility. In the UK, the ability of the ‘responsible’ adult to offer adequate care to the child is assessed by social services only in cases of concern (Home Office-Immigration and Nationality Directorate, *Unaccompanied asylum seeking children*, par.1.2).

In Greece, however, it is up to the Aliens’ Police Authority to accept that an adult accompanying a minor has ‘responsibility’ for him or her. This practically means that in some cases (observed mainly at points of entry) an Asylum claim is lodged in the name of the adult and includes the details of one or more minors. The aforementioned practice alleviates the Aliens Police from any responsibility to alert the relevant Authorities for the existence of a separated child, but has no real effect on the minor’s Asylum procedure. The minors Asylum claim will be examined on its own right.

Additionally there is no formal procedure for assessing the adult’s relation to the child and his/hers caring ability. It should be noted here that the only way for a non parent to undertake formal parental responsibility in Greece is to apply to the Courts for a Care

Order. Needless to say, informal carers of unaccompanied minors are either unwilling or unable to undertake such a responsibility due to their illegal immigration status.

Research points out that there is a long standing conflict between immigration law and children's best interests. In the case of Greece this was observed by the Ombudsman for Children's Rights in his Special Report in October 2005. His key finding, based on a number of inspections and researching activities suggested that "...the status of a minor - which requires protection according to national legislation and to the international obligations of the country – retreats to a second place under the status of an offender of immigration legislation, resulting to further abuse of his rights from exactly the same authorities that have the duty to protect him" (Pavlou, Dec.2005).

Clearly such a practice is in contradiction with the European Council Directive 2003/9/2003 of January 2003, ratified under the Greek Presidency. The directive is laying down the minimum standards for the reception of asylum seekers. In Chapter IV Article 18.1 it states that: "*The best interests of the child shall be a primary consideration for Member States when implementing the provisions of this Directive that involve minors.*" It is worth mentioning here that the final date for its Implementation in the Member States was 06.02.2005.

National Legislation : Asylum Procedure

The Presidential Decree no. 61/1999 on the submission of asylum claims is the only piece of legislation which specifies/guides the access of unaccompanied minors to the asylum procedure. According to Article 1.4:

"An asylum claim can also be submitted by an alien aged between 14 and 18 years old who is not accompanied by his parents if, from the general situation the interviewer considers that his mental maturity allows him to comprehend the meaning of this action. In any other case of asylum claims submitted by aliens under 18 years old who are not accompanied by their parents or other guardian, the competent police authority informs the Public Prosecutor for Minors and, when such does not exist, the locally competent First Instance Public Prosecutor, in order that he acts as a special temporary guardian of the minor until the final decision on his claim has been taken." (Official Gazette no.63 (A'), 6 April 1999).

1.1) Age Determination / Identification

Currently there is no formal way of assessing the age of a minor. In the majority of cases the aliens' police is accepting the age declared by the minor in his asylum claim, while a medical examination is not required. The age stated in the initial asylum claim is following the claimant throughout the procedure. There is no formal procedure allowing for the change of personal details, including age, except in cases where the minor produces a birth certificate or other relevant documents from his country of origin.

Concerns

- In some cases a discrepancy has been observed by the Greek Council for Refugees (GCR) between the age written on the asylum application, usually older age is stated, and the age the minor is claiming to have. The asylum application presents the minor as an adult. Such a discrepancy alleviates responsibility of the authorities to alert the Public Prosecutor for Minors and also plays a role in the crucial issue of the minor's detention.
- A number of reasons as well on the minor's part explain why he or she states the wrong age. "Sometimes they may not even know their age or have been instructed by their 'agent' to lie about their age and say a certain age. In some places, dates of birth are not important and birthdays are not celebrated. In some places, calendars are not even used, or different calendars are used and converting from one calendar to the other can be difficult and produce wrong dates" (Markova, 2005, p.11). In the Greek case there is also the possibility that some minors are informed that if they are registered as adults they will have legal access to the labour market.
- UNHCR points out another major obstacle noted at the points of entry of separated children:
 "Their identification by the authorities is often hampered by the absence or the lack of permanent translators to facilitate communication. ... Some separated children in detention are identified by refugee agencies or humanitarian organizations" (UNHCR, Representation in Greece, Dec.2005). As a result, access to the asylum procedure is not guaranteed and separated children are not treated consistently.

