

**SOKADRE**  
Coordinated Organizations and  
Communities for Roma Human  
Rights in Greece

**G R E E K**  
 **HEL SINK I**   
**M O N I T O R**

  
**REFUGEE RIGHTS**  
**EUROPE**

**MINORITY**  
**RIGHTS**  
**GROUP - GREECE**

**CONTRIBUTION TO THE REVIEW  
OF THE PERIODIC REPORT OF GREECE**

**Submission to the UN Committee Rights of the Child**

**85<sup>th</sup> Pre-Sessional Working Group (10 - 14 Feb 2020)**

November 2019

**Greek Helsinki Monitor (GHM)**, founded in 1993, monitors, publishes, lobbies, and litigates on human and minority rights and anti-discrimination issues in Greece. It also monitors Greek media for stereotypes and hate speech. It issues press releases and prepares (usually jointly with other NGOs) parallel reports and communications to **UN Treaty Bodies**; applications and third party interventions to the **ECtHR**; communications on the execution of **ECtHR** judgments to the Council of **Europe Committee of Ministers**. It also publishes specialized reports on ill-treatment and on ethno-national, ethno-linguistic, religious and immigrant communities, in Greece. It operates a [website](#), a [specialized website on racist crimes in Greece](#) and a [Facebook page](#). **GHM** is a member of the [European Implementation Network \(EIN\)](#), the [World Organization Against Torture \(OMCT\) Network](#), the [Justicia European Rights Network](#), the [International Detention Coalition \(IDC\)](#), the [International Network Against Cyber Hate \(INACH\)](#), [Justice and Environment](#), the [Network Against the Extreme Right](#), the [Campaign for the access to asylum](#), and the [Greek Network for the Right to Housing](#). **GHM's Spokesperson Panayote Dimitras** is a member of [EIN's Board](#) and an [OMCT General Assembly](#) member.

**Minority Rights Group – Greece (MRG-G)**, founded in 1992, focuses on studies of minorities, in Greece and in the Balkans. In 1998, MRG-G co-founded with GHM the **Center of Documentation and Information on Minorities in Europe – Southeast Europe (CEDIME-SE)** which contributes to GHM's web site and two web lists with material on minorities in the region. It has prepared comprehensive reports on ethno-national, ethno-linguistic, and religious communities in Albania, Bulgaria, Greece, Macedonia, and Romania, available [here](#).

**Refugee Rights Europe** is a human rights advocacy organisation and registered charity. Founded in late 2015, the organisation researches and documents the situation for refugees and displaced people seeking protection in Europe, with a particular focus on human rights violations and inadequate humanitarian conditions experienced. The organisation uses its research findings to advocate for human rights-centred policy development, to ensure the rights of refugees and displaced people are upheld on European soil, in accordance with the Universal Declaration of Human Rights. **Refugee Rights Europe** is independent of any political ideology, economic interest or religion.

The **Coordinated Organizations and Communities for Roma Human Rights in Greece (SOKADRE)** is a network founded in 2001; its members include **30 Roma communities and 5 Greek NGOs that have been working on Roma rights**. It is legally registered in Greece through its managing NGO **Communication and Political Research Society (ETEPE)**, accredited as NGO by the **Greek Ministry of Foreign Affairs' Hellenic International Development Cooperation Department – Hellenic Aid (YDAS)**. **SOKADRE** advocates for and litigates on the rights of the destitute Roma of Greece, mainly in the areas of housing and preventing evictions, education, access to social services, proper civil registration, ill-treatment and non-discrimination including fighting racial profiling by law enforcement agencies. It operates through a network of volunteer representatives in 30 member communities and several other non-member communities.

The text below follows [UN CRC's concluding observations and recommendations to Greece in 2012](#) and refers to its paragraphs. It also refers to paragraphs of [Greece's report to UN CRC in 2018](#). A report covering migrant and refugees issues is submitted separately.

## **NCHR role in the drafting of Greece's report to CRC**

**Greece** claims (par. 1 **Greece**) that *“the draft report was submitted to the National Commission for Human Rights (NCHR); its views have been taken into consideration in view of the finalization of the report.”* **NCHR** informed **GHM** that it did not review the draft report to **CRC** but merely

referred the government to its previous [comments on the draft National Action Plan for the Rights of the Child in 2018](#).

