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## **EUROPEAN SOCIAL CHARTER**

Comments submitted by the **Greek National Commission for Human Rights (GNCHR)** on the

Follow-up Report to  
Collective Complaint No. 173/2018 International Commission  
of Jurists (ICJ) and the European Council for Refugees and  
Exiles (ECRE) v. Greece

submitted by

**THE GOVERNMENT OF GREECE**

Comments registered by the Secretariat on  
18 July 2025



**Greek National Commission for Human Rights (GNCHR)**

**GNCHR Note**

**on the 7th National Report to the Council of Europe in the context of the Revised  
European Social Charter**

**Follow-up to Collective Complaint No. 173/2018 International Commission of  
Jurists (ICJ) and the European Council for Refugees and Exiles (ECRE) v. Greece**

**April 2025**



*The Greek National Commission for Human Rights (GNCHR) is the independent advisory body to the Greek State on matters pertaining to human rights protection and the National Human Rights Institution (NHRI). It was established with Law 2667/1998 in accordance with the UN Paris Principles and is governed by Law 4780/2021. Its members are persons appointed by twenty institutions (independent Authorities, third level trade unions, NGOs, universities and research institutions)*

**Table of Contents**

**I. Introduction** \_\_\_\_\_ **4**

**II. The Greek National Commission for Human Rights (GNCHR)**  
\_\_\_\_\_ **4**

**III. The GNCHR work on unaccompanied migrant children in Greece** \_\_\_\_\_ **5**

**IV. The GNCHR input on unaccompanied migrant children in Greece** \_\_\_\_\_ **8**

    1. *The protective framework for unaccompanied minors in Greece and capacity in first response* \_\_\_\_\_ **9**

    2. *Children’s rights and child protection mechanisms* \_\_\_\_\_ **19**

    3. *Information relevant to the implementation of the Convention on the Rights of the Child: Submission to the UN Committee on the Rights of the Child (January 2020)* \_\_\_\_\_ **25**

    4. *Written Responses to the List of issues in relation to the combined fourth to sixth periodic reports of Greece to the UN Committee on the Rights of the Child (December 2021)*

    5. *GNCHR Observations on the National Action Plan for the Protection of Children from Sexual Abuse and Exploitation 2022–2027* \_\_\_\_\_ **28**

**V. The way forward** \_\_\_\_\_ **30**

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**on the 7th National Report to the Council of Europe in the context of the Revised European Social Charter**

**Follow-up to Collective Complaint No. 173/2018 International Commission of Jurists (ICJ) and the European Council for Refugees and Exiles (ECRE) v. Greece\***

## **I. Introduction**

The Greek National Commission for Human Rights (GNCHR) participates, by submitting its note, in the Follow-up process to Collective Complaint No. 173/2018 [International Commission of Jurists \(ICJ\) and the European Council for Refugees and Exiles \(ECRE\) v. Greece](#) before the European Committee of Social Rights (ECSR) and the [7th Report of the Hellenic Republic to the Council of Europe, in the context of the Revised European Social Charter](#). The GNCHR takes into consideration the Recommendation CM/RecChS(2022)2 of the Committee of Ministers to member States on 2018 International Commission of Jurists (ICJ) and the European Council for Refugees and Exiles (ECRE) v. Greece, Complaint No.173/2018 adopted by the Committee of Ministers on 20 April 2022 at the 1432<sup>nd</sup> meeting of the Ministers' Deputies<sup>1</sup>. Based on the constant collaboration of the GNCHR with the ESCR and more recently with the [Additional Information by the GNCHR to the European Committee of Social Rights on the ad hoc report on the cost-of-living crisis](#), the GNCHR provides the following considerations and recommendations.

## **II. The Greek National Commission for Human Rights (GNCHR)**

The Greek National Commission for Human Rights (GNCHR) was established by Law 2667/1998 as the independent advisory body to the Greek State in accordance with Paris Principles (General Assembly Resolution A/RES/48/134, 20.12.1993) and is the

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\* This document reflects, among others, related positions, developments and updates for GNCHR. It has been prepared by Dr. Christos Tsevas, GNCHR Human Rights Advisor and Dr. Anna Irene Baka, GNCHR Legal Advisor.

<sup>1</sup> CoE/CM, Recommendation CM/RecChS(2022)2 of the Committee of Ministers to member States on 2018 International Commission of Jurists (ICJ) and the European Council for Refugees and Exiles (ECRE) v. Greece, Complaint No.173/2018 adopted by the Committee of Ministers on 20 April 2022 at the 1432<sup>nd</sup> meeting of the Ministers' Deputies, 20 April 2022.

NHRI in Greece. The founding legislation of the GNCHR was amended by Law 4780/2021, the provisions of which now govern the operation of the Greek National Commission. Under these provisions, the GNCHR has acquired legal personality, functional, administrative and financial independence. Since 2001, the GNCHR, was accredited as an A' status NHRI (full compliance, in accordance with the UN Paris Principles) by the competent GANHRI Sub – Committee on Accreditation, in recognition of its substantial independence and effective fulfillment of its role. The last re-accreditation took place in November 2024.

### III. The GNCHR work on unaccompanied migrant children in Greece

The GNCHR has highlighted in several of its recent inputs and submissions to UN and Council of Europe and other mechanisms and bodies the issues of the protection of unaccompanied migrant children in Greece. These activities include indicatively the following:

- The Submission to the United Nations Human Rights Committee by the GNCHR in view of the third periodic report of Greece on the implementation of the ICCPR<sup>2</sup>.
- The GNCHR Written Contribution for the List of Themes prior to Greece's review of its combined 23rd and 24rd periodic report by the Committee on the Elimination of Racial Discrimination (CERD) in its 114th Session<sup>3</sup>. The GNCHR has participated in the examination of Greece before the UN CERD on Monday 2 December 2024<sup>4</sup>.
- The [Meeting of the GNCHR with a delegation from the Committee for the Prevention of Torture of the Council of Europe \(CPT\)](#) on 20 January 2025.
- The [GNCHR meeting with the Council of Europe Commissioner for Human Rights, Mr. Michael O' Flaherty](#) on 5 February 2025.
- [GNCHR, On-site visit to Samos: Reception conditions at the Samos CCAC do not comply with basic standards](#), April 2024 (in Greek).
- [GNCHR, On-site visit to the Controlled Access Facility for Temporary Accommodation of Asylum Seekers of Ritsona](#), October 2024.
- [Input to the OHCHR study on human rights monitoring in the context of migration, including at international borders](#), January 2025

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<sup>2</sup> GNCHR, [Submission to the United Nations Human Rights Committee by the GNCHR in view of the third periodic report of Greece on the implementation of the ICCPR](#), September 2024.

<sup>3</sup> GNCHR, [GNCHR Written Contribution for the List of Themes prior to Greece's review of its combined 23rd and 24rd periodic report by the Committee on the Elimination of Racial Discrimination \(CERD\) in its 114th Session](#), August 2024.

<sup>4</sup> GNCHR, [Examination of Greece before the UN Committee on the Elimination of Racial Discrimination \(CERD\)](#), 9 December 2024.

- GNCHR, [On the publication of the judgments of the ECtHR: A.R.E. v. Greece and G.R.J. v. Greece](#), 6 February 2025. In these cases, the GNCHR made an intervention as a third party, at the request of the Strasbourg Court for an answer to the general question whether there is a systematic practice of pushbacks of third country nationals from Greece to Turkey at the land and sea borders, in recognition of its independence and the effective exercise of its powers.

It is important to underline the role of the [Racist Violence Recording Network \(RVRN\)](#), which was established in mid-2011 by the Greek National Commission for Human Rights (GNCHR) and the Office of the United Nations High Commissioner for Refugees in Greece (UNHCR), along with the engagement of various civil society actors with the primary goal of systematically recording incidents of racially motivated violence and analyzing the phenomenon's quantitative and qualitative dynamics. Today, the Network comprises 55 members dedicated to recording incidents of racist violence against individuals or properties reaching out to their services.

The participants of the Network recognize and pursue as a common goal the fight against racist violence as well as all acts of hate caused by race, color, religion, racial or ethnic origin, sexual orientation, identity gender, gender characteristics, and disability.

For the purposes of the Network, incidents of racist violence are considered criminal acts or violent acts or behaviors against individuals, who are targeted based on national or ethnic origin, color, religion, sexual orientation, gender identity, or disability. Criminal acts or violent acts or behaviors against human rights defenders, and those who promote and protect human rights and are targeted because of their action, are also recorded. In pursuit of the common goal, the Network: a) makes recommendations to the Greek authorities under Greek and international human rights law, b) promotes information and public awareness on the fight against racism c) consults on specific issues related to racist violence, d) strengthens cooperation with other bodies competent to combat racist violence, e) organizes and participates in training programs for civil society and relevant institutions on issues related to identifying, recording and tackling hate crimes.