Suggestions

- Formal procedures should be put in place for the identification of separated children and for their referral to child welfare services. (UNHCR, Dec.2005).
- The authorities should keep in mind that age assessment is a complex task and even medical evidence can have a margin of error of five years either way (Kings Fund UK, cited in Markova, 2005, p.10).
- The Home Office UK (2002) suggests that: *'age assessment is a process, not a single event'*. This should be carried out over time through direct work with the children. Such an approach provides for a holistic assessment of their experiences, skills and needs and can give a more accurate judgment of their age group.
- UNHCR's Guidelines on Refugee Children should be followed (1994). As Article 5.11 states:
 "The child should be given the benefit of the doubt if the exact age is uncertain". The Ombudsman for Children's Rights in the 'Guidelines for the Treatment of Separated Children Seeking Asylum in Greece' (2005) also agrees with the above statement.
- Provisions should be made available for medical examination which is culturally and gender sensitive in cases of dispute if the claimant requests so. The assessment can be carried out by an independent medical expert and should take "ethnic origin and other relevant aspects into account, e.g. whether the tested person has lived under conditions of hunger." (Green, 2000, p.12)

- Provisions should be made so that authorities that come in contact with separated minors have access to a pool of qualified and trained interpreters.

1.2) Detention

In many cases separated children are detained on the assumption that they are adults since it is a criminal offence to enter the country without having legal documents. Thus, the issue of their detention is directly linked to their age identification difficulties.

Concerns

- Significant concerns are raised by research (Save the Children, 2005) pointing out that children's detention can affect their mental health, their emotional and cognitive development and can trigger child protection issues.

Suggestions

- "Unaccompanied minors applying for asylum should *never* be detained because they entered the country without following legal procedures" (my emphasis, UNHCR/ Ombudsman for Children's Rights, 2005, p.5).

1.3) Decision on maturity

No formal criteria exist on the 'maturity' decision. It is up to the interrogating policeman contacting the interview to decide on the minor's maturity and comprehension ability. As a result, all minors between the age of 14-18 that come to GCR's attention have been judged mature enough to follow the asylum procedure in the same way adults do.

Concerns

- Interrogation officers responsible for making decision on the child's maturity have no training or experience on child cognitive and emotional development. Thus, they cannot effectively assess the maturity of the child, especially in the complicated legal context of the asylum claim.
- No written justification is made on the assessment of maturity. Hence, it is very difficult to challenge the authorities' decision.
- No practice of obtaining independent experts opinion on maturity exists. Formally there is no provision for an assessment by experts (such as child psychologists, child care social workers or doctors) to be taken into account by the authorities.
- Specific supportive measures in the form of a Guardian or Legal representation are not in place. Hence, it cannot be ensured that the 'best interest of the child' principal is adhered to and the rights of the child are respected.

Suggestions

- The decision on maturity should be documented as any other administrative decision.
- UNHCR’s Guidelines on Refugees section 5.7 should be implemented:
 - “a guardian or advisor should be appointed as soon as the unaccompanied child is identified. The guardian or advisor should have the necessary expertise in the field of child-caring.” (cited in Green, 2000,, p.24),
 - The role of the Guardian can be described as a responsible and specially trained adult that will:
 - ensure the rights of the child;
 - ensure that the best interests of the child are adhered to in all decisions made;
 - co-ordinate contact with adults and organisations;
 - ensure the housing, schooling and the health services required r;
 - support the minor during the asylum process;
 - assist the child in tracing family members.
- A Guardian should be appointed for every minor under 18 years old regardless of their ‘maturity’ when there is no adult holding parental responsibility for him or her (Refugee Children’s Consortium, UK).

1.4) Interviews

In the rest of the articles of the Presidential Degree no. 61/1999 there is no reference to separated children. Consequently, no formal procedures or good practices are put in place recognizing the vulnerability and the special needs they have. For example, in Article 2.3 setting out the examination of Asylum applications there is a reference to women asylum seekers as a vulnerable group. In this case it is recognized that “...*the interview [should be] conducted by a specialized woman interviewer in the presence of a woman interpreter.*”, but there is no mentioning of any special care to be taken for minors.

Concerns

- Interviews are conducted by interrogation police officers that are not specially trained to work with children.
- There are no formal procedures or good practice guidelines guiding interview practices that differentiate interviewing techniques for adults and children.
- There is no provision for interviews to take place in a child friendly environment and for a different time-scale to be allowed for minors.
- The initial decision on the asylum claim is based on one interview as in the case of adults.
- There is no recognition that trauma can alter the cognitive competence of the child and the ability to pass on information during interviews (Kohli, 2005, Green, 2000, Stanley, 2001).