#### **Early marriages (Paras. 9-10 CRC and 8 Greece)**

1. **Greece** lists a legislative amendment and a series of related **planned** initiatives. It should be asked to provide documented information on the application by courts, if any, of the amendment on the criminalization of trafficking for the purposes of forced marriage, as well as on the holding of the planned campaigns and other awareness-raising activities and of their impact assessment. It should also be requested to inform why the target populations listed are “*Roma, as well as migrant and refugee communities*” but not the Muslim minority in Thrace.

#### **National Plan of Action (Paras. 13-14 CRC and 9-14 Greece)**

2. The **National Action Plan for the Rights of the Child** was approved in late 2018. However, it is nowhere available on line. Characteristically, in the official government website there is [coverage of its November 2018 presentation to the Cabinet by the Ministry of Justice](#) but without the text of the action plan. There is no information on line about the **National Mechanism for the monitoring and evaluation of Action Plans for the Rights of the Child**. **Greece** should be asked to inform if, and if so where, the **Action Plan** and information on the **National Mechanism** are available, as well as how the **Action Plan** will have been implemented by the time the state submits its replies to the LOIPR in early 2020, including by submitting reports of the **National Mechanism for the monitoring and evaluation of Action Plans for the Rights of the Child** on the monitoring of its application and the evaluation of the plan itself as prescribed by Law 4491/2017.

#### **Greek Ombudsman for the Child (Paras. 15-16 CRC)**

3. **Greece** fails to make any reference to the **Ombudsman for the Child** in response to **CRC**’s recommendation “*that the State party ensure the continuity of the mandate of the Children’s Rights Department in the Independent Authority of the Greek Ombudsman, by providing it with adequate financial resources, and guarantee its sustainability in the future.*” It should be asked to provide such information as well as on the main recommendations the **Ombudsman for the Child** has been submitting annually and how they have been implemented.

#### **Data collection (Paras. 19-20 CRC and 18-22 Greece)**

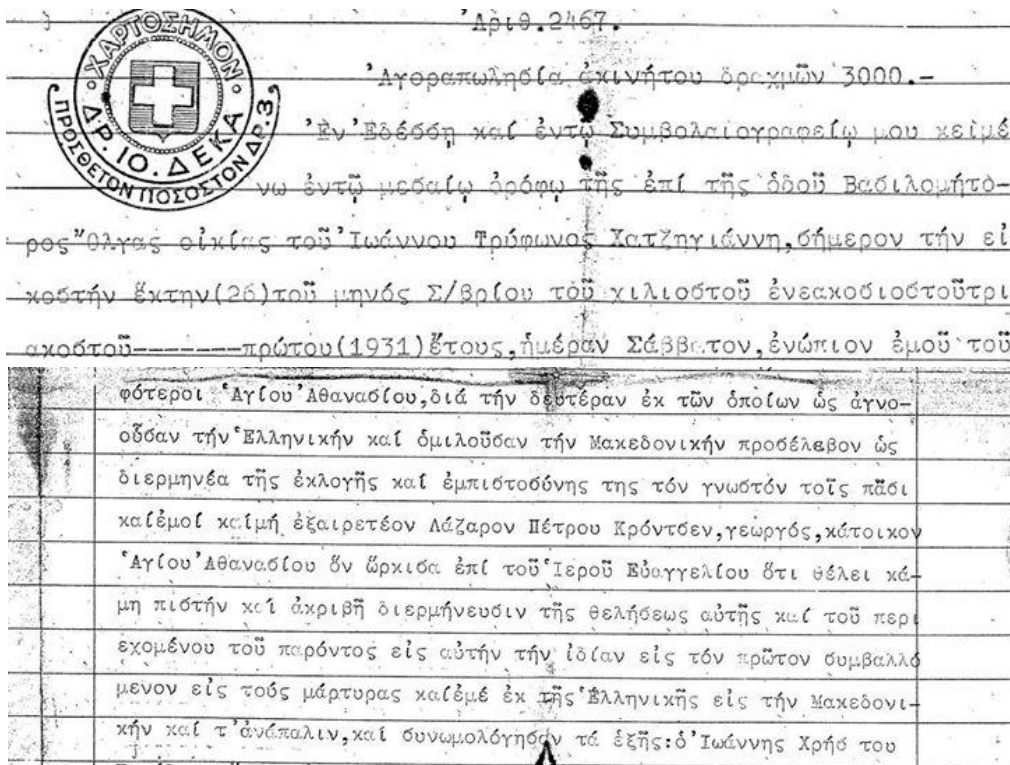
4. **Greece** informs on various efforts to collect data on trafficking of children and children on the move, and announced that in 2018 became fully operational a SESN database on unaccompanied refugee and migrant minors hosted at **First Reception and Identification Centres (RICs)**. However, there is no information on related specific data and/or websites where such data, if available, can be publicly accessed. It should therefore be asked to provide such information.

