Monitoring mechanism on the rights of children on the move in Greece

July-December 2016 Report
Executive Summary
The Greek Ombudsman, in the context of its mandate to protect and promote children’s rights, has been monitoring the situation of refugee and migrant children in Greece over the last two years. These monitoring efforts intensified in 2016, and were further strengthened and supported through a new partnership with UNICEF.

In 2016, particularly during the latter half, the Deputy Ombudsman for Child Rights and his associates: carried out 85 site visits across the islands and the mainland to monitor the situation of children on the move; held meetings and advocated with key stakeholders, and; established the Network for the Rights of Children on the Move - a coalition of 3 inter-governmental and 15 non-governmental organizations that work together to collectively monitor the situation of children on the move, and carry out joint evidence-based advocacy.

This report presents an overview of the actions and findings of the Ombudsman regarding the situation of children on the move, with a focus on activities carried out during the second half of 2016. The report’s findings and key recommendations are divided into four chapters: (I) identification and registration of refugee and migrant children in Greece; (II) children’s access to international protection; (III) children’s living conditions and access to basic services; and (IV) special issues related to unaccompanied children.
Summary of Findings

The Greek government undertook intensive efforts at many levels to respond to the needs and safeguard the rights of children on the move (including accompanied and unaccompanied children). Despite these efforts, living conditions in reception facilities on the islands and the mainland fell below minimum standards of human dignity, particularly following the EU-Turkey statement in March 2016, which left many refugees and migrants unexpectedly stranded in Greece. As a result, the affected population, including children and other vulnerable groups, ended up staying for many months in facilities which were originally designed for temporary accommodation. Many found themselves in overcrowded conditions, without access to basic hygiene services, and facing increased protection risks. Due to harsh weather conditions, and the resulting closure of several facilities, some of this population was urgently transferred to other locations.

A large number of children and families, including relocation candidates and vulnerable groups, were transferred from reception facilities to apartments and hotels as part of the UNHCR accommodation scheme. While this was welcome, the scheme faced several operational weaknesses including challenges in coordination and information sharing.

Population movement among and between different sites within Greece was extremely fluid, particularly during the last months of 2016. The challenge in tracking this population highlighted the pre-existing weaknesses in the national registration system for vulnerable groups. The absence of a national harmonized registration system to identify, register and assess the needs of vulnerable refugees and migrants, including children, hindered a timely protection response. In spite of this, authorities estimated that some 64,000 children entered Greece during 2016, out of which 21,000 remained in the country as of December, 2016. This includes an estimated 7,500-8,000 children accommodated across 34 open reception facilities on the mainland, some 1,000 unaccompanied children in shelters around the country, and over 6,000 children in flats and hotels within the UNHCR accommodation scheme.

With regard to access to international protection, in 2016, asylum applications lodged by children comprised 38% of the total number of asylum claims, including 2,352 claims submitted by unaccompanied children. Despite efforts to strengthen the overstretched asylum system, timely access to international protection was limited and procedures were time-consuming. A large part of the affected population, including accompanied and unaccompanied children, faced delays of up to ten months in registering their asylum claims. As a result, children and their families faced high levels of insecurity and uncertainty about their future. This situation was exacerbated by insufficient interpretation and legal aid services. Furthermore, there were procedural challenges in processing family reunification claims, especially for humanitarian reasons, as well as in processing relocation claims for unaccompanied children.

While the plan for ensuring children’s access to education was well articulated, its implementation faced many difficulties. As a result, there were delays in opening special reception classes (DYEP), and in some cases classes which had started were closed. In addition, there were challenges in meeting increased requests for school enrollment in regular morning
classes, resulting from the unforeseen movement of children from reception facilities to urban areas.

Children’s access to health services was relatively adequate, taking into account the pre-existing challenges faced by the broader health system (in both human resource and material terms) which negatively affects all children in the country (including Greek and refugee children). Health care on sites was mostly provided by civil society organizations. The extensive immunization program for children living in reception facilities was seen as a notable success. On the other hand, unaccompanied children faced particular administrative obstacles which hindered their access to health services. There was a need for more interpretation and intercultural mediation services in health facilities across the board.

Critical issues facing unaccompanied children (UAC) were observed, many of which have been longstanding for many years. These include the absence of a guardianship system, the lack of national standards for UAC shelters, the absence of harmonized procedures for age determination, and the general lack of protection standards and safeguards for children, including UAC. In spite of these challenges, there was some progress made for UAC. This included an increase in the accommodation capacity for UAC - from 423 places in March 2016 to 1,252 places in December 2016 - and increased efforts to operate safe spaces/zones inside open reception facilities, which was linked to a decrease in the number of children kept in protective custody.
Key Recommendations

Improve living conditions in accommodation facilities on the basis of minimum standards of decent living, including through strengthening coordination among relevant stakeholders. Promote long-term solutions for ensuring social integration, particularly for children and families who will remain in Greece.

Develop a harmonized identification and registration system for refugee and migrant children and families in order to better respond to their protection needs.

Improve access to international protection procedures by accelerating and prioritizing the registration of asylum applications of vulnerable groups, and by providing them with support. Address institutional and procedural obstacles related to family reunification and relocation.

Carry out timely planning of education programs for refugee and migrant children for the new school year (2017-2018), with an emphasis on morning reception classes. Ensure this is informed by an evaluation of the implementation of the current education plan.

Ensure children continue to have access to health services, and promote increased availability of cultural mediators to facilitate this access.

Urgently establish a functioning guardianship system for UAC, ensure legal safeguards and standards are established for all UAC shelters including safe spaces, and strengthen the support and supervision of stakeholders managing and working in UAC shelters.

Strengthen the broader national child protection system, to improve the timely prevention and protection of refugee and migrant children from violence, exploitation, abuse and neglect. Ensure parents of refugee and migrant children are informed about the Greek legal framework for child protection and of their respective responsibilities.