

GREECE

CRC CRC/C/114 (2002)

93. The Committee considered the initial report of Greece (CRC/C/28/Add.17) at its 753rd to 754th meetings (CRC/C/SR.753-754), held on 16 January 2002, and adopted, at the 777th meeting (CRC/C/SR.777), held on 1 February 2002, the following concluding observations.

A. Introduction

94. The Committee welcomes the submission of the State party's initial report and the written replies to its list of issues (CRC/C/Q/GRE/1). The Committee regrets that the initial report was submitted five years late and that the State has not yet submitted a human rights core document. The Committee notes that while