From October 2011, the starting point of the recordings, until today, the activity of the Network is constantly expanding. The Network participates in institutional initiatives to improve the treatment of racist crime and seeks to raise awareness about racist crime in every possible way. To that end, it responds to a particularly high number of requests for information from researchers, journalists, and students. Also, the Network contributes to the dissemination of legislation against racism and racist crime through its participation in seminars, training, and public debates and specialized bodies of the State. Recognition of the role of the Network in the fight against racist crime is reflected in the frequent invitations since it receives from international and European

organizations, national institutions, and other bodies to express its opinion but also to present its data, operation, and methodology.<sup>5</sup>

The GNCHR has established the [Recording Mechanism of Incidents of Informal Forced Returns](#) (hereafter ‘the Recording Mechanism’) by a decision of its Plenary in September 2021 following two major findings: a) the absence of an official and effective data collection mechanism of informal forced returns; and b) the need for coordination among organizations who record on their own initiative any alleged incidents of informal forced returns from persons who recourse to their services.

The main objective of the Recording Mechanism is the promotion and consolidation of respect for the principle of non-refoulement in Greece, which is the cornerstone of international refugee law, enshrined also in the Charter of Fundamental Rights of the European Union (Art. 19) and EU Directives of the Common European Asylum System, as well as the safeguarding of guarantees and legal procedures provided by EU law such as access to asylum (Art. 18). In addition, the Recording Mechanism will strengthen accountability for alleged human rights violations occurring during informal forced returns of third-country nationals, which lies at the core of the fundamental value of the rule of law. By adopting a coherent, transparent and scientific recording methodology, the Recording Mechanism aims at enhancing the credibility of the reported incidents. Respect for human rights, diversity, multiculturalism, and tolerance, as well as action to promote third-country nationals’ rights, are prerequisites for being a member of the Recording Mechanism.

Members of the Recording Mechanism have legal personality and are legally represented in Greece. The validation of their legal personality and the alignment of their operational objectives with those of the Recording Mechanism, requires submission of their statutes to it. The Recording Mechanism operates under common rules applicable to all its members, who have adopted its Founding Act, which stipulates their rights and obligations are bound by the commitment to pursue its shared objectives, use its instruments, and apply its methodology. So far, the following Civil Society Organizations are listed as members of the Recording Mechanism: Greek Council for Refugees (GCR), Hellenic League for Human Rights (HLHR), Network for Childrens’ Rights, Medical Intervention (MedIn), METAdrasi – ACTION FOR MIGRATION AND DEVELOPMENT, Transgender Support Association (SYD), Refugee Support Aegean (RSA), HIAS Greece, Legal Centre Lesvos, Danish Refugee Council Greece, Equal Rights Beyond Borders and International Rescue Committee Greece. The UNHCR Office in Greece within the framework of its mandate, contributes its expertise and technical support to the Recording Mechanism, as a cooperating Agency.

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<sup>5</sup> GNCHR, [Racist Violence Recording Network](#).



#### IV. The GNCHR input on unaccompanied migrant children in Greece

The GNCHR, Greece's independent national human rights institution (NHRI), reiterates with urgency its systemic concerns regarding the protection and promotion of children's rights, particularly in the domains of health and education. Despite extensive legal frameworks and programmatic declarations by the Greek State in its *Follow-up to Collective Complaint No. 173/2018 International Commission of Jurists (ICJ) and the European Council for Refugees and Exiles (ECRE) v. Greece*, critical gaps remain in the effective implementation of the Convention on the Rights of the Child (CRC), especially for vulnerable groups such as refugee children, children with disabilities, Roma minors, and LGBTQI+ youth. In developing its reports and recommendations on the rights of the child—particularly the rights of children with additional vulnerabilities, such as unaccompanied minors—the GNCHR has consistently adhered to the four general principles of the Convention on the Rights of the Child, as recognized by the Committee on the Rights of the Child: the principle of non-discrimination (Article 2), the best interests of the child (Article 3), the right to life, survival and development (Article 6), and the right of the child to express their views and to have those views given due weight (Article 12).

The GNCHR recalls the crucial importance of the protection of unaccompanied children, given the devastating effects it can have for their lives. Based on the assessment of the ECSR, providing appropriate accommodation and sufficient health care to accompanied and unaccompanied migrant children on the islands, and appropriate shelter to unaccompanied migrant children on the mainland, urgent medical assistance and such basic social assistance, guaranteeing the children concerned by the complaint the special protection against physical and moral dangers and access to formal education, guaranteeing to everyone the right to housing and shall promote access to adequate housing are crucial for vulnerable children such as those concerned in the case *International Commission of Jurists (ICJ) and European Council for Refugees and Exiles (ECRE) v. Greece*. Further, detention in police stations or in closed facilities, even for short periods of time, cannot be an alternative to proper shelter and accommodation suited to the age and the needs of such children. The National Commission closely monitors developments at the level of international, European and national legislation, as well as the practical implementation of this framework. On the basis of the submissions mentioned above to UN and Council of Europe mechanisms and bodies, to relevant GNCHR contributions and inputs and GNCHR activities and cooperation with other actors, in order to carefully assess the progress made by the Greek authorities concerning the protection of unaccompanied migrant children, the GNCHR shall refer to relevant steps taken under the following areas:

## ***1. The protective framework for unaccompanied minors in Greece and capacity in first response***

Based on the situation of the unaccompanied minors arriving in Greece, there is a need to refer to the challenges they face, the care they need to receive and the duration of the whole care process. Analysing the framework is crucial in order to link the obligations and the gaps in implementation and compliance with the ESC, especially for the reception and accommodation of minors in Greece.

The legal framework governing the **reception and accommodation of unaccompanied minors** in Greece is defined by Law 4939/2022<sup>6</sup>.

Article 40 of the Law 4939/2022 disposes that during the second stage of “Reception”, third-country nationals or stateless persons who enter the Reception and Identification Center or the Closed Controlled Structure: a) are subject to reception and identification procedures, being placed under a regime of restriction of their freedom within the Center, by decision of its Director, which is issued within five (5) days of their entry. (...) In the context of the above procedures, special care is taken for persons belonging to vulnerable groups and in particular for unaccompanied minors. (...) c) applicants for international protection may remain in the facilities for as long as the examination process of their application lasts, provided that the period of their stay in the Reception and Identification Center or the Closed Controlled Structure does not exceed a total of twenty-five (25) days from their entry there.

Article 47 of the Law 4939/2022 disposes that the competent authorities, within a reasonable time not exceeding fifteen (15) days from the submission of the application for international protection, shall inform the applicant of the rights and obligations with which he must comply in relation to the reception conditions and the benefits provided.

Article 52 par. 2 of the Law 4939/2022 disposes that minors shall be detained only as a last resort, always in their best interests, and when it is proven that alternative and less restrictive measures cannot be applied. Detention shall be as short as possible and every effort shall be made to lift the detention and refer the minor to accommodation centres suitable for minors and never to prisons. In any case, the period until the completion of the procedure for referring the minor to accommodation centres may not exceed twenty-five (25) days. Unaccompanied minors shall be detained only in exceptional circumstances under the terms of the previous paragraphs and shall never be detained in prisons. Minors shall be detained separately from adults. Minors shall be allowed to engage in leisure activities, including games and educational and recreational activities appropriate to their age.

An overview of the main steps of the procedure of the reception but also specific references to minors are presented on the website of the Ministry of Migration and Asylum<sup>7</sup>.

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<sup>6</sup> For the relevant legislation see Ministry of Migration and Asylum (MoMA), [Legislation](#).

According to the provisions of this law and in particular articles 64, 65, 66 (Chapter B), when the competent authorities detect the entry into the country of an unaccompanied or separated minor, they must inform without delay the Special Secretariat for the Protection of Unaccompanied Minors of the Ministry of Migration and Asylum and the nearest Public Prosecutor's Office (art. 64, p.1). The Reception and Identification Service is then responsible for the reception and identification of unaccompanied and separated minors in Reception and Identification Centers or in Closed Controlled Access Centers (CCAC). In this context, it also ensures, through the Special Secretariat for the Protection of Unaccompanied Minors of the Ministry of Migration and Asylum and the competent Public Prosecutor, the immediate assignment of the daily care of an unaccompanied minor to an adult blood relative up to the third (3rd) degree or to a person in his/her friendly environment, if this is deemed to be in the best interest of the minor (art. 64, p.2).

According to article 65 of the Law 4939/2022, with regard to the protection, guardianship and housing of unaccompanied minors and separated minors, the competent authority is the Special Secretariat for the Protection of Unaccompanied Minors of the Ministry of Migration and Asylum. Within the scope of its competence, the Secretariat is responsible, inter alia, for the following:

- a) It shall ensure that the family members of the unaccompanied minor and the separated minor are traced, with the assistance of certified bodies and organizations, as soon as possible after an application for international protection is submitted. If there is a risk that the life or integrity of the minor or his or her close relatives, in particular if they reside in the country of origin, is threatened, the collection, processing and transmission of information concerning the persons in question shall be carried out confidentially, so as not to jeopardize their safety.
- b) Ensures the referral and accompaniment of unaccompanied minors to special accommodation centres for unaccompanied minors or to other types of accommodation suitable for minors or to other accommodation centres, provided that there are suitably designed spaces for this purpose, for the duration of their stay in the country or until they are placed in a foster family or in supervised apartments. Changes in the place of residence of unaccompanied minors are limited to a minimum and only if necessary. In particular, ensures:
  - The management of requests for accommodation of unaccompanied minors, their prioritization according to vulnerability or disability criteria and the coordination of their transfer, placement and accommodation actions in appropriately designed accommodation centers operated by cooperating state and non-state bodies.
  - The management of temporary accommodation places, such as safe zones, operated by cooperating state and non-state bodies to meet the immediate accommodation needs of unaccompanied minors.

