



Convention on the Rights of the Child

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Committee on the Rights of the Child

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

I. Introduction

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

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

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

3. The Committee particularly welcomes the progress achieved by the State party regarding unaccompanied migrant children, Roma children and children with disabilities, the adoption of the first National Action Plan on the Rights of the Child in 2021, as well as the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence in 2018, the Convention for the Protection of All Persons from Enforced Disappearance in 2015, and the Optional Protocol of the Convention against Torture in 2014.

III. Main areas of concern and recommendations

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

5. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention and the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography throughout the process of

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

implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

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

Legislation

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

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

Comprehensive policy and strategy

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

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

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

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

Coordination

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

Allocation of resources

10. **While noting the reform of the social welfare system, the Committee recalls its general comment No. 19 (2016) and reiterates its previous recommendations (para. 18) that the State party:**

(a) **Continue to increase and prioritise budgetary allocations to ensure the implementation of the rights of the child at all levels, addressing child poverty, including by increasing allocations for social services for families and children, health and education and for children in situations of vulnerability, while protecting them from cuts, including those funded from external sources;**

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

(c) **Invest on follow up and sustainability of services funded from external sources particularly from the European Structural and Investment funds.**

Data collection

11. Recalling its general comment No. 5 (2003) and its previous recommendations (para. 20), the Committee recommends that the State party establish a central database on children with disaggregated data on all areas of the Convention and its Optional Protocols and develop indicators consistent with the Convention.

Independent monitoring

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

Dissemination, awareness-raising and training

13. The Committee reiterates its recommendations (paras. 23, 26) that the State party strengthen its efforts to disseminate and raise awareness about the Convention and its Optional Protocols and ensure systematic, mandatory and ongoing training on children's rights to relevant professionals, such as social workers, health workers, teachers, police, judicial authorities.

Cooperation with civil society

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

Children's rights and the business sector

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

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

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

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

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

B. Definition of the child (art. 1)

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

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

Non-discrimination

17. The Committee welcomes the adoption of Law 4443/2016 and Law 4285/2014, the establishment of the National Council against Racism and Intolerance, the adoption of the National Action Plan against Racism and Intolerance (2020-2023), the National Strategy (2021-2030) and Action Plan for Roma Inclusion (2017-2021), as well as legislative and policy measures taken to facilitate access of children in situations of vulnerability to education, healthcare and sanitation. However, the Committee remains concerned about the:

- (a) Persisting discrimination against and negative attitudes towards Roma children, children with disabilities, children belonging to the Muslim minority in Thrace, asylum-seeking and refugee children and children in situations of migration, children of single and/or undocumented migrant parents, which impacts on their access to education, limits their access to socio-economic rights and services and keeps them poor;
- (b) Underreported cases of violence, including police violence and hate crime, against Roma and migrant populations, including children, and the lack of access to justice;
- (c) Insufficient visibility and involvement of NGOs working on minority issues in the National Council against Racism and Intolerance and the abolishment of the Special Secretariat for the Social Inclusion of Roma population, in 2019;
- (d) Lack of disaggregated data on children in situations of vulnerability.

18. **Recalling the SDG target 10.3 and its previous recommendations (para. 27), the Committee recommends that the State party:**

- (a) Intensify its measures to ensure that Roma children, children belonging to the Muslim minority in Thrace, children with disabilities, refugee and asylum-seeking children, children in situations of migration and children of single and/or undocumented migrant parents have effective access to food security, healthcare, education, housing, water, sanitation, social services and a decent standard of living, and ensure regular and systematic monitoring and impact assessment of the measures taken;**
- (b) Investigate and prosecute cases of racially, ethnically and religiously motivated crime, punish perpetrators with deterrent sanctions and provide adequate compensation to the victims; establish and promote avenues for children and their caregivers to seek justice in case of discrimination and strongly encourage the reporting of hate crime;**
- (c) Adopt a coherent national integration strategy and undertake media campaigns to promote tolerance, living together, respect for diversity, dialogue and inclusion and raise public awareness about the prohibition of discrimination;**
- (d) Publicise the work of the National Council against Racism and Intolerance and ensure that NGOs working on minority issues, including those representing Roma children and children of the Muslim minority in Thrace, are represented therein;**
- (e) Ensure that the implementation of the National Action Plan against Racism and Intolerance and for Roma inclusion is monitored and evaluated;**
- (f) Strengthen data collection on Roma children, children with disability, children in street situations, children in situations of migration, including those in irregular situations, child victims of human trafficking, and other groups of children in vulnerable situations.**

