

# #ChildrenNeedAnswers



## Recommendations from the Roundtable Conference

### “Child Protection & EU Funding for migrant populations in Greece:

### A reality check and the way forward”

*Athens 16 May 2019, European Parliament Liaison Office*

On 16 May 2019, on the occasion of the Roundtable Conference “*Child Protection & EU Funding for migrant populations in Greece: A reality check and the way forward*” several child protection experts and migration stakeholders<sup>1</sup> met to discuss the reception system and integration perspectives of children in migration in Greece, from the perspective of EU funding. Participants included Greek authorities, EU institutions, European and national civil society actors as well as international organisations. The discussion was focused on child protection challenges that the Greek State encountered in the aftermath of the so-called refugee crisis of 2015 that revealed chronic deficiencies of the reception, asylum and child protection systems of the country.

#### Introduction and highlights from the discussion

Children in migration are amongst the most vulnerable population groups in need of a safe and stable environment, access to education<sup>2</sup> and child specific services, which, in Greece’s case, they are not always able to reach. Of the 79,500<sup>3</sup> refugees and migrants estimated to have stayed in Greece post the 2015 arrivals, children account to 28,500<sup>4</sup>. Among them, a growing number of unaccompanied and separated children (UASC) is recorded, estimated at approximately 3,900 children<sup>5</sup>. These children are exposed to increased risks of violence, abuse and exploitation and they need appropriate services, including **adequate identification, registration and age assessment, guardianship and legal representation, quality accommodation and care arrangements.**

Since 2015 Greece has received generous funding from the European Commission<sup>6</sup> to effectively manage the mixed migration flows, but four years later, gaps and shortfalls persist. Children’s

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<sup>1</sup>European Commission (DG HOME), Embassy of Finland, Hellenic Ministry of Labour, Hellenic Ministry of Migration Policy, Hellenic Ministry of Economy and Development, National Institute for the Health of the Child, UNICEF, UNHCR, IOM, Greek Deputy Ombudsperson for Children’s Rights, ActionAid, Danish Refugee Council, Defence for Children International (DCI), Greek Council for Refugees, The Home Project, Human Rights360, International Rescue Committee (IRC), METAdrasi, Network for Children’s Rights, Praksis, SolidarityNow, Terre des hommes Europe, Terre des hommes Hellas.

<sup>2</sup> Integrating refugee and migrant children into the educational system in Greece, ESPN Flash Report 2017/67, available [here](#).

<sup>3</sup> UNHCR Fact Sheet, 1-31 May 2019, available [here](#).

<sup>4</sup> Unicef Refugee and migrant children in Greece, April 2019, available [here](#).

<sup>5</sup> Situation Update: unaccompanied children (UAC) in Greece - EKKA, May 2019, available [here](#).

<sup>6</sup> Managing Migration: EU Financial Support to Greece, July 2019, available [here](#).

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The Conference “EU Funding & Child Protection for Migrant Populations in Greece” was organised by the following organisations-members of the Greek NGO Advocacy Working Group: ActionAid, Danish Refugee Council, Defence for Children International, Greek Council for Refugees, International Rescue Committee, Network for Children’s Rights, SolidarityNow, Terre des hommes Hellas.

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journey to safety is hindered upon arrival. Many of them may not be registered or they may receive inadequate **first reception, identification and registration services** while residing for prolonged periods of time in Reception and Identification Centers (RIC). The way in which these services are provided, and procedures are followed, often impinge on UASC's rights to proper identification and registration, as they fail to implement assessments that reflect children's best interests, and/or provide culturally and age appropriate information and legal representation.

A timely appointment of a **guardian**, which should happen upon identification and first registration of children, is not yet applied, as guardianship services –until recently<sup>7</sup> - were not part of the state's child protection mechanism, but rather NGO-run.

**In cases, age assessment procedures** do not follow the appropriate guidelines<sup>8</sup>, resulting in children being subjected to improper measures that cause them further stress. In other cases, children are misidentified as adults, thus forced to live among unrelated adults in the RICs, in inappropriate living conditions, without receiving the child protection services they need.

Accommodation provision<sup>9</sup> for UASC has also been challenging. **Age appropriate, quality care arrangements in line with the best interests of children are gravely lacking, leaving 1,065 children<sup>10</sup> homeless, self-settled or in precarious conditions.** In 2016, in order to cover the needs of the large number of UASC in the country, emergency solutions were applied (such as “safe zones” and later on hotels for UASC), aiming to offer temporary -up to three months- accommodation, until a placement in a shelter was made available. However, these emergency solutions have become a “normalised” and long-term solution for hundreds of children, with 300 staying in “safe zones” and 660 in hotels, as of May 31<sup>st</sup><sup>11</sup>. Moreover, 123 children were placed in “protective custody”, usually in regular police stations, awaiting their placement in a shelter which at times could be delayed over weeks.