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<sup>7</sup> MoMA, [Overview of Procedures](#).

- The control of the implementation of the operating specifications of the accommodation centers for unaccompanied minors in accordance with the applicable legislation.
- The monitoring and regular evaluation of the quality of the services provided by the accommodation centers for unaccompanied minors.
- Improving the quality of services provided by accommodation centres for unaccompanied minors, through the systematic investigation of the difficulties encountered and the provision of ongoing training and support for their staff.
- Managing requests for emergency accommodation of unaccompanied minors, who are identified by the police authorities, any other authority or service or civil society organisations or third parties, and who are deprived of safe or known accommodation.
- Ensuring the accommodation of minors with their adult relatives or with a family that will have custody of the minor or with other adult persons suitable to take care of them, provided that this serves the best interests of the minors and procedures for assigning care to these persons have taken place in accordance with the law. The opinion of the minor is taken into account depending on his/her age and degree of maturity.
- Ensuring the joint accommodation and cohabitation of siblings, taking into account the age, gender, maturity and generally the best interests of each minor.
- Ensuring the accommodation of unaccompanied minors who have reached the age of sixteen (16), in supervised apartments, without prejudice to the protection of minors.
- Coordinating the actions required for the relocation of unaccompanied minors to other states within the framework of interstate agreements.
- Coordinating the action of all services and bodies, public or private, involved in issues of protection of unaccompanied minors, such as health, education, employment, and determines the national strategy for the protection of unaccompanied minors in cooperation with the other competent authorities, according to their competence.
- The cooperation with international organizations, bodies and/or services of the European Union or other states to undertake initiatives, take measures and implement programs that contribute to the protection of unaccompanied minors.
- Ensuring the information and awareness of the public on the issue of the protection of unaccompanied minors and the development of voluntary actions.

Modifications to the Law 4939/2022 and more specific provisions on the guardianship, accommodation and protection of unaccompanied adults are provided by Law 4960/2022. With regard to guardianship, which applies to every unaccompanied minor, regardless of whether or not an application for international protection has been filed, it includes three types of functions (art. 9): a) the custody of the unaccompanied minor, b) his/her representation in matters of personal status, and c) his/her assistance in property matters. The competent authority for the guardianship of unaccompanied minors is the Institutional Protection Unit of the Special Secretariat for the Protection of Unaccompanied Minors of the Ministry of Immigration and Asylum. The organs of the guardianship are the following: a) the Public Prosecutor, b) the guardian, c) the

guardianship officer and d) the Council for the Guardianship of Unaccompanied Minors (art. 13). With regard to the framework of accommodation for unaccompanied minors, the Special Secretariat for the Protection of Unaccompanied Minors ensures accommodation and its accompanying services for unaccompanied minors in a) Long-term accommodation facilities, which are divided into: aa) Accommodation Centres for Unaccompanied Minors from six (6) to eighteen (18) years of age; and ab) Supervised Semi-Autonomous Living Apartments for unaccompanied minors from sixteen (16) to eighteen (18) years of age and in b) emergency accommodation facilities for unaccompanied minors living in precarious living conditions (Art. 31 adding an article 66ke to the Law 4939/2022).

The request for accommodation, which is submitted with the assistance of the guardian appointed by the public prosecutor, must include at least a) the identity and contact details of the reporting body, b) the personal and legal situation of the minor directly concerned, (c) elements of vulnerability, such as the minor's state of health; (d) elements of social history; and (e) an assessment of the best interests of the minor, whereas the management of requests for accommodation of unaccompanied minors is a process which is divided into its stages: (a) submission of the housing request, (b) assessment of the request, and (c) preparation of the unaccompanied minor for transfer to an appropriate accommodation setting (Art. 36 adding an article 66l to the Law 4939/2022).

It is important to note the **National Strategy on Unaccompanied Minors 2021-2025 of the Ministry of Migration and Asylum**<sup>8</sup> and the relevant ministerial decisions on more specific issues<sup>9</sup>.

According to article 6 of the presidential decree 77/2023 (Government Journal A' 130/27.6.2023) a General Secretariat for Vulnerable Citizens and Institutional Protection, as well as a corresponding position of Secretary General, are established within the Ministry of Immigration and Asylum. The services of the Special Secretariat for the Protection of Unaccompanied Minors, as a set of responsibilities, organizational units, staff positions and supervised bodies, referred to in article 39 of Presidential Decree 106/2020, are transferred to the General Secretariat for Vulnerable Citizens and Institutional Protection.

The GNCHR has noted in its Submission to the UN Human Rights Committee in view of the third periodic report of Greece on the implementation of the ICCPR<sup>10</sup> that, despite significant progress, concerns highlighted in its [Observations on the State's draft reply to the list of issues prior to Greece's third periodic report on the implementation of the](#)

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<sup>8</sup> MoMA, [National Strategy on Unaccompanied Minors 2021-2025](#).

<sup>9</sup> MoMA, Joint Ministerial Decision and modifications on the "Framework of Standard Rules for the Operation and Licensing of Accommodation Centers for Unaccompanied Minors" No. 137051/2.5.2024 ([here](#)).

<sup>10</sup> GNCHR, [Submission to the United Nations Human Rights Committee by the GNCHR in view of the third periodic report of Greece on the implementation of the ICCPR](#), September 2024, p. 7.

ICCPR still persist, particularly in relation to reception conditions. Protective custody was legally abolished in 2020 but some minors are still briefly detained. Additionally, the increasing use of private security in asylum centers raised concerns as noted by the [UN Press Release in 2022](#). While vulnerability assessments are conducted upon arrival in reception centers, there are gaps in medical and psychosocial assessments along with poor referrals to hospitals and a lack of clear information on assessment outcomes.

The above framework has been accused by civil society actors of having certain gaps, but even more so, **the issue of its poor implementation in practice has been the focus of criticism, resulting in serious challenges for the effective protection of unaccompanied minors in Greece today**. Child arrivals in the country were doubled in 2024, with the number of unaccompanied minors in particular reaching 3,000, compared to 1,490 in 2023<sup>11</sup>. Children arriving in Greece often face deplorable conditions in remote refugee facilities, despite the obligation of the Greek authorities to provide them with the best possible facilities and services<sup>12</sup>. In particular, according to a recent survey by Refugee Support Aegean (RSA)<sup>13</sup>, which focuses on the **conditions of refugee accommodation on the Aegean islands** (Kos, Lesbos, Chios, Samos, Leros), **the so-called "Safe Areas" inside the Closed Controlled Access Centers host more than twice the number of minors than their capacity, with serious consequences for the daily lives of children**. "Safe areas" are distinct accommodation areas for unaccompanied minors within the Closed Controlled Access Centers, which are intended to ensure appropriate living conditions for children. Indicatively, according to the RSA survey, due to the increased number of unaccompanied minors, in Chios children were forced to sleep in inappropriate places, such as quarantine or leisure areas, while in Leros children underlined the lack of hygiene and many skin problems<sup>14</sup>. The report also refers to the problem of the **lack of appointed guardians by the State, which means that the needs of all children are not sufficiently met**. At the same time, it points to **serious delays in the process of appointing guardians by the competent prosecutors, which has led to delays in registration, the asylum procedure and family reunification, and delays in the transfer of minors in the mainland**. Similar conclusions can be found at the report of the Greek National Commission for Human Rights on the on-site visit to Samos in February 2024<sup>15</sup>.

The problems in the issue of reception, accommodation and protection of unaccompanied minors, which are also confirmed by other sources, do not stop here. More specifically, during Amnesty International's visit to the Closed Controlled Access Center of Samos in December 2023, **severe restrictions on unaccompanied minors' movement within the CCAC were found to be a potentially unjustified interference**

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<sup>11</sup> GCR, [Child migrant and refugee arrivals in Greece double in 2024, as children report alarming camp conditions](#), 11 December 2024.

<sup>12</sup> *Op.cit.*

<sup>13</sup> RSA, [Refugee facilities on the Aegean islands](#), 10 December 2024.

<sup>14</sup> *Op.cit.*

<sup>15</sup> GNCHR, [On-site visit to Samos: Reception conditions at the Samos CCAC do not comply with basic standards](#), April 2024 (in Greek).