Best interests of the child

19. While noting that Law 4636/2019 recognises the principle of best interests of the child with regard to international protection and that Law 4554/2018 sets rules on best interests' determination and assessment for unaccompanied migrant children the

Committee recalls its general comment No. 14 (2013) and recommends that the State party:

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

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

Respect for the views of the child

20. While noting the lowering of the voting age to 17 years (Law 4406/2016), the Committee recommends that the State party:

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

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

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

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

Birth registration, name and nationality

21. While welcoming the adoption of Law 4554/2018 and Law 4332/2015, the Committee recalls SDG target 16.9 and recommends that the State party:

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

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

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

(d) Establish statelessness determination procedures;

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

Right to identity

22. The Committee urges the State party to ensure the right of children to preserve their identity in cases of abandonment in institutions and to have access to information about their origin if born through assisted reproduction technologies, including surrogacy and donor arrangements, as well in case of adoption.

Freedom of religion

23. While welcoming amendments prohibiting school records of children's religion and providing for the possibility of exemption from religious classes for non-Orthodox

students, the Committee reiterates its previous recommendations (para. 35) that the State party ensure and promote the respect of the right of the child to freedom of thought, conscience and religion and:

(a) Implement decision 28/2019 of the Data Protection Authority and decision 1759-1760/2019 of the Supreme Administrative Court to remove the reference to religion from school files and living certificates;

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

(c) Review Law 344/1976 to repeal the requirement to register parents' religion in birth registration certificates.

Right to privacy

24. While noting the transposition of EU Directive 2016/800, the Committee reiterates its previous recommendation (para. 36) that Greece ensure the respect of the child's privacy and non-disclosure of private information in the context of criminal and child-protection proceedings, prosecute violations and impose deterrent sanctions, including with regard to the media.

Access to appropriate information

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

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

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

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

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

Violence against children, including sexual violence, abuse and neglect

26. The Committee welcomes the introduction of more severe penalties for sexual violence against children, the adoption of Law 4322/2015 and Law 4823/2021, the establishment of 72 domestic violence agencies and of "children's houses" to examine child victims and witnesses of sexual violence and human trafficking to avoid traumatization (Law 4478/2017). However, the Committee remains seriously concerned about the:

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

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

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

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

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

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

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

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

(b) **Ensure that the prohibition of corporal punishment, bullying and domestic violence cover all settings, are effectively enforced, including by monitoring the implementation of Laws 3500/2006 and 4322/2015;**

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

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

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

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

(g) **Make the Athens-based Children's House (Law 4478/2017) a place for child victims and witnesses of violence allowing children to receive all the specialized services they need in one place, further develop this concept and generalize it to the entire territory, while encouraging courts to use it to collect testimony from children, avoid repetitive questioning and allow audiovisual recordings of testimonies as evidence in the court procedures;**

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

Harmful practices

28. Recalling joint general recommendation No. 18 and SDG target 5.3, the Committee urges the State party to:

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

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

(c) **Ensure that no child, including intersex children, is subjected to unnecessary medical or surgical treatment during childhood, and provide social,**

medical and psychological services, as well as adequate counselling, support and reparations, to intersex children and their families.