Suggestions

- “In all interviews with children it is crucial that the appropriate safeguards are in place to ensure interviews are conducted in a manner compliant with the best interests of the child” (Refugee Children’s Consortium, UK, p.13)

- “All those who are involved in interviewing must receive appropriate and comprehensive training” (ibid)
- “A child friendly environment must be created in which the interviews can take place, and steps must be taken to ensure that the interviews are conducted in a language and using words the child can fully understand” (ibid). Questions formulated to aim at adults should be altered to match the child’s understanding and abstract wording and technical expressions should be avoided (Green, 2000).
- Sweden offers an example of good practice in this area. Separated children are interviewed by caseworkers with different relevant qualifications and receive monthly counseling by a psychologist. Moreover, children have one to six interviews with a caseworker (Green, 2000, p.15).
- The suggestion of Save the Children UK (2002) should also be taken into consideration. Minors, instead of applying for asylum, should be allowed to apply for a short-term permit of six months. This will give them enough time to receive appropriate services, enabling them to reflect and decide on whether to return home, apply for asylum or for leave to remain on humanitarian grounds.
- The aforementioned time-span is a recognition that children find it difficult to pass on information relevant to their past experience and life circumstances, and that it is only after a period of time that they might feel confident to do so (Kohli, 2005).

Child Care

2.1) Parental Responsibility

Separated children are by definition lacking a responsible adult in their lives to exercise quasi parental responsibility. The asylum process provides that Public Prosecutors are notified and act as guardians of a child when the latter is under 14 years of age (Presidential Decree 61/1999). Obviously, however, the role of Public Prosecutors can not embrace the day to day exercise of parental responsibility of separated children. Law no. 2447/1996 Article 1592 is making provisions for the court to appoint an adult as the minor’s guardian. In the absence of such a person, “...the guardianship of the minor is assigned to an institution or association especially founded for that purpose that has appropriate personnel and infrastructure, or otherwise to the competent social service” (Article 1600).

Concerns

- Although the Presidential Decree 61/1999 provides for the Public Prosecutor for Minors or the First Instance Public Prosecutor to act as a guardian until a final asylum decision is made, this is not a pragmatic provision. As it was stated in 2002 by the then Public Prosecutor for Minors:
 “The Prosecutors without specialized knowledge in Social Work and the structure of social services, institutions and accommodation placements, and in light of the absence of a legal framework and adequate ...administrative support, are literally trying breathless to anticipate social needs.”

- The lack of a competent agency that can undertake corporate parental responsibility for separated children during their residence in Greece and formally represent their rights is detrimentally affecting all areas of their lives such as safety / protection, education and employment.
- The aforementioned gap in provisions effectively means that currently there is no statutory agency that holds *overall* responsibility for the welfare of separated children. Hence, they cannot be traced and are vulnerable to exploitation.

Suggestions

- As it has been suggested by UNHCR and the Ombudsman for Children’s Rights, “...the creation of the judicial Social Service, as provided for in article of law no. 2447/1996, which could undertake the guardianship of separated children should be made a priority for the Ministries of Justice and Health and Welfare” (UNHCR, Rep.in Gr., Dec. 2005, UNHCR/Ombudsman for Children’s Rights, June 2005)
- A specialized sufficiently staffed team of child care professionals that hold statutory responsibility for asylum-seeking separated children needs to be established. This team can operate under the aegis of the Ministry of Health and Social Solidarity, the Local Authority or under a specialized NGO supervised by statutory bodies.
- As suggested by GCR in 2002, until overall and comprehensive provisions that address the welfare of separated children in a holistic manner are in place, statutory or voluntary agencies should be identified in order to undertake temporary guardianship. Law no. 2447/1996 Article 1601 facilitates such an act. The function of the temporary guardian is related to specific issues such as school registration, the issuing of a work permit, tax office registration, or the issuing of a traveling document in case of a convention refugee child.

2.2) Accommodation / Reception Centers

As the institution of foster care is rather undeveloped in Greece, accommodation for separated children is provided exclusively by residential placements / reception centers. Since the beginning of this year the number of reception centers for separated asylum seeking children has increased. This was a positive development, initiated by the Ministry of Health and Social Solidarity. Currently four such placements are available with an overall capacity of approx. 100 young people. In order for a separated child to be placed in one of the aforementioned homes, he or she has to make a request for accommodation.