**with their right to liberty and security**<sup>16</sup>. In a recent joint press release, the Greek Council for Refugees confirms the unsafe situation for unaccompanied children in "Safe Areas" both on the islands and in the mainland, due to lack of access to health and education services<sup>17</sup>, while in a joint report with Save the Children International it states that approximately only 1/3 of asylum applications submitted by unaccompanied children in 2022 were accepted<sup>18</sup>. Although unaccompanied children with rejected asylum applications can apply for a residence permit on humanitarian grounds, a **multitude of legal obstacles, such as the lack of free legal assistance, result in hundreds of children living in Greece without formal legal status and therefore without protection**<sup>19</sup>. This situation puts Greece in direct contrast to many EU Member States, where almost half of the Member States grant residence permits to unaccompanied minors, ensuring thus their best interests<sup>20</sup>.

Regarding the **assessment of the age of unaccompanied minors** upon their arrival in the country, the observations that can be made for Greece is that, as shown by a joint briefing of the Greek Council for Refugees and Save the Children<sup>21</sup>, the need to emphasize in the National Strategy for the Protection of Unaccompanied Minors the three distinct stages that the assessment should follow (physical development assessment, psychosocial evaluation, medical examination) is precisely what is highlighted for an effective age evaluation. Apart from the general precariousness in which unaccompanied minors in the country find themselves as a result of the above-mentioned factors, no specific references to the issue of the challenges faced by unaccompanied minors in the age assessment procedures were identified during the research.

Finally, apart from the general deadlines based on the aforementioned legislation and any specific provisions on unaccompanied minors as referred above, **there is a difficulty in determining the exact actual duration of the procedures that are implemented in practice and governing the reception, accommodation and protection of unaccompanied minors in Greece**. This can be attributed both to the possible absence of more specific provisions in existing legislation and to the lengthy procedures followed in practice. The relevant surveys used also did not provide any clear and constant information on the timetables followed and implemented for the reception, accommodation and protection of unaccompanied minors in the country.

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<sup>16</sup> Διεθνής Αμνηστία - Ελληνικό Τμήμα, Σάμος: «Νιώθουμε φυλακισμένοι στο νησί» Παράνομη κράτηση και ακατάλληλες συνθήκες σε χρηματοδοτούμενο από την ΕΕ κέντρο προσφυγιστών/ων, 30 Ιουλίου 2024.

<sup>17</sup> GCR, [Hundreds of unaccompanied children in Unsafe Zones: Need for an Immediate Activation of Relocation](#), 5 December 2024.

<sup>18</sup> GCR, [Report: "Without papers, there's no life: Legal barriers in access to protection for unaccompanied children in Greece"](#), 7 August 2024.

<sup>19</sup> *Op.cit.*

<sup>20</sup> *Op.cit.*

<sup>21</sup> GCR and Save the Children International. [Bimonthly Update January-March 2022. Greece: Children on the move](#), January-March 2022.

**The GNCHR during the on-site visit to Samos in 2024 found that the reception conditions at the Close Controlled Access Center of Samos do not comply with basic standards<sup>22</sup>.** This report sets out certain findings and recommendations to the State with the aim of preventing possible human rights violations, as the situation, as the Commission has determined, is borderline in certain areas, exposing the residents, including children, to completely inappropriate conditions and immediate danger.

**The heavy presence of security personnel combined with additional security measures (surveillance cameras installed in outdoor areas – not just in common areas – and barbed wire everywhere – double fencing) resembles the way a detention center is managed and operated.** Civil society organizations report that the high-security facilities affect the mental health of residents who often carry trauma from experiences in their countries of origin or transit.<sup>23</sup>

The GNCHR recalls the **Decision OI/3/2022/MHZ of the European Ombudsman on the respect for human rights in the facilities of the Greek islands**, where, after examining the security measures applied, it underlines that these facilities (KED) “resemble detention facilities” and notes “[i]t is doubtful how respect for human dignity and the protection of the best interests of the child and vulnerable persons can be ensured if the residents are forced to remain in such an environment”.<sup>24</sup>

According to Equal Rights Beyond Borders (Equal Rights) on 7 April 2025<sup>25</sup>, the **Athens Administrative Court of First Instance has ruled that the prolonged detention of two minors in the Malakasa Camp constitutes unlawful and arbitrary detention.** The cases involved a 12-year-old Syrian girl and a 10-year-old Afghan boy who arrived in Greece with an adult relative rather than a parent. Pending administrative procedures, they have been kept in Malakasa Camp – a facility close to Athens. They were not allowed to leave the facilities, rendering them undocumented and without access to education or proper healthcare. While the Greek State claims, that they were not detained, the Court considered the practice detention and ordered the Administration to take all necessary measures for the children to exit the facilities. Both minors were awaiting a decision from the responsible Juvenile Public Prosecutor regarding the relative’s suitability for temporary care. According to the practice that is enforced by the Malakasa Administration, the minors would remain in this state until

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<sup>22</sup> GNCHR, [On-site visit to Samos: Reception conditions at the Samos CCAC do not comply with basic standards](#), April 2024 (in Greek).

<sup>23</sup> Γιατροί χωρίς Σύνορα, [Κλειστά κέντρα για τους πρόσφυγες που φτάνουν στα ελληνικά νησιά: Ένα χρόνο αργότερα, «όλοι υποφέρουν από προβλήματα ψυχικής υγείας](#), 30 November 2022 (in Greek).

<sup>24</sup> European Ombudsman, [Decision in strategic inquiry OI/3/2022/MHZ on how the European Commission ensures respect for fundamental rights in EU-funded migration management facilities in Greece](#), 7 June 2023. See also UN Working Group on the use of mercenaries and private military and security companies, End-of-mission statement, 16 December 2022 “*The Working Group also noted the use of high-tech security systems in the migration centres which includes cameras and motion sensors, and uses algorithms to automatically predict behaviours and flag threats such as the presence of guns, unauthorised vehicles, or unusual visits into these asylum centres. ‘These disproportionate security and surveillance measures developed by private technology companies infringe on the fundamental rights of those held in these centres, including their rights to freedom of movement and privacy,’ the experts said*”.

<sup>25</sup> Equal Rights, [Court declares unlawful detention of two minors in Malakasa Camp in Athens](#), 7 April 2025.



the Juvenile Public Prosecutor assigned temporary care to their relative. However, due to significant delays the minors endured this situation for over six months. On behalf of the children, Equal Rights Beyond Borders submitted objections to the Athens Administrative Court of First Instance, contesting this constitutes prolonged detention of the minors. Within ten days, the Court accepted the objections, ruling that the restriction of the minors' freedom of movement in an "open camp" constituted unlawful detention. Considering one of the minors, the decision was not implemented immediately by the Administration as provided by law, and the child remained in detention for one additional week.

Further, according to Equal Rights on 12 March 2025<sup>26</sup>, Greek Court Rules Minor's Stay in Leros "Safe Zone" as Unlawful Detention. Deciding on objections submitted by Equal Rights Beyond Borders, the Rhodes Administrative Court of First Instance found that the restriction of a minor's liberty in the so-called "safe zone" of the Closed Controlled Access Centre (CCAC) of Leros for more than two months amounted to unlawful detention. The minor came to Leros, Greece, accompanied by an adult relative and not a parent. The two were separated, pending a decision by the Public Prosecutor on the relative's suitability to exercise the temporary care of the minor, in accordance with the best interests of the child. As such, the minor was placed in the "safe zone" of the CCAC, while their relative was housed with the general population. The minor had no right to exit the "safe zone", let alone the CCAC, and could only meet with their relative through the barbed-wire fence separating the "safe zone" from the other sections of the camp. According to the general practice of the national authorities, the minor would remain there until the Public Prosecutor assigned their temporary care to the relative. Due to excessive delays in the issuance of temporary care and guardianship decisions, the great numbers of unaccompanied and separated minors in the "safe zone" of the Leros CCAC (currently numbering approximately 200), and other systemic problems, the minor had been detained for almost two months when he contacted Equal Rights Beyond Borders.

On April 2025, a **Médecins Sans Frontières (MSF) medical team has reported six cases of malnutrition among children in the Samos closed controlled access centre (CCAC) in Greece**, which houses asylum seekers.<sup>27</sup> This is the first time MSF has identified malnutrition in the facility since 2021. Six children aged six months to six years were diagnosed with severe or moderate acute malnutrition— a life-threatening condition requiring immediate medical intervention to prevent further deterioration. However, pediatric care remains inadequate, not only in the CCAC but across all of Samos island. Additionally, according to the report, cash assistance for asylum seekers has been halted since June, leaving families without the means to buy essential, nutritious food for their children. Refugee families already endure extreme hardships

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<sup>26</sup> Equal Rights, [Greek Court Rules Minor's Stay in Leros "Safe Zone" as Unlawful Detention](#), 12 March 2025.

<sup>27</sup> MSF, [Children diagnosed with malnutrition on Greece's Samos Island](#), 7 April 2025. See also Reuters, [Children found malnourished in Greek migrant camp, MSF charity says](#), 7 April 2025 and Kathimerini, [Children found malnourished in Greek migrant camp, MSF charity says](#), 7 April 2025.

traveling through multiple countries while facing food insecurity and a lack of medical care. Children are especially vulnerable to the cumulative effects of prolonged malnutrition.