#### **Cooperation with civil society (Paras. 21 CRC and 23-28 Greece)**

5. **Greek Helsinki Monitor** and the other Greek NGOs co-submitting this report have never been invited to participate to the various state and Ombudsman initiatives involving NGOs, to which only NGOs selected by the state and the Ombudsman participate, and they never include NGOs working on or representing minorities, like the **GHM** et al NGOs. **Greece** should be asked about the procedures and criteria of selection of NGOs involved in these various initiatives.

#### **Dissemination and awareness-raising (Paras. 22-23 CRC and 29-33 Greece)**

6. **Greece** found it appropriate to state in its report that “it does not recognize the existence of a ‘Macedonian’ minority as well as of a ‘Macedonian’ language spoken ‘by some sectors of the population’ in Greece.” This is no longer accurate. Since the ratification of the [Prespes Agreement](#) on 12 June 2018 **Greece** recognizes its neighbor as **North Macedonia** (and no longer FYROM – Article 1.3.a), its language as **Macedonian language** (Article 1.3.c), and its culture as **Macedonian culture** (Article 7.3). Official Greek documents are now mentioning the name of **Macedonian language**: for example, in [the Official Gazette dated 14 February 2019](#), the **Greek Intelligence Service (EYP)** published a call for 56 interpreters – translators – listeners, 4 of which for “**Macedonian (southernslavic) language.**” The language and culture of those citizens who according to **Greece** “speak a Slav dialect” but **CRC** called “groups identifying themselves as belonging to the Macedonian minority,” which triggered **Greece’s** reaction, has always been called **Macedonian**, something that the Greek state was recognizing in the past, then has been denying it for some decades, and has finally recognized again. They have scores of official documents, especially notarized contracts on property sales, mentioning that, as one or both of the parties did not speak **Greek** but **Macedonian**, interpreters between the two languages were appointed. Here is the relevant extract of one such contract signed in Edessa in 1931:



7. **Greece** should therefore be asked to list in which languages the Convention is available and if so where such translations can be found on line, including, besides Macedonian, Turkish, Romani and the main languages of the migrant population.

**Non-discrimination (Paras. 26-27 CRC and 42-102 Greece)**

8. Concerning the Anti-racism Law 4285/2014, **CRC** is requested to take into consideration [UN CERD’s 2016 recommendations](#) after a review of the legislative amendments presented in the State report to **CERD**, a review based to a large extent on a **GHM** report to **CERD**. **CERD** underlined that Greek anti-racism law “does not criminalise the dissemination of ideas based on