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

Family environment

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

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

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

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

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

Children deprived of a family environment

30. While welcoming the adoption of Law 4538/2018, Ministerial decision 13734/538, as well as the launch, in May 2021, of the awareness-raising campaign on foster care and the establishment of community centers, the Committee remains concerned about the:

(a) Over institutionalisation of children deprived of parental care and the lack of sufficient family-based care options due to a shortage of resources and trained staff;

(b) Lack of standards for care provision and insufficient review of placements, despite a high number of placements managed by private institutions and the church;

(c) Insufficient efforts to ensure the right of children in care to have their views heard and to have contact with their parents;

(d) Hospitalisation of children not requiring care in the absence of emergency accommodation and a lack of consideration for special needs of children in situations of vulnerability;

(e) The insufficient support for children leaving care.

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

(a) Implement the newly adopted National Deinstitutionalisation Strategy, together with a specific and time-bound action plan with budget and staff allocations to prevent and phase out institutionalization, by: (i) supporting families in vulnerable situations, (ii) referring them to appropriate services including for strengthening of parenting skills and (iii) supporting family-based care options;

(b) Ensure that children are separated from their family only if it is in their best interests and after a comprehensive assessment of their situation; and that poverty, disabilities or a lack of identification documents are never the sole justification for family separation;

(c) Monitor the implementation of Law 4538/2018 and further promote and strengthen the capacity of foster care, including by conducting a national recruitment campaign for foster parents and providing regular and adequate training for them

before and during the placement of children, especially on fostering children with special needs and unaccompanied migrant children;

(d) Strengthen data collection on alternative care settings and children living therein, including with regard to privately-run and Church-run institutions;

(e) Develop and implement national standards for quality alternative care across all forms of care, in public, private and Church-run institutions alike, including regarding staffing and premises; provide training to staff working in institutions to enhance their awareness of the rights and needs of children deprived of a family environment; monitor the respect of children's rights; ensure regular, periodic and substantive review of placements, with a view to facilitating family returns or family-based solutions, including by providing the needed support to families in that regard;

(f) Provide opportunities for all children in care to maintain contact with their parents and to have their views heard and taken into account;

(g) Develop emergency care solutions to end the practice of hospitalisation of children in need of temporary care; ensure that the provision of care meets the needs of children belonging to ethnic or religious minorities, children with behavioural, psychological and/or psychosocial issues, children with disabilities, children in conflict with the law and unaccompanied migrant children;

(h) Ensure adequate support for children leaving care, including unaccompanied migrant children, and further develop community-based services and supported independent living.

Adoption

32. The Committee recommends that the State party:

(a) Reduce unnecessary procedural delays, including regarding the substitution of the birth parents' consent, and review the legislation accordingly;

(b) Address confusion between adoption and foster care, both in legislation, among professionals and the general public;

(c) Strengthen the capacity of the adoption services and their knowledge and application of the 1993 Hague Convention No. 33 on Protection of Children and Cooperation in Respect of Inter-country Adoption;

(d) Ensure post-adoption monitoring and services;

(e) Consider extending adoption to same-sex couples.

G. Children with disabilities (art. 23)

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

(a) Lack of disaggregated data on children with disabilities and information regarding the implementation of the Deinstitutionalization Strategy;

(b) High institutionalisation rates of children with disabilities, specifically with multiple and psycho-social disabilities;

(c) Limited support to parents of children with disabilities, particularly with severe and multiple disabilities, and with autism and developmental disorders; regional disparities in the provision of specialised medical and social support, including access to day care and to leisure and play, which is affected by budget shortages, the lack of qualified personnel and the discontinuation of the disability allowance;

(d) Reports of violence and inhumane conditions in institutions.