Lack of sufficient and appropriate accommodation for UASC is partly attributed to **shortcomings in the allocation of funds** including prolonged delays in funding flows towards NGO-run shelter facilities, which have resulted in high mobility of care workers as well as the reduction of shelter places. **Extra layers of bureaucracy leading to delays and confusion of tasks and responsibilities** relate also to the fact that several Ministries, including the Ministry of Economy and Development, Migration Policy, Labour, Education, Health and Interior are involved in the management of the respective EU funds. Moreover, in Greece 100% of the funding has been allocated and managed through the State while in other EU Member States, local authorities and civil society are directly involved, providing invaluable assistance and input.

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<sup>7</sup> In 2018, Law 4554 was passed which provides for the guardianship of UASC in Greece, the role of the guardians, their background, training, appointment e.tc.

<sup>8</sup> EASO Practical Guide on age assessment, Second edition, available [here](#)

<sup>9</sup> ECRE, Complaint, 30 November 2018, II.2.2 The Reception and Provision of Care to Migrant Children, available [here](#)

<sup>10</sup> Situation Update: Unaccompanied Children (UAC) in Greece, 15 June 2019, available [here](#)

<sup>11</sup> As above

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In addition, **EU Commission procedures can be complicated and unclear resulting in lack of transparency and accountability especially when it comes to emergency funding**<sup>12</sup>. In preparation for the upcoming Multiannual Financial Framework for 2021-2027, it is thus essential that the two main funding instruments for asylum, migration and integration provisioned, the European Social Fund Plus (ESF+) and the Asylum, Migration and Integration Fund (AMIF), create improved and more transparent funding procedures so that accountability is enhanced.

EU funding **could bridge gaps and provide much needed solutions in child protection** by supporting the implementation of innovative programmes, such as the **Supported Independent Living Schemes (SIL)**<sup>13</sup> for UASC over 16 years of age<sup>14</sup>, at a larger scale. **Foster Care**, another type of quality alternative care implemented only in a small scale in Greece so far, could be more widely implemented, following the recent legislative amendments<sup>15</sup>.

The experience of child protection actors in Greece has shown that a **comprehensive, sustainable and long-term child protection strategy is needed**; one that will be **embedded in the national child protection system**. To put in place a strategy that will **safeguard the rights of the children throughout the process**, from the moment of their arrival, a transition from a “permanent” state of emergency to sustainable, long term approaches, programmes and corresponding funding is required, including enhanced monitoring and accountability. Lastly, the role of Civil Society Organisations should be emphasized in the design and implementation of programmes and strategies.

**Based on the discussions, the following recommendations were elaborated:**

## **The Government of Greece should:**

- Prioritise a sustainable long-term child protection strategy, based on the best interests of the child and the provision of durable solutions while reinforcing the implementation of the National Action Plan for the Rights of the Child;
- Prioritise the mapping of all available funds for child protection for migrant populations and improve management of funds; resist the use of emergency funding and implementation of short-term projects and ensure timely and unhindered funding of organisations and employees, while increasing accommodation places and improving living conditions, ensuring social inclusion and safety;
- Improve communication and collaboration between competent authorities and other stakeholders where needed, including Civil Society Organisations;
- Provide meaningful access to legal aid for all children and increase the capacity of the Dublin Unit of the Greek Asylum Service to help speed up family reunifications;

<sup>12</sup> Follow the Money II, page 33, available [here](#)

<sup>13</sup> SIL apartments are a form of long-term, community-based care arrangement that host 4 UAC, 16 years old and above and offer care, protection

<sup>14</sup> Law 4540/2018

<sup>15</sup> Law 4538/2018

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- Implement the new legislation on foster care and guardianship as soon as possible. For these solutions to work, relax the age criteria for foster parents;
- Speed up the implementation of alternative accommodation schemes such as SILs, and gradually eliminate accommodation in inherently temporary and -thus- unsustainable settings such as hotels. Also places in “safe zones” should only be used in emergency situations and for a limited period;
- Provide protection services to unaccompanied children living in the street. Homeless unaccompanied children should be the absolute priority in the Referral Mechanism of the National Center for Social Solidarity providing them with a safe shelter;
- Put an end to ‘protective custody’ in police station cells and ensure effective child protection;
- Build capacity and enhance expertise of organisations and professionals involved in child protection, as well as increase the number of civil servants engaged in the reception and asylum system;
- Step up efforts to take all children and their families out of overcrowded facilities to appropriate safe accommodation;
- Enhance the integration of children in the education system, in particular the 15+. Introduce specific arrangements for their promotion to mainstream school classes as well as an institutional framework for linking formal and non-formal education activities.

**The European Commission should encourage and support Greece to implement all the above recommendations and in addition:**

- Create improved and more transparent funding procedures so that Member States can allocate the funding to the local implementing actors and civil society organizations in the best possible way and for all set priorities.
- Improve monitoring and accountability mechanisms for EU asylum, migration and integration funding;
- Urge EU Member States to implement speedier and more flexible family reunification procedures in line with the EU Directives and the Dublin Regulation, having the best interests of the child as a guiding principle throughout the process.

**The EU Member States should:**

- Examine family reunification requests having the best interests of the child as a guiding principle;
- Proceed in the adoption of bilateral agreements with other EU Member States, following the example of UK’s DUBS amendment to increase relocation pledges for refugee children.

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*Initiative  
for children in migration*

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