*racial superiority and does not provide for a procedure to declare illegal, and prohibit, racist organizations” such as the Golden Dawn political party, “the most prominent racist organization, inspired directly by neo-Nazi ideas”. Moreover, CERD expressed concern about the implementation of the anti-discrimination provisions, noting a low rate of invocation and application of these provisions. A similar observation had already been presented in the **Human Rights Committee’s** [Concluding Observations](#) following Greece’s review in 2015, in which the **Committee** expressed concern “about continued reports of racist attacks and hate speech against migrants, refugees and Roma. The Human Rights Committee note[d] with concern that cases of racism are underreported allegedly due to lack of trust in the authorities and the absence of an effective complaints’ mechanism. The Committee regrets that sanctions imposed are insufficient to discourage and prevent discrimination... The State party should review its legislation with a view to ensuring that all advocacy of national, racial or religious hatred is prohibited by law, and that all cases of racially motivated violence are systematically investigated, that the perpetrators are prosecuted and punished, and that appropriate compensation is awarded to the victims. The State party should take effective measures to improve the reporting of hate crimes. Furthermore, the State party should strengthen its efforts to eradicate stereotypes and discrimination against migrants, refugees and Roma, inter alia, by conducting public awareness campaigns to promote tolerance and respect for diversity.” **Greece** should be asked how it has implemented these recommendations by **CERD** and **HRCttee** and provide statistics on the implementation of the ant-racism and anti-discrimination legislation by the courts and by the **Greek Ombudsman**, disaggregated by age and ethnicity.*

9. On the other hand, in its report to **CRC**, **Greece** provides information on non-discriminatory access to education and health and social services by children of migrant and refugees with a legal residence status. However, related problems exist with children of migrant and refugees without a legal status who are not entitled to access to state health services while state efforts to provide them with schooling even in separate classes are often met with sometimes violent resistance by local populations with the state authorities often failing to react let alone seek the punishment of those responsible for such discrimination. **Greece** should be asked to provide detailed information on equal access to health and social services and to quality education by uch children.
10. **Greece** mentions the **National Council against Racism and Intolerance (NCRI)**. **CRC** is requested to ask **Greece** why NGOs working on or representing minorities are excluded from its membership and why there is no public information on the work of this institution, which is widely unknown. On a related matter, in March 2019, the **President of the National Commission for Human Rights (NCHR)** resigned after the government decided, without any prior consultation and in violation of the Paris Principles, to enlarge the NGO participation ([until now four general NGOs, one disability rights NGO, one woman’s NGO and one Roma NGO](#)) with the inclusion of 5 LGBTQI+ NGOs and two more Roma NGOs. The **CRC** should take note that none of NGOs in the **NCHR** represents, or works on the rights of, the Macedonian and the Turkish minorities, and the religious and humanist minorities. **Greece** should be asked about this over-representation of some groups and under-representation of other groups in the **NCHR**.

#### **Name and nationality (Paras. 32-33 CRC and 119-121 Greece)**

11. **Greece** has failed to implement **CRC’s** 2012 recommendations and has failed to address its concerns in the recent report to **CRC**. Hundreds if not thousands of mainly Roma children have since been registered with “AKO” (meaning without first name) as their first name with the authorities making no effort to allow a simple procedure for parents to change that without having to resort to costly court procedures and/or pay important fees to the municipal registries. Moreover, the arbitrary transliteration of Turkish names in the identity cards continues, and this

creates problems for persons with such cards while travelling or studying abroad. **Greece** should be asked why it has not implemented **CRC**'s recommendation by introducing related name correction procedures without any cost to the persons involved.

#### **Freedom of religion** (Paras. 34-35 **CRC** and 122-129 **Greece**)

12. It is regrettable that **Greece** misinforms the **UN CRC** claiming that “*school authorities do not keep records of students’ religious beliefs, respecting thus their personal data ... students’ religion is not mentioned in students’ leaving certificates.*” It is exactly because such records were kept and reference was made in school leaving certificates that both the **Supreme Administrative Court** ([Judgments 1759-1760/2019](#)) and the **Data Protection Authority** ([Decision 28/2019](#)) had to review related applications and to rule, both in September 2019, that all references to students’ religion and citizenship be removed from school files and no longer made in leaving certificates. On the contrary, **Greece** informed **CRC** correctly that only “*non-Orthodox Christian students*” could have requested their exemption from religious education classes, which meant that they should have declared their non-Orthodox Christian religion to be exempted. In September 2019 again, the **Supreme Administrative Court** ([Judgments 1749-1750/2019](#)) ruled that such exemption should be granted with the mere invoking of “*reasons of religious conscience*” without reference to the students’ religion. It is important to add though that with the latter judgment the **Supreme Administrative Court** rejected the content of the mandatory (Orthodox Christian) religious education as not confessional enough! These issues are also part of the [Papageorgiou and others v. Greece](#) forthcoming judgment ([due 31 October 2019](#)).