During the **GNCHR on-site visit to the Controlled Access Facility for Temporary Accommodation of Asylum Seekers of Ritsona**, the National Commission found that the situation resembles to a remote accommodation with lack of reception guarantees<sup>28</sup>.

**The difficulty of connecting transport with basic services of the urban fabric has a great impact on all residents of the facility, including children who, as noted, are psychologically burdened, with reported cases of depression.** For example, it was reported that in order for parents to reach their children's school, this is achieved through sponsorships, while there are cases of parents and children, who, after traveling to school or after incidents that required transportation to a hospital, had no way of returning to the facility. **The lack of regular transport and connection of the facility with the urban fabric has the result that residents are exposed to the risk of economic exploitation in order to move.** It is necessary for the facility to be taken into account as a single "living" and dynamic set of residents, workers, services, activities and needs that cannot be disconnected from the urban fabric and the services developed outside the facility, otherwise the purpose of the facility will also differ with regard to the free living regime, the purposes of the proper functioning of the facility and the services offered, especially with regard to the rights and obligations of the guests in the host country, their psychosocial support, facilitating access to health services, learning the Greek language as well as access to education and skills development programs, as mentioned by the Ministry of Migration and Asylum<sup>29</sup>.

In many respects, the issues faced by minors in the facility need to be related to what has been highlighted regarding distance and difficulty of movement. According to article 22, paragraph 1 of the Convention on the Rights of the Child, the Contracting States shall take appropriate measures to ensure that a child who is seeking to acquire refugee status or who is considered a refugee in accordance with the rules and procedures of applicable international or national law, whether unaccompanied or accompanied by his or her parents or by any other person, shall enjoy appropriate protection and humanitarian assistance, enabling him or her to enjoy the rights recognized in the present Convention and in other international instruments relating to human rights or humanitarian law to which the said States are parties. In particular, according to article 24, paragraph 1, States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to the benefit of medical treatment and rehabilitation services and shall strive to ensure that no child is deprived of the right of access to such services.

Among other recommendations to the State authorities, the GCNHR underlines the **obligation to ensure that the identification and assessment of vulnerabilities and**

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<sup>28</sup> GNCHR, [GNCHR on-site visit to the Controlled Access Facility for Temporary Accommodation of Asylum Seekers of Ritsona](#), October 2024.

<sup>29</sup> MoMA, [Facilities/Temporary Reception](#).

**the investigation of (potential) risks and incidents of violence are carried out based on international standards and the needs of the residents**, provided that the services have previously been staffed with specialized and trained personnel.

The **Council of Europe anti-torture Committee (CPT)** again called on Greece to reform its immigration detention system and stop pushbacks<sup>30</sup>. In its **report** on its ad hoc visit to Greece, which took place from 21 November to 1 December 2023, **published on 12 July 2024** together with the response of the Greek authorities, the CPT once again urged the Greek authorities to **improve the conditions in the country's immigration detention facilities**, and especially the newly-built and EU-funded centres on the Aegean islands, while ensuring that foreign nationals are treated both with dignity and humanity. **The CPT considers that the excessive security and unnecessary barbed wire fencing make these centres unsuitable for accommodating children and persons in a situation of vulnerability**. Large numbers of persons with special needs and vulnerabilities were being held without a proper assessment or medical screening upon arrival. The Greek authorities should also end the detention of unaccompanied and separated children in these centres. The CPT again received many consistent and credible allegations of informal, often violent, forcible removals of foreign nationals across the Evros river or at sea to Türkiye (pushbacks). This occurred without consideration of their individual circumstances, vulnerabilities or protection needs as well as the risk of ill-treatment when pushed back. **The complaints received, some as recently as early November 2023, related to alleged pushback operations of foreign nationals, including unaccompanied and separated children**.

The UASC section at Samos was accommodating around 100 boys and 50 girls primarily from Palestine, Somalia and Syria in two one-storey prefabricated buildings of 20 rooms each<sup>31</sup>. At Kos CCAC, the staff allocated to the section for UASCs were far too few<sup>53</sup> and often were not present as they had other duties around the centre and were not in a position to assist the children in their asylum interviews. The CPT recommended that the Greek authorities take steps to ensure that all children: **are provided with clothing and shoes** appropriate for the weather as well as sufficient quantities of hygiene products, including sanitary pads for girls; are provided with **sufficient food** of a varied nature containing the necessary vitamins and nutrients for growing adolescents; offered **activities of a diverse nature** in addition to school classes in the mornings; offered greater **psychological and counselling support**, as required, and **legal advice and information in a language they can understand** on the asylum process and their specific situation. Further, the CPT recommended that **the staffing levels in the UASC sections be strengthened accordingly**.

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<sup>30</sup> CPT, [Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment \(CPT\)](#), CPT/Inf (2024) 21, 12 July 2024.

<sup>31</sup> *Op.cit.*, pp. 40-41.

In January 2023, the European Commission [sent a letter of formal notice to Greece](#) (among other EU States) for incorrect transposition of certain provisions of the Directive 2013/33/EU on Reception Conditions.

## **2. Children's rights and child protection mechanisms**

The issues described above do not resemble to a situation that follows a human rights-based approach according to the Revised European Social Charter.

Though, the GNCHR has welcomed the creation of the **National Emergency Response Mechanism** (hereinafter NERM) designed by the Special Secretariat for the Protection of Unaccompanied Minors (hereinafter General Secretariat for Vulnerable Persons and Institutional Protection, according to Presidential Decree 77/2023) and the UN High Commissioner for Refugees in 2020 and implemented in 2021. The GNCHR notes that the number of unaccompanied children who have been accommodated by NERM in emergency accommodation facilities is 5,688 (from start until 30.09.2024) and that it serves as a best practice in the EU, but there are more things to be done, based on the gaps mentioned above, in order to establish a highly effective reception system, for vulnerable unaccompanied minors who are traced to be homeless or living in precarious conditions. The NERM provides critical support for children in precarious situations and is recognized as a best practice in the EU. The GNCHR reiterates its standard recommendation on the need for a coherent and efficient coordination of relevant actions. Recently, GNCHR provided tailored training to national authorities on the rights of vulnerable asylum seekers, including LGBTI individuals ([Rooting for Rights Project 2023-2024](#)).

The GNCHR underlines the alarming situation on human trafficking victims and potential victims that the Special Rapporteur on trafficking in persons, especially women and children, Siobhán Mullally, noted. **The Special Rapporteur expressed her concern in a letter to the Government of Greece about the situation of victims and potential victims of trafficking in the Closed Control Access Centre (CCAC) opened in 2021 on Samos.**<sup>32</sup> Reception conditions at the Centre, which now accommodates up to 5,000 people, despite its 3,000 limit, are reportedly inadequate and fail to provide its occupants with a safe, dignified and healthy living environment, and restrictions on liberty for those accommodated there are reported to be extreme.

The Special Rapporteur said that out of 2,170 asylum seekers who reportedly arrived on Samos in 2022, 285 were potential victims of trafficking. However, according to accounts by 14 victims/survivors of trafficking, no proper identification, or appropriate accommodation and medical, psychological and material assistance was made available to them. While these 14 women showed clear signs of trafficking upon their initial

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<sup>32</sup> UN, [Greece: UN expert alarmed by failures in identification and protection of victims of trafficking on Samos](#), 2 December 2024. Reuters, [Greece failed to identify sex trafficking victims in migrant centre, UN expert alleges](#), 2 December 2024.

encounter with the authorities, including physical injuries, sexual violence, pregnancy or gynaecological infections and indicators that they had been trafficked through various countries for the purpose of sexual exploitation or forced labour, only four were identified as victims after a medical and psychosocial evaluation.

The expert also expressed concern about allegations that the Samos Greek Asylum Service does not appear to take into consideration incidents of trafficking and other forms of violence when assessing the eligibility of applicants for international protection, unless the incidents took place in the applicants' country of origin. It is important that many of the cases referred in the letter of the Special Rapporteur refer to young adult women, some of them with children or pregnant. Thus, the lack of protection and support of the victims or possible victims might have a considerable impact on their children. The risks described in this letter could also be apparent for minors given also the conditions in reception facilities and issues of guardianship processes.

**Regarding the issues of mainstreaming best interests' assessment procedures,** the GNCHR welcomes the efforts of the General Secretariat for Vulnerable Persons and Institutional Protection of the Ministry of Migration and Asylum to implement a project to establish a National Best Interest Procedures (BIPs) System for all unaccompanied children in Greece, in cooperation with UNHCR and the EU Agency for Asylum (EUAA). On the contrary, there is a need to implement it immediately, as the delays underline the obligations of the State and the non-compliance with the ECSR's decision and the content of this specific case before the Committee. The GNCHR hopes that the establishment of a National BIP Accreditation system and clear case management system by the General Secretariat for Vulnerable Persons and Institutional Protection will eventually contribute as a best practice to the adoption of a harmonized national child protection case management system for all children in Greece by the competent authorities. Besides, the implementation is crucial and any delays have an impact on lives of children.