Concerns

- The referral of separated children to a safe and appropriate placement from the time they are identified at the point of entry is not a formal obligation.
- A high number of young people initially request accommodation but despite all efforts made they are eventually refusing the placements. Some of the reasons they give are related to their unwillingness to leave Athens or any ‘support’

- networks they may have in the city, while they are also conscious of the unknown prospects and anxious that they will not be able to find work there.
- As placements appear ‘unappealing’ or inappropriate to their needs - the way they understand them - they remain in informal and unsuitable accommodation arrangements with adults who are not assessed for their ability to care for children. In many cases the adults are 2 or 3 men living together under grave conditions and the child has to financially contribute to the household’s expenses.
 - In most of the cases that unaccompanied minors receive accommodation from the Greek Government they are placed in residential placements outside greater Athens. As a result, they have no contact with people from their own community, no access to places to pray or to their food. Hence, they might feel isolated and deprived (Rutter, 2003).
 - Reception centers are not always adequately funded. Consequently, they might be understaffed, lack specialized and experienced staff and rely on volunteers for Greek lessons or other educational and leisure activities. Hence, services offered are not always consistent, adequate and of high standard.
 - Although the reception centers place no restrictions in the religious practices of the minors, they make no provisions for such practices either (Τσοβίλη,Θ. and Βουτηρά, E., 2004).

Suggestions

- Formal procedures should be drafted clarifying responsibilities and practices for the referral of separated children to appropriate placements from their points of entry.
- Placements in the area of greater Athens should be identified so that separated children will not experience the loss of their communities, they will have easier access to services more accustomed to their needs, and they will integrate more effectively in the multicultural environment of the city.
- In order to avoid the feeling of an institution, reception centers should be of a relatively small scale, while members of staff from the refugee community may act as adult role models for the young people.
- There should be a shift in attitudes regarding the reception and accommodation of separated children. More emphasis should be given on human rights and on comprehensive assessment of children’s needs rather than on the fulfillment of their basic needs (Τσοβίλη,Θ. and Βουτηρά, E., 2004).
- Placements should be able to provide consistent educational activities either by registering children in local schools or by employing educational staff. Young people should be able to combine education with work if they want to.
- Placements should receive adequate funding by the Government in order to be able to fulfill the minimum standards of reception set by the EU.
- Minimum operational standards and good practices, together with procedures for a systematic assessment of the level and quality of care offered to separated children should be introduced by the Ministry of Health in cooperation with the NGO’s managing the placements.

2.3) Health

The health needs of registered asylum seekers including separated children are covered by the National Health System without charge. Such services include examinations, admission to public hospitals and medication.

Concerns

- Medical professionals do not have access to interpreting support.
- Lack of specialized mental health services for refugee children can be detrimental to their general wellbeing. Research by the Danish Red Cross shows that “unaccompanied minors often have a relatively high level of anxiety, depression and bad health. ...approx.30% of the unaccompanied minors had a need for specific care in the form of increased contact with pedagogical staff, psychologists and nurses and for support measures or treatment (Staeher, Lindskov and Carey,1997, cited in Green 2000, p.5).
- Children that have entered Greece unaccompanied and never claimed asylum are not entitled to free medical care, except in cases of emergency. The same applies to children that received a final negative decision on their asylum claim (Law, no 2910/2001). Thus, their welfare can be at risk.

Case example: Ahmed is from Pakistan and came to Greece when he was 12 years old. He claimed asylum soon after his arrival. He first came to GCR with an adult compatriot that was an illegal immigrant at the time. The adult claimed not to be a relative and not to be able to look after the child. The Public Prosecutor for Minors was notified and arrangements were made for Ahmed to be placed in a children’s home with other refugee children. The medical tests that Ahmed had to go through for his admission in the placement revealed that he has hepatitis. Eventually Ahmed refused to be accommodated and remained with his compatriot. Approximately six months ago Ahmed’s asylum claim was rejected on second degree. Currently Ahmed has no status and any potential health needs he has are not covered by the National Health system.

Suggestions

- It should be recognized that by definition separated children “will almost certainly have experienced situations where their safety and welfare were at extreme risk” (Markova, 2005, p.8). Hence they form a very vulnerable group with higher medical and psychological needs that requires special attention.
- All separated children should have access to primary health care independently of their legal status.
- Medical professionals should have access to a pool of interpreters when necessary.

2.4) Education

All children in Greece regardless of their own or their parents' status have the right to access public education. Education is obligatory up to the age of 16 and schools have a duty to provide full time education to all children in their geographical area. In accordance with the Migration Law 2910/2001 art. 40, par.3 children of asylum seekers and refugees can register at school even if they don't have the necessary documents. Parents have the right and the responsibility to register their children at school.