13. However, the registration of parents’ religion(s) on birth registration acts and after the child is given a name of his/her own -assigned by the parents- religion continues to be mandatory. According to [Article 22 paragraph e of Law 344/1976 after its last amendment with Law 4144/2013](#) the birth registration act must include “*Name, surname, nationality, religion, profession, residence and the parents’ municipal registration data. It also contains the Tax Registry Number, Social Security Number and, if existing, their Insurance Agency.*” **GHM** submitted in August 2019 a related application to the **ECtHR** for violation of Article 9 **ECHR**. **Greece** should be asked why such legal obligation has not been repealed.

#### **Right to privacy** (Paras. 36-37 **CRC** and 130-132 **Greece**)

14. **Greece** merely states existing legislation and an intention to transpose **Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings**. **CRC** is requested to ask what sanctions have been imposed for the several violations of the right to privacy since 2012 and also why the Directive was not transposed by the deadline set (11 June 2019).

#### **Access to appropriate information** (Paras. 38-39 **CRC** and 133 **Greece**)

15. Once again **Greece** fails to provide any information on the implementation of the related **CRC** recommendations, other than a vague reference to some “*unhindered access to information*” in “*20 centers of education for children in Thrace.*” If the latter are the 10 **KESPEN**’s in Thrace as the education program in the framework of which they were functioning has been discontinued **Greece** should be asked about their fate in the current school year; also, as these centers were known for giving supporting lessons in the Greek language to minority children, it should be

asked what additional information and especially in Turkish have the pupils there access to. More generally though, for the whole country, **Greece** should be asked to provide documented information on how the specific 2012 **CRC** recommendations have been implemented.

#### **Family environment** (Paras. 40-41 **CRC** and 134 **Greece**)

16. **Greece** addresses here only the issue of giving children to their mothers after birth despite the lack by the latter of the necessary documents. It should be asked though to address the general 2012 **CRC** recommendation on excessive institutionalization of children and how it was implemented.

#### **Children deprived of a family environment - adoption** (Paras. 42-46 **CRC** and 135-144 **Greece**)

17. **Greece** has indeed taken several good steps on these issues including a new legislation in 2019 on foster care and adoption that it should be invited to summarize to the **CRC**.

#### **Children with disabilities** (Paras. 50-51 **CRC** and 167-185 **Greece**)

18. **CRC** is urged to note that **Greece** fails to make any reference to the notorious **Children's Care Centre in Lechaina** where reports on abuse of restraining practices and deaths of individuals institutionalized there in very young age continue to be reported. **Greece** should be asked to provide documented detailed information about the current situation in that institution and the progress in the de-institutionalization program.

19. More generally, **CRC** should ask Greece how it is implementing the following [2019 CRPD recommendations](#):

#### **Children with disabilities (art. 7)**

11. The Committee is concerned about:

- (a) Protracted deinstitutionalisation of children with disabilities;
- (b) The scarcity of available information on accessible mechanisms and concrete measures taken to ensure that children with disabilities enjoy their right to be heard and to have their views taken into account in all matters affecting them.

**12. The Committee recommends that the State party, with primary consideration of the best interests of the child:**

- (a) Ensure the expeditious deinstitutionalisation of children with disabilities, and take effective measures to guarantee their right to be cared for by their parents, extended family, safe foster or adoptive family; provide children with disabilities with quality early intervention, as well as other health-care and educational services, equally available in all urban and rural areas, endowed with sufficient resources, and designed in close consultation with and the active involvement of children with disabilities and their parents, through their representative organisations;**
- (b) Develop a comprehensive strategy and accessible services for the full and effective participation of children with disabilities in all decision-making processes affecting their lives, guaranteeing their right to have their views taken into account in all matters affecting them.**

#### **Education** (Paras. 60-61 **CRC** and 221-231 **Greece**)

20. **Greece** should be asked to provide figures for the number of pupils from disadvantaged groups including children with disabilities attending kindergarten, primary and secondary schools, and the related drop-out rates), as it is often reported that a large number of school-age children from these groups do not attend school at all or quickly drop out after first attending school. Moreover, as Roma segregation in education remains widespread, it should be asked to provide figures of Roma attendance to school disaggregated by percentages of Roma in the total school population.
21. **Greece** should also be asked about the fate of the three national education projects for immigrant and repatriate students, for children of the Muslim minority in Thrace and for Roma children, as it has been reported that they have been discontinued.