Regarding the **National Strategy regarding the Protection of Unaccompanied Minors, the aim of improving data collection on minors and the accommodation system and the estimated number of UAMs in Greece** (pp. 3-4 of the State Report) **and its link to racist violence**, given that according to the RVRN Annual Report 2023<sup>33</sup>, throughout 2023, 158 incidents of racist violence were recorded and, among these, 89 cases specifically targeted migrants, refugees, or asylum-seekers and 34 occurred at the country's borders, the GNCHR notes the following:

Based on the GNCHR Additional Information on the List of Themes for Greece's review of its combined 23rd and 24th periodic report by the Committee on the Elimination of

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<sup>33</sup> RVRN, [Annual Report 2023](#), 2024, p. 5-7.



Racial Discrimination (CERD) in its 114th Session<sup>34</sup>: The CERD Committee in its List of Themes required from the State **updated information and statistics** on (1) the demographic composition of the population, (2) complaints registered before the courts or any other national institution, including the GNCHR, for acts of racial discrimination, racist hate speech and racist hate crimes, including over the Internet and through media outlets, and on the number of investigations, prosecutions and convictions of perpetrators (if any) and for acts of racial discrimination, racially motivated violence and racial profiling by law enforcement in specific, (3) inspection visits, detected violations, sanctions or penalties imposed and compensation provided to migrant workers, victims of labor exploitation and abuse and (4) stateless persons and those at risk of statelessness.

The GNCHR, within its monitoring and advising role, has previously called the State to enhance the capacity of the Hellenic Statistical Authority to develop national statistics from a human rights perspective. The GNCHR has expressed concerns over the general lack of disaggregated data needed for monitoring human rights progress and informed policymaking, stressing the importance of up-to-date and comprehensive statistics. This challenge also applies with respect to international monitoring by UN human rights bodies. UN treaty bodies, such as the CRPD, the CRC and the CEDAW have recommended Greece to **develop a comprehensive data collection and reporting system in line with each Convention**. The Committee of Experts on the Application of Conventions and Recommendations of the International Labour Organization has addressed direct requests to Greece on statistics and disaggregated data kept for the implementation of ILO Conventions No. 29 on Forced Labour and No. 111 on Discrimination (Employment and Occupation) and No. 160 on Labour Statistics binding upon Greece.

The absence of a **coordinated national data system** hampers the collection of reliable statistics. The GNCHR has identified different factors that impact on the collection of segregated data and analysis. For instance, on gender equality, the transfer of the competence from the Ministry of Interior to the Ministry of Labour and Social Affairs and then the Ministry of Social Cohesion and Family disrupted data coordination. The portfolio changes along with the distribution of discrimination responsibilities to different ministries, a fact that hinders the collection of coordinated statistics. The same applies to human rights competence that shifted from the Ministry of Justice to the recently established Ministry of Social Cohesion and Family. In practice, this affected data collection and overall monitoring activities on human rights. At the same time, the GNCHR noted delays in the re-convening of the National Council against Racism and Intolerance impacting on the evaluation of the previous (2020-2023) National Action Plan against Racism and Intolerance and the preparation of the new one.

RVRN's data are the "tip of the iceberg" but capture a clear picture of the quantitative and qualitative trends of racist violence in Greece. **The RVRN remains the most**

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<sup>34</sup> GNCHR, [GNCHR Additional Information on the List of Themes for Greece's review of its combined 23rd and 24th periodic report by the Committee on the Elimination of Racial Discrimination \(CERD\) in its 114th Session](#), September 2024.

**effective mechanism for the avoidance of underreporting of hate crime in Greece to date.** Its data constitute a reference point for national, regional and international human rights bodies (for instance the NCRI, the CoE's ECRI, the OSCE/ODIHR) when planning or assessing relevant laws and policies.

The GNCHR underlines the **considerations of the CERD in its Concluding Observations on the combined twenty-third and twenty-fourth periodic reports of Greece on 24 December 2024**<sup>35</sup>, among other, about:

- Reports that migrants and asylum-seekers **face substandard and poor conditions at pre-removal detention centres** and police and guard stations, including **overcrowding and unsanitary conditions**, and that **basic services are inadequate or unavailable, including healthcare, psychological support, food and legal services**;
- Reports that **reception centres for asylum-seekers on the mainland are camp-like facilities, far from urban centres and lacking basic services**, as well as reports of the discontinuation in 2021 of the urban accommodation and support scheme, under which asylum-seekers and refugees enjoyed housing, education and other services;
- Reports that refugees are **facing obstacles and discrimination in accessing the social protection system, such as the housing allowance and the child allowance**, owing to complicated and discriminatory administrative requirements, including an unattainable documentation threshold;
- Reports, since March 2020, of an increasing number of migrants in irregular situations following the rejection of their asylum applications, owing to the decision to halt deportation to Türkiye, and reports that **they are facing barriers in accessing and enjoying their rights**;

**The GNCHR underlines the recommendation of the CERD that the State should take measures to ensure access to asylum-seekers and enjoyment by asylum-seekers of to their rights without discrimination, particularly with respect to housing, healthcare services and education, including by reviewing the legislative framework of the national social protection system and Law No. 4939/2022 to repeal forms of indirect discrimination against refugees and by considering the reintroduction and implementation of the urban accommodation and support scheme.**

Additionally, the GNCHR has participated in various national, regional and international fora, addressing the actual challenges and proposing possible solutions for the eradication of the forms of discrimination discussed. More specifically, among the **most recent and relevant interventions** of the GNCHR are worth mentioning the following:

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<sup>35</sup> CERD, [Concluding Observations on the combined twenty-third and twenty-fourth periodic reports of Greece](#), 24 December 2024.

- Participation of the GNCHR, as coordinator of the Racist Violence Reporting Network (RVRN), in the 3rd OSCE Supplementary Human Dimension Meeting (SHDM) on Tolerance and Non-Discrimination and Gender Equality (June 24<sup>th</sup> and 25<sup>th</sup>, 2024), in which both the good practice of the RVRN at international level in recording incidents of racist violence and the important work of GNCHR, especially on issues relating to the protection of women, girls and vulnerable communities, were highlighted.<sup>36</sup> It is known to be a position of all OSCE states both the unequivocal condemnation of intolerance and the commitment to combating discrimination, intolerance and hate as an integral aspect of the OSCE concept of comprehensive security.<sup>37</sup>
- Participation of the GNCHR in the 1st Open Session of the National Council against Racism and Intolerance on the topic: "Consultation with civil society organizations in view of the preparation of the 2nd National Action Plan against racism and intolerance" (December 10<sup>th</sup>, 2024). During this open session, the need to effectively address the phenomenon of racism, intolerance, racist violence and discrimination was underlined, in order to safeguard human rights and fundamental freedoms in accordance with national legislation and the country's international obligations. Furthermore, the importance of raising awareness of the principle of equality, equal treatment and dignity for all persons living in the Greek territory was stressed.<sup>38</sup>
- The Ministry of Social Cohesion and Family, the GNCHR and the KMOP-Center for Social Action and Innovation announced an important initiative to combat discrimination under the **project ECOSYSTEM Strengthening Public Authorities' Capacity to Respond to Intersectional Discrimination through Multi-Agency Coalitions**. With the aim of strengthening cooperation to combat discrimination in Greek society, the Ministry of Social Cohesion and Family, the GNCHR and the KMOP participated in the inaugural meeting of the "Ecosystem" initiative, on Wednesday, November 13, 2024, highlighting their role and contribution to this joint effort.<sup>39</sup>

**This important project will contribute to the preparation of the 2nd National Action Plan against Racism and Intolerance.** At the same time, it will upgrade the access of victims of racist violence to useful information and support services, through a digital platform that will be available in 10 languages. The platform is expected to serve thousands of people, facilitating their access to information about their rights and available services. This initiative is implemented within the framework of the European Union's "Citizens, Equality, Rights and Values" (CERV) project and is expected to be completed in September 2026.

It is based on intersectoral cooperation and contributes to strengthening the dialogue between public authorities, civil society organizations and international organizations to effectively address multiple discrimination by creating an active ecosystem. The

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<sup>36</sup> GNCHR, [Participation of the GNCHR, as coordinator of the Racist Violence Recording Network, in the 3rd Supplementary Meeting on the Human Dimension of the OSCE, 24-25 June 2024](#).

<sup>37</sup> OSCE, [Tackling discrimination and intolerance against women and girls is vital to ensure our common security, OSCE leaders say](#), 24 June 2024.

<sup>38</sup> GNCHR, [Participation of GNCHR in the 1st Open Meeting of the National Council against Racism and Intolerance](#), 16 December 2024.

<sup>39</sup> GNCHR, [Ecosystem: Anti-discrimination initiative of Ministry of Social Cohesion and Family, GNCHR and KMOP](#), 18 November 2024 (in Greek).



project's actions include training programs for public officials, strengthening their ability to respond to the needs of victims and promote multisectoral cooperation. At the same time, the program aims to inform and raise public awareness through a national campaign.