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

(a) Organize the collection of data, disaggregated by age, sex, disability and region, and develop an efficient and harmonized system for early detection and intervention including for children with autism and developmental disorders, in order to facilitate access for children with all types of disabilities to education and health, social protection and support services;

(b) Strengthen the implementation of the National Deinstitutionalization Strategy and Action Plan and urgently close down the Children's Care Centre in Lechania;

(c) Address the root causes of the institutionalisation of children with disabilities, including by strengthening the support for parents in urban, rural, remote and insular areas; ensuring the availability of and access to day care, home nursing and relief services; allocating adequate budgets and personnel trained to work with children with disabilities and meet their specific needs; developing community and outpatient health-care services with an adequate number of trained healthcare professionals; and providing opportunities and facilities to leisure and play;

(d) Urgently investigate and prosecute the reports of violence in child care institutions, including through their ad-hoc and systematic monitoring.

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

Health and health services

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

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

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

(c) Ensure the adequate number of skilled healthcare personnel, including paediatricians, nurses and mental health specialists, in all the regions, and remote and insular areas, and in emergency situations;

(d) Consider introducing intercultural mediators in healthcare;

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

Adolescent health

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

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

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

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

Standard of living

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

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

(b) Increase the childcare enrolment rates by improving the access and incentives for parents;

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

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

Education, including vocational training and guidance

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

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

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

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

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

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

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

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

(h) Allocate adequate financial, human and technical resources to expand the coverage, capacity and monitoring of pre-school education and ensure access thereto,

including in rural and remote areas, for children with disabilities, Roma children, asylum-seeking and refugee children and unaccompanied children, and to ensure an adequate number of bilingual pre-schools in the Muslim minority in Thrace;

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

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

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

Asylum-seeking, refugee and migrant children

39. The Committee notes the draft legal framework to establish a uniform National Guardianship System for unaccompanied migrant children, the launch of a dedicated helpline in 2021 and the relocation of over 1000 unaccompanied migrant children to EU member states. It also notes the establishment of the Special Secretariat for the Protection of Unaccompanied Migrant Children under the Ministry of Migration of Asylum, the adoption of the national protection strategy (2021-2025) and the national protection mechanism for unaccompanied children living in precarious conditions. Noting the numerous violations of the rights of asylum seeking, refugee and migrant children in Greece and that the State party hosts a high number of unaccompanied migrant children and Ukrainian children, the Committee is seriously concerned about the:

- (a) Reports of forced returns (“pushbacks”) of migrant families and children and of harassment of human rights defenders who rescue migrants and provide assistance to them;
- (b) Immigration detention of children for identification purposes;
- (c) Generalised and inappropriate age determination procedure;
- (d) The lack of safeguards to protect children’s rights in Law 4636/2019;
- (e) Delays in activating the guardianship system for unaccompanied children;
- (f) Precarious living conditions in reception centers (RICs) on the Aegean islands, including of risk of lead poisoning in the Mavrovouni camp on Lesbos, while adequate and sustainable accommodation is lacking and “safe zones” remain in place;
- (g) Lack of access to food and healthcare and alarming rates of physical and mental health conditions, including self-harm and suicide attempts;
- (h) “A two-tier refugee response”, one for Ukrainians and one for all other refugees.

40. Recalling the joint general comments No. 22 and No. 23 and its General Comment No. 6, the Committee urges the State party to:

- (a) End the practice of forced returns (“pushbacks”) of families and migrant children and ensure that they are individually identified, registered and protected against refoulement, including through effective access to asylum procedures, free legal and humanitarian assistance, in accordance with articles 6, 22 and 37 of the Convention; adopt binding codes of conduct for border officials and establish an independent border monitoring mechanism; conduct in depth investigations on reported pushback cases including the ones that have been identified in the European Anti-Fraud Office (OLAF) report, and hold accountable those responsible by prosecuting them; provide support, compensations and protection to child victims; and stop all measures of harassment of human rights defenders who rescue migrants and provide assistance to them;

(b) Completely ban the placing of children in immigration detention, ensure that protective custody is no longer applied and prioritize the immediate transfer of asylum-seeking children and their families out of detention centres, while ensuring timely identification procedures;