#### **Children in street situations (Paras. 66-67 CRC)**

22. **CRC** has certainly noted that **Greece** made no reference to this issue that concerns one of the most notorious failings of the Greek state of law with obvious racist connotations. In [Greece's 2018 report to the UN CAT](#), the only development since 2012 in the Aghia Varvara case involving 502 missing Albanian Roma children reported by the Government is in para 173 is that: *"Additionally, it should be stressed that the Secretary General for Transparency and Human Rights took, in her previous capacity as a Member of the Greek Parliament, numerous actions (articles, interviews, questions under parliamentary monitoring procedure, etc.), demonstrating consistently her strong personal interest in the elucidation of the abovementioned case, as well as in raising awareness of the state to the critical issue of the unaccompanied minors or "street children".* The information is correct, but should be supplemented that all those activities were carried out by the then **Secretary General for Transparency and Human Rights Ms. Maria Yannakaki** at the incitement of, and in some cases jointly with, **GHM**. However, since she became Secretary General, she has been totally ignoring this case (as well as almost every other case she had been active on while a mere MP). The same can be said for the current **Minister of Justice of Albania** and previously **Director of the Albanian Helsinki Committee Ms Etilda Saliu**. The best proof of that is that both have opted not even to acknowledge, let alone reply to the related letter **GHM** sent them on 21 July 2018 with a reminder on 11 August 2018. In this letter, **GHM** urged them to implement the repeated **UN Treaty Bodies** recommendation and promptly create a joint mechanism with the participation of the two governments, the two **Ombudsmen**, and the two NGOs involved, **GHM** and **AHC**, to fully and fairly investigate the issue and come to a conclusion that would at least acknowledge the facts and the failures of past administrators and will draw the necessary conclusion as to the remedies currently available. The full letter and a comprehensive report on the case are included in the ["Parallel Report on Albania's compliance with the International Convention on the Elimination of All Forms of Racial Discrimination"](#) submitted to **CERD** by **GHM** on 17 September 2018. **CRC** is requested to ask **Greece** why it has refused the repeated **UN Treaty Bodies** recommendation to create an effective mechanism to investigate these cases in order to establish the whereabouts of the missing children, in cooperation with the Ombudsmen of both countries and relevant civil society organizations; and, if appropriate, acknowledge the failures that led to impunity and the disappearances of a very large number of at the time children and offer a public apology to the victims' families.

#### **Administration of juvenile justice (Paras. 68-69 CRC and 243-262 Greece)**

23. Begging has been decriminalized.
24. On the other hand, the practice of "protective custody" of unaccompanied minors remains generalized. In November 2018, the **Commissioner for Human Rights at the Council of**



**Europe Dunja Mijatović** wrote in [her report](#) that she “is also deeply concerned about the reported poor shelter conditions and the lack of social support that most unaccompanied migrant children experience in Greece and is alarmed by the deprivation of liberty of those detained under the “protective custody” regime. Greece’s authorities should tackle this problem with more resolve and in particular immediately stop the detention of unaccompanied migrant children. Migrant children should also have access to inclusive education, so as to increase their chances of integration.” In February 2019, in its [judgment on H.A. and others v. Greece](#), the **ECtHR** “was of the view that “protective custody” in police stations could last for long periods during which the minors concerned could not be identified by lawyers working for NGOs in order to bring, within a reasonable time, an appeal against what they regarded as a detention measure”. Soon after, in April 2019, **Human Rights Watch** [reported](#) that “Despite that ruling, as of March 30, 82 unaccompanied children were still detained in so-called “protective custody,” held in police station cells or immigrant detention centers across the country. Human Rights Watch has found that detained children are forced to live in unsanitary conditions, often alongside adults they do not know”. On 13 June 2019, the **ECtHR** held once again that [Greece and six other countries had violated article 3 and article 5§1 of the European Convention](#) as a result of the conditions of detentions of unaccompanied migrants in Greece. This last judgment concerned five Afghans who entered Greece as unaccompanied minors. The **ECtHR** highlighted that the States’ authorities’ deficiencies were particularly serious considering unaccompanied minors as “persons who were particularly vulnerable because of their age.” This was the second judgment on this issue in four months, showing that the situation was worsening. According to [Human Rights Watch](#), “as of May 31, 123 unaccompanied children were still detained in police station cells or immigrant detention centers across the country. Thus 43 more children are being detained than at the end of March, just as the court first ruled against the practice.” [The number grew to 139 on 30 June and 238 on 30 September 2019](#). So in August 2019, [UN CAT](#) stated:

#### **Unaccompanied migrant and asylum-seeking children**

22. The Committee notes with concern that, while the existing directives provide that minors are not to be detained except in exceptional circumstances, unaccompanied migrant and asylum-seeking children continue to be placed in immigration detention (“protective custody”) until a shelter placement becomes available. This lack of shelter space leads, in many cases, to the prolonged detention of unaccompanied children in police holding cells, pre-removal centres and RICs on the ‘hotspots’, where living conditions are substandard and basic services are often not available (arts. 11 and 16).

#### **23. The State party should:**

**(a) Ensure that children are not detained solely because of their immigration status. Detention should be used only as a measure of last resort and for the shortest period possible;**

**(b) End the practice of detaining migrants and asylum seekers, especially unaccompanied children, in police holding cells and other detention facilities that are not suitable for long stays.**

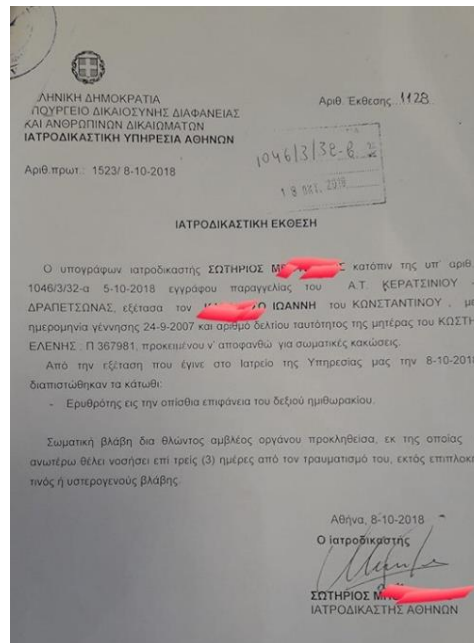
25. Since then, the **ECtHR** [has issued on 10 and 18 October 2019](#) two interim measures asking **Greece** to stop the protective custody of scores of applicant unaccompanied minors and moved them from police stations to facilities suitable for such children. **Greece** had not complied with the 10 October 2019 measure and was given on 18 October a 4 November 2019 deadline. Hence, **CRC** is requested to ask **Greece** why it continues the practice of “protective custody” for

unaccompanied minors despite **ECtHR** judgments and interim measures and when and how it plans to implement these judgments thus also the **ICRC**.

26. In its report to **CRC Greece** did not address the concern *“that in spite of the provisions of article 126 of the Criminal Code, there are cases where Roma children 9 years of age were arrested for petty theft and their cases were examined without the presence of a lawyer, prosecuted and tried,”* and the related recommendation *“to conduct a thorough analysis of the overrepresentation of foreign and Roma children in the juvenile justice system and provide these children with the necessary legal safeguards.”* **CRC** is requested to ask **Greece** how it responded to the above concern and how it implemented the recommendation, as to the best knowledge of the NGOs reporting here, nothing related has happened.