As the GNCHR has underlined in its Submission to the UN Human Rights Committee in view of the third periodic report of Greece on the implementation of the ICCPR<sup>40</sup> regarding the voluntary relocation scheme, the latter facilitated the relocation of vulnerable asylum seekers and beneficiaries of international protection from Greece to other EU countries. From 2020 to 2023 [voluntary scheme for the relocation from Greece to other EU countries of vulnerable asylum seekers and beneficiaries of international protection](#), transferred vulnerable asylum seekers, including 1,600 unaccompanied minors and families with severe medical conditions, from Greece to other EU countries. At the same time, relocation of unaccompanied minors from RICs of the Eastern Aegean Islands to appropriate shelters in mainland Greece took place. Additionally, by September 2021, all 1,790 unaccompanied minors had been relocated from the Eastern Aegean Islands to shelters on the mainland.

Regarding the failure to guarantee accompanied and unaccompanied migrant children the special protection against physical and moral dangers, a major issue for the country is the [age limit for entry into employment](#) (15 instead of 16) and the vulnerability of minor third-country nationals, especially unaccompanied minors, to labor exploitation, undeclared work, forced labor, etc. In the report on C29, Greece has committed for many years to ratify the Protocol (in fact, it was an action in the previous action plan of the National Council against Racism and Intolerance) and has not done so yet. According to the constant observations by the ILO to Greece regarding the (incorrect) implementation of C138 on child labor both through observations and through the direct request, the following can be noted: As far as it concerns ILO Minimum Age Convention (No. 138) the Committee of Experts on the Application of Conventions and Recommendations (CEACR) the [Observation adopted on 2023 and published at the 112nd ILC session \(2024\)](#) and the [Direct Request adopted on 2023 and published at the 112nd ILC session \(2024\)](#), the Committee: a) considering that it has been raising this issue for more than 20 years, it has urged the Government to take the necessary measures, without delay, to ensure that the minimum age for the exemptions from the prohibition on the employment of young persons in hazardous work, as laid down in section 7(5) of Presidential Decree No. 62/1998, will be raised to at least 16 years, so as to be in compliance with Article 3(3) of the Convention, b) recalled that Paragraphs 1 and 2 of the Minimum Age Recommendation, 1973 (No. 146), recommend that, to ensure the success of the national policy required under Article 1 of the Convention, special attention should be given to such areas of planning as national commitment to full employment, poverty alleviation, social security measures aimed at ensuring child

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<sup>40</sup> GNCHR, [Submission to the United Nations Human Rights Committee by the GNCHR in view of the third periodic report of Greece on the implementation of the ICCPR](#), September 2024, p. 8.

maintenance, and adequate facilities for education and vocational training, as well as child protection and welfare. In this regard, the Committee requested the Government to indicate whether such objectives are aimed for under the NAP on the Rights of the Child 2021-23 and, accordingly, to provide information on the impact of the NAP on the elimination of child labour in the country. Moreover, it strongly encouraged the Government to consult with the representative organizations of workers and employers in developing, adopting and implementing all national policies that may have an impact on the elimination of child labour. Regarding the application of the Convention in practice the Committee requested the Government to continue providing information on the manner in which the Convention is applied, including, for example, statistical data on the employment of children and young persons, extracts from the reports of inspection services and information on the number and nature of violations detected and penalties applied involving children and young persons.

### ***3. Information relevant to the implementation of the Convention on the Rights of the Child: Submission to the UN Committee on the Rights of the Child (January 2020)***

The GNCHR, in its 2020 submission to the UN Committee on the Rights of the Child, expressed deep concern over the inadequacies in health and education services for children, especially those belonging to vulnerable groups such as children with disabilities, Roma children, and children living in poverty or institutional care. These deficiencies, compounded by years of austerity and underfunding, have undermined the realization of children's rights under the Convention on the Rights of the Child (CRC).

**Health of Minors.** The GNCHR criticized the fragmented and inadequate health infrastructure available to children with disabilities and chronic illnesses. Despite nominal reforms in primary healthcare, many children still face barriers in accessing basic and specialized services, particularly in remote areas.<sup>41</sup> There is a shortage of early intervention programs, rehabilitation centers, and specialized professionals, leading families to turn to private providers. The GNCHR also noted that many services retain a residual institutional or asylum-like character, failing to offer integrated, community-based support that addresses the medical, therapeutic, and educational needs of children.<sup>42</sup> Additionally, the GNCHR highlighted the absence of recreation and community care services, which increases the risk of neglect within families. Alarming, the State has yet to align its policies with the UN Guidelines on Alternative Care and the Council of Europe recommendations on deinstitutionalization.<sup>43</sup> Budget cuts have further restricted access to essential treatments, including those for children with autism. The GNCHR stressed the need for adequate public funding, systemic oversight,

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<sup>41</sup> GNCHR Submission, p. 40.

<sup>42</sup> GNCHR Submission, p.41.

<sup>43</sup> GNCHR Submission, p.41.

and inclusive health policies, warning that reliance on external funding (e.g., EU programs) renders these protections unsustainable.<sup>44</sup>

The GNCHR recommended<sup>45</sup> that the Greek State take comprehensive measures to ensure the full and equal participation of children with disabilities in all aspects of community life. This includes ratifying the Third Optional Protocol to the Convention on the Rights of the Child and involving representative child-focused organizations in the formulation and evaluation of national policies. The GNCHR stressed the importance of aligning the National Action Plans on children's and disability rights to enhance child protection outcomes. It also called for a clear, well-funded national deinstitutionalization strategy with defined timelines and stakeholder involvement, including the Greek Ombudsman. Finally, the GNCHR underscored the need to integrate social policy measures within a stable, publicly funded system of free health and welfare services to support the holistic development of all children and combat inequality.

**Education of Minors.** In education, the GNCHR identified systemic discrimination and structural weaknesses, particularly affecting children with disabilities and those from marginalized backgrounds.<sup>46</sup> Greece's education system, despite being constitutionally free and equal, suffers from drastic underfunding (a 36% budget reduction over a decade), a recruitment freeze, and widespread reliance on temporary staff, all of which have impaired the quality and inclusivity of education.<sup>47</sup> Children with disabilities face segregation, high dropout rates, and insufficient support in mainstream schools. Only a small proportion receives individualized assistance, and many attend without any medical or educational assessment. Furthermore, the GNCHR noted that there is a series of complaints about discriminatory treatment in the field of education due to gender characteristics (by certain students of secondary education and of their parents) as well as in the field of family status due to sexual orientation (by persons living in same-sex registered civil partnership), which have been submitted to the Greek Ombudsman.<sup>48</sup>

The GNCHR expressed deep concern over persistent discrimination against children with disabilities in the Greek educational system, despite legislative progress.<sup>49</sup> It emphasizes that children with disabilities continue to face significant barriers, including insufficient inclusive infrastructure, lack of permanent specialized staff, high dropout rates, and limited access to individualized support. The practice of employing substitute teachers and grouping children in under-resourced integration classes further exacerbates inequalities. The GNCHR highlighted the need for urgent structural reforms. It criticized the existing division between special and general education as discriminatory and urges a shift toward a unified model of inclusive education ("one

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<sup>44</sup> GNCHR Submission, p. 41.

<sup>45</sup> GNCHR Submission, p. 44.

<sup>46</sup> GNCHR Submission, p. 46.

<sup>47</sup> GNCHR Submission, p. 46.

<sup>48</sup> GNCHR Submission, p. 49.

<sup>49</sup> GNCHR Submission, p.51.

school for everyone.”)<sup>50</sup> GNCHR recommended ensuring timely recruitment of trained staff, allocating stable and sufficient funding, adapting school facilities for accessibility, and collecting disaggregated data to inform inclusive policies. It also stressed the importance of reasonable accommodation and specialized educational materials, such as Braille and sign language resources.

Finally, the GNCHR called on the State to explicitly guarantee inclusive education in its National Action Plan for Children’s Rights and to embed children’s rights—particularly the rights of children with disabilities—within teacher training programs. Without these systemic reforms, the full participation of children with disabilities in education remains elusive.

#### ***4. Written Responses to the List of issues in relation to the combined fourth to sixth periodic reports of Greece to the UN Committee on the Rights of the Child (December 2021)***

The GNCHR, in its 2021 submission to the UN Committee on the Rights of the Child, offered a detailed discussion of challenges and developments concerning the education and health of minors, particularly children from vulnerable groups including asylum seekers, refugees, children with disabilities, and LGBTQI+ youth. The GNCHR’s assessment revealed ongoing structural shortcomings, while proposing recommendations for a child-centered, inclusive policy framework.

***Education of Asylum-Seeking and Refugee Children.*** The GNCHR stressed in its *Reference Report on the Refugee and Migrant Issue*, the importance of ensuring unhindered equal access of migrant minors to the public system of primary and secondary education.<sup>51</sup> The GNCHR emphasized that although legal provisions exist ensuring the right of refugee children to access education, implementation is deficient. Many asylum-seeking minors, especially those in reception and identification centers on the Eastern Aegean Islands, experience limited or no access to formal schooling.<sup>52</sup> While the Reception School Annexes for Refugee Education (RSARE) were introduced as an emergency response, they have become prolonged parallel systems that do not provide full integration into the mainstream curriculum or lead to recognized qualifications.<sup>53</sup> This undermines both social integration and educational rights.<sup>54</sup> The GNCHR argued that refugee children must be integrated into regular schools through a unified system, not segregated education. It also criticized the lack of public data on enrolment and attendance, which hampers transparency and policy evaluation. Moreover, punitive provisions such as sanctions for non-attendance (as per Law 4636/2019) raise serious

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<sup>50</sup> GNCHR Submission, p. 52.