(c) Ensure that the age-determination procedure is multidisciplinary, scientifically based, respectful of children's rights and harmonised across the country, and used only in cases of serious doubt about the claimed age and take into consideration documentary or other forms of evidence available, and ensure access to effective appeal mechanisms;

(d) Review Law 4636/2019 to ensure that specific consideration and appropriate safeguards in asylum proceedings are provided for children, including unaccompanied and separated children, that such children are exempt from the accelerated border asylum procedures, and to expand the definition of "family members" to include families created in transit; and facilitate family reunification;

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

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

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

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

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

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

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

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

Children in street situations

41. Noting with concern the lack of information, the Committee reiterates General Comment No. 21 and its previous recommendations (para. 67) and calls on the State party to develop an integrated approach to deal with children in street situations, including by assessing their numbers, specific situations and root causes, establishing a monitoring mechanism and adopting a strategy and programmes to prevent, protect and support them, and to promptly investigate the Aghia Varvara case.

Sale, trafficking and abduction

42. While welcoming the criminalisation of forced marriage and the establishment of the national referral mechanism, in 2019, the Committee is concerned that many of the victims of trafficking identified in the reporting period were children, especially in situations of migration and in street situations, who had been engaged in sex or labour

exploitation and/or forced begging. Taking note of SDG target 8.7, the Committee recommends that the State party:

- (a) Strengthen the application of victim identification procedures, including at border crossings, and ensure that they are disconnected from the victim's cooperation with law enforcement authorities;
- (b) Build the capacity of law enforcement authorities to identify victims of trafficking, in particular among children in situation of migration and in street situations, Roma children, and other children in vulnerable situations, and refer them to assistance and protection;
- (c) Strengthen the provision of specialized services, particularly shelter, healthcare, including COVID-19 testing, and social reintegration, and ensure effective access to compensation for child victims; provide support to NGOs providing assistance to victims;
- (d) Effectively investigate and prosecute cases of trafficking of children and ensure appropriate convictions for perpetrators, including for official complicity;
- (e) Ensure that victim and witness-protection provisions are implemented and that prosecutions are victim-centred, child-friendly and gender-sensitive, provide training to judges, prosecutors and law-enforcement officials in this regard; and decrease the length of court proceedings for trafficking cases.

Administration of child justice

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

- (a) Specialized judges for children and professionals working with child offenders receive appropriate continuous training on the rights of the child;
- (b) The procedural safeguards for all children, i.e. all persons below 18 years of age, entering the justice system are respected and that children benefit from the provision of legal assistance from the investigation onwards;
- (c) Detention is used as a measure of last resort, for the shortest possible period of time and is reviewed on a regular basis, with a view to its withdrawal;
- (d) The necessary legislation and other measures are adopted in order to implement the non-custodial measures as stipulated by the Penal Code (Law 3189/2003);
- (e) Children deprived of liberty are detained separately from adults;
- (f) Detention conditions, including for temporary detention and "reformatory measures," comply with international standards, including with regard to access to healthcare and education, and that all detention facilities undergo continuous monitoring;
- (g) Disaggregated data on child offenders is collected systematically.

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

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

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

- (a) Align the Penal Code with articles 2 and 3 of the Optional Protocol;
- (b) Prevent and explicitly criminalise sale of children;
- (c) Establish mechanisms for identifying, protecting and supporting victims of all offences under the Optional Protocol beyond human trafficking;
- (d) Establish extraterritorial jurisdiction for all crimes under the Optional Protocol.

Optional Protocol on the involvement of children in armed conflict

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

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

L. Ratification of the Optional Protocol on a communications procedure

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

M. Ratification of international human rights instruments

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

IV. Implementation and reporting

A. Follow-up and dissemination

48. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including the ones in the most disadvantaged situations.

The Committee also recommends that the fourth to sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

C. Next report

49. The Committee invites the State party to submit its combined seventh and eighth periodic report by 9 June 2027 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 and should not exceed 21,200 words. In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

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