#### **Child victims and witnesses of crimes (Paras. 70 CRC and 263 Greece)**

27. Children victims, especially from vulnerable groups and/or when the alleged perpetrators are State actors, have a small chance to be treated fairly and get the protection and redress prescribed by law. There is a characteristic case publicized by a frustrated mother of a child with disabilities victim of violence at school that the prosecutor authorities sought to avoid to prosecute the alleged perpetrator educator. In a **Facebook** page [“Justice for Giannis.”](#) **Lena Kosti**, the mother of now 12-year old **Giannis**, an autistic child with 80% intellectual disability, has reported that her child was beaten by an educator at the special school he was attending in October 2018. She filed a complaint on 5 October, and the child was examined by a state forensic doctor on 8 October, on the order of the **Piraeus Prosecutor Office** to the local **Police Station** where the complaint was assigned. However, on 22 May 2019, a **Piraeus First Instance Prosecutor** archived the complaint arguing that the “ecchymoses” and “abrasions” the child had were caused by the effort of the educator to move **Giannis** away from potentially dangerous cables of the photocopier. There was no reference to the findings of the forensic examination. As the mother and her lawyer subsequently found out, the forensic report was not in the court brief but left in a drawer of the Police Station, either by criminal negligence or intentionally to help avoid charges against the alleged perpetrator. This because the forensic report stated that the then 11-year old child had a *“ruddiness on the back of the right hemithorax,”* *“a bodily injury cause by a blunt sharp instrument”* and recommended a *“three-day convalescence.”* The forensic report is reprinted below as [published in the above Facebook page](#) for two reasons. First, as evidence of the seriousness of the injury caused by a deliberate action of the educator equivalent to torture especially in view of the identity of the victim that makes the archiving decision by the prosecution unfair and unacceptable. The mother filed in July 2019 an application for review with the **Piraeus Appeals Prosecutor**, who accepted it and in October 2019 ordered the pressing of charges but only for actual bodily harm and not for torture and without racist motive. Secondly, to highlight a typical very serious and widespread failure of most forensic reports to be written according to the **Istanbul Protocol**: there is a brief description of the injuries but no reference to the alleged circumstances of the event that led to the injuries, no evaluation of what actions may have caused these injuries, how the findings are or are not compatible with the allegations of the examined persons, etc. Incidentally, a conscientious Greek forensic doctor has published on his website [an excellent example of a professionally complete report](#) which is in dire contrast with the half-page, two-three sentence long reports provided by state forensic doctors especially when they examine victims of alleged violence by state -police or other-actors and even more when the victims of such violence belong to vulnerable groups.



**CRC** is therefore requested to ask **Greece** what guarantees there are that such multiple failures in the investigation of alleged violence by state agents on civilians, and especially on children, are prevented, or -when they occur- punished and in that latter case what remedies exist besides turning the victims or their relatives into private detectives in search of missing official documents and/or having to engage costly forensic doctors to write reports compatible with the Istanbul Protocol. **CRC** is requested to also ask **Greece** about developments in the case documented here.

### **Children belonging to minority groups (Paras. 71-72 **CRC** and 264-268 **Greece**)**

28. The very good initiative of the establishment of a [Special Secretariat for Roma Social Inclusion](#) was launched in 2015 by the previous government but was abolished by the current government: Roma matters are now under the competence of the **General Secretariat for Social Solidarity and Fighting Poverty**.... **CRC** is requested to ask **Greece** to explain the reasoning why such decision was taken and to provide to **CRC** the results of the work of the old **Special Secretariat** and especially the results of the census of Roma it carried out which includes the number of Roma children, and then how many of those of school age do attend school. Moreover, **Greece** should be asked how they implemented **CRC**'s recommendations *“to initiate campaigns and trainings, at all levels and in all regions, and develop relevant guidelines, aimed at addressing the negative attitudes towards the Roma in society at large, including among police and professionals; and to develop curricula units for children at school level, including in relation to Roma history and culture, in order to promote understanding, tolerance and respect for the rights of Roma in Greek society.”*

### **Follow-up and dissemination (Paras. 75-76 **CRC**)**

29. The recommendations on dissemination were ignored by **Greece** which is the reason that it failed to make any reference in its report to **CRC**. **Greece** should be asked which authorities explicitly referred to by the **Committee** were the recommendations transmitted and with which documents that can be easily traceable for verification' and most importantly how they the combined second and third periodic report (as well as the recent report submitted in 2018) and written replies by the **Greece** and the related **CRC** recommendations (concluding observations) were made widely available and in which languages with provision of accessible links.