<sup>51</sup> GNCHR, Reference Report on the refugee and migrant issue 2020 [Greek version], p. 116-120.

<sup>52</sup> Written Responses to the List of issues, p. 18.

<sup>53</sup> Written Responses to the List of issues, p. 18.

<sup>54</sup> Written Responses to the List of issues, p. 18.

concerns regarding children's rights and best interest standards in accordance with Article 24 of the EU Charter of Fundamental Rights.<sup>55</sup>

***School Violence and Bullying.*** The GNCHR underlined the urgent need for a comprehensive anti-bullying strategy, highlighting that children from marginalized groups—refugees, Roma, children with disabilities, and LGBTQI+ youth—are disproportionately affected by various forms of school violence.<sup>56</sup> While legislative reforms (e.g., Law 4322/2015 and Law 4619/2019) have recognized bullying as a criminal offense, enforcement and preventative infrastructure remain insufficient.<sup>57</sup> The GNCHR stressed that criminalization alone is not adequate. Effective responses require a holistic strategy, including: awareness campaigns, data collection, teacher training and community engagement. The GNCHR applauded positive initiatives, such as “Break the Silence” and cyberbullying prevention by the Hellenic Police, but urged broader systemic action to foster inclusive and safe school environments.<sup>58</sup>

***Inclusive Education and Children with Disabilities.*** The GNCHR expressed concern about structural barriers to health care access, particularly for children with disabilities and those in institutional care. Despite the legal framework provided by Law 3699/2008, inclusive education in Greece remains underdeveloped.<sup>59</sup> Children with disabilities face persistent barriers to access, including: inaccessible school buildings, delayed and underfunded support services (e.g., parallel support teachers), insufficient early intervention programs and poor availability of learning materials in accessible formats like Braille. The GNCHR is particularly critical of the incomplete implementation of the Strategic Plan for Equal Access, and the malfunctioning of supportive structures such as the Centers of Educational and Counseling Support (KESY) due to staff and resource shortages. Inclusion programs such as Integration Classes are inadequately staffed, often placing children with diverse needs into a single undifferentiated setting, which compromises both learning outcomes and equity.<sup>60</sup>

## ***5. GNCHR Observations on the National Action Plan for the Protection of Children from Sexual Abuse and Exploitation 2022–2027***

The GNCHR expressed deep concern over the systemic shortcomings in safeguarding the rights of minors, particularly in the areas of health and education, in the context of sexual abuse and exploitation. Noting the low rates of reported incidents and the significant underreporting across the European Union,<sup>61</sup> the GNCHR emphasized the urgency of creating a robust, protective environment that supports child victims

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<sup>55</sup> Written Responses to the List of issues, p. 19.

<sup>56</sup> Written Responses to the List of issues, p. 19.

<sup>57</sup> Written Responses to the List of issues, p. 23.

<sup>58</sup> Written Responses to the List of issues, p. 24.

<sup>59</sup> Written Responses to the List of issues, p. 25.

<sup>60</sup> Written Responses to the List of issues, p. 29.

<sup>61</sup> GNCHR Observations, p. 16.

holistically.<sup>62</sup> At the heart of this effort lies the recognition that health and education are not merely supportive sectors but fundamental rights whose adequate fulfillment is essential to preventing abuse, identifying victims, and promoting recovery.

The State remains responsible for safeguarding and promoting the rights of the child and for protecting the child from all forms of sexual abuse (Articles 3, 27, and 34 of the Convention on the Rights of the Child), by creating the appropriate conditions to achieve this goal. The role of the State is also emphasized by the Lanzarote Convention, which requires member states of the Council of Europe to address sexual violence against children in a holistic manner through four main pillars: Prevention, Protection, Prosecution, and Promotion of national and international cooperation (“4 Ps approach”). In light of the above, the GNCHR called upon the State to provide explicit guarantees for the protection of child victims of sexual abuse and to include in the National Action Plan on the Protection of Children from Sexual Abuse and Exploitation effective measures and actions targeting children at risk, particularly due to poverty or health or other crises. The aim must be a coordinated response to the sexual victimization and exploitation of children and adolescents through the strengthening of healthcare structures, shelters, police services, prevention services, as well as psychological, social, and legal support services and reporting hotlines, with a specific focus on children with a migrant or refugee background, children with disabilities, Roma children, and LGBTI+ children.<sup>63</sup>

**With regard to health**, the GNCHR underscored the importance of establishing accessible, child-friendly health infrastructures across the country. These must be adequately staffed with trained professionals and equipped to provide safe, individualized services for children who are at risk or have been victims of abuse. The GNCHR called attention to the current lack of sufficient shelters and protection facilities, particularly the limited number of specialized “Houses of the Child,” and stressed that without a coherent and fully integrated health system, effective protection remains an illusion.<sup>64</sup> The GNCHR emphasized that a comprehensive and coherent infrastructure is essential to combat child sexual abuse and exploitation effectively. It underscored the need for coordinated actions among social services, health professionals, educators, law enforcement, and the broader society in a multi-sectoral approach.<sup>65</sup> The GNCHR stressed the urgent requirement for specialized mechanisms, particularly for the forensic interviewing of child victims, and highlights institutional shortcomings in current protective structures.<sup>66</sup> Existing shelters and care facilities operate without a unified framework and lack specialization in addressing the needs of abused children. The GNCHR called for increased public investment, standardized care protocols, and support for vulnerable families to ensure protection, early intervention, and a broader shift from institutional care to community-based alternatives.<sup>67</sup>

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<sup>62</sup> GNCHR Observations, p. 5.

<sup>63</sup> GNCHR Observations, p. 15.

<sup>64</sup> GNCHR Observations, p. 36.

<sup>65</sup> GNCHR Observations, p. 19.

<sup>66</sup> GNCHR Observations, p. 19.

<sup>67</sup> GNCHR Observations, p. 21.



**In the domain of education**, the GNCHR affirmed the pivotal role of schools in both prevention and early intervention.<sup>68</sup> It recommended the placement of dedicated child protection professionals in every school, ensuring that all students have a trusted adult to whom they can report concerns. Furthermore, it advocated for the integration of comprehensive, inclusive, and rights-based sexual education across all school levels.<sup>69</sup> The GNCHR also highlighted the importance of appropriate and specialized training as a fundamental preventive tool. The GNCHR raised a critical question to the State, asking whether there is a comprehensive and systematic training plan that includes school staff, and how professional competence in risk assessment is being ensured and evaluated.<sup>70</sup>

## V. The way forward

The input mentioned above should be taken into consideration along with recommendations to the State, such as the following:

- The State must plan to address significant shortcomings in the living conditions of those residing in the CCACs in order to meet with international standards and previous relevant recommendations on ensuring that everyone and especially minors in RICs, CCACs or other reception facilities have access to medical care, interpreters, adequate food and social support.
- Take measures to overcome the inappropriate accommodation of accompanied and unaccompanied migrant children on the islands and the lack of provision of shelters to unaccompanied migrant children on the mainland under article 31 par. 2 of the ESC.
- Take measures to overcome the failure to provide adequate accommodation to refugee and asylum-seeking children on the islands and the lack of sufficient long-term accommodation for unaccompanied refugee and asylum-seeking children on the mainland under article 31 par. 1 of the ESC.
- Take measures to overcome the inadequate accommodation situation of accompanied and unaccompanied migrant children, the lack of an effective guardianship system for unaccompanied and separated migrant children and the detention of unaccompanied migrant children under article 17 par. 1 of the ESC.
- Take measures to overcome the failure to guarantee accompanied and unaccompanied migrant children the special protection against physical and moral dangers under article 7 par. 10 of the ESC.

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<sup>68</sup> GNCHR Observations, p. 35.

<sup>69</sup> GNCHR Observations, p. 34-35.

<sup>70</sup> GNCHR Observations, p. 33.

- Take measures to overcome the lack of access to education for accompanied and unaccompanied migrant children on the islands under article 17 par. 2 of the ESC.
- Take measures to overcome the failure to provide appropriate accommodation and sufficient health care to accompanied and unaccompanied migrant children on the islands and the failure to provide appropriate shelter to unaccompanied migrant children on the mainland under article 11 par. 1 and 3 of the ESC.
- Follow the recommendations of international and national institutions, such as the CPT and the GNCHR.
- Promptly implement the international human rights standards, based on the decision of the ESCR, without any delays, given the ongoing risks for children under the definitions described in the decision.
- Take into consideration the non-discrimination principle in the implementation of all the rights related to the Revised ESC with a focus on racist violence and related data.