Concerns

- Separated children are usually between 15-18 years old; hence they are of post school age. If they are younger they lack a person / authority with corporal parental responsibility that can register them at school.
- Almost all separated children have experienced an interruption in their education in their countries of origin. Poor educational support provided to children of 16 years of age and above is making them additionally vulnerable (Rutter, 2003). Enrolment in school among these ages is virtually non existent, factor which might contribute to a number of young refugee people entering the criminal justice system.

Case example: Ibrahim is 15 years old and came from Afghanistan a year ago. He is a convention refugee and he is accommodated in a children's home with other refugee children. Ibrahim has not received any formal education but instead he attended religion school for 5 years in Afghanistan. Upon his arrival in Greece he started having daily tuitions of the Greek language at GCR and he has been a very consistent and attentive student. He is now able to communicate in Greek although not fluently. Given his age, if Ibrahim had registered in the mainstream school system he would have been attending the 3rd grade of high school. However it would have been almost impossible for him to follow such a high level curriculum. In any case, next year he will reach the age that education is not obligatory anymore. Currently Ibrahim works occasionally in construction work.

Suggestions

- Access to education should be a high priority for separated children. It assists with language acquisition, provides formal education and the opportunity to integrate socially. The routine of attending school can also provide a much needed sense of security and normality.
- Provision of education is particularly difficult for asylum seekers in general and separated children in particular. Provisions should be made for these young people to access further education opportunities.
- "Schools need to take a flexible, welcoming approach with separated children and provide second language support....Vocational and professional training

should be available to older separated children. It is likely to enhance their life chances if they return to their home country.” (Save the Children, 204, p.22)

- Schools should develop specific projects to address the needs of children whose schooling was interrupted.
- Courses for learning Greek should make provisions to accommodate 15 to 18 years old separated children in small groups so that their individual needs can be assessed and addressed adequately.(Rutter, 2003)

2.5) Employment

Our observation is that almost all separated children that come to our attention are desperate to work. Reasons revolve round the fact that they may have family members such as younger siblings, an invalid parent that they feel the duty to support, or because they have to solidly support themselves. As accurately pointed out by Kohli (2005, p.13) they feel “guilty and worried about those left behind, particularly other siblings; and they [*want*] to succeed, knowing the material and psychological investment that had been made in them by the family left behind”. If the minors have refused accommodation there are no other means of support or benefits to claim, hence they are left to survive on their own devices.

Concerns

- Labour law provides that a child that is over the age of 15 and has the permission of his parent / legal guardian has the ability to work under particular restrictions (type of work, hours etc.). Due to the lack of a guardian, separated children are unable to work legally.
- Separated children are working illegally for long hours (10 or 12 hours a day is not unusual), in heavy jobs such as in construction or in tailoring, or loading and unloading trucks They run health risks; they are badly paid and open to exploitation.
- They can make a living but they do not necessarily learn a trade or a craft that will help them in their later life.

Case example: Javid is from Afghanistan and came to Greece as an asylum seeker 2,5 years ago, when he was 16. He was initially accommodated in a children's home for refugee children where he stayed for less than a year. He speaks a good level of Greek and since he left his placement he came to Athens and worked as a tailor. Yet his employment was in the black market as he did not have a work permit. In order to issue one he needed a guardian carry out do the relevant procedures. Last year a GCR lawyer had to intervene several times with 3 different employers of his in order to get them to pay his salaries. Eventually Javid got paid but meanwhile he was accompanied 4 times by GCR social workers for the collection of his dues. Javid is still working 12 hour a day but he now has a work permit and insurance.

Suggestions

- Provisions should be made so separated children over the age of 15 have access to legal employment and the national insurance system.
- The work that they do should be assessed and supervised as appropriate for their age, ability and skills, and should be properly paid.
- A statutory body with parental responsibility should ensure that all legal conditions are adhered and that work is in the best interest of the child.

Conclusion

The literature review for this paper suggested that assessing and meeting the needs of separated children is a complex and challenging task. Our understanding, which can be different from theirs and our interpretation of their experiences, can influence our decisions and the type of assistance offered to them.

Skepticism and budget restrictions can build up suspicion and cynicism. As a result, the best interests of separated children can be seriously undermined and their wishes and feelings can go unheard. Rather, what is needed is a change of our understanding of the issue, towards the adoption of a human rights approach based more on professionalism than charity.

We should move towards protection and support measures for every separated child regardless of his or her asylum story, towards an overall framework that will clarify responsibilities, assign duties and provide services according to need.

Most importantly the Government should ensure that any care and support scheme for separated children is sufficiently resourced.

Finally, the UN Convention for the Rights of the Child should always be a guide for policy and action.

“States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.” (UN , 1989 - Article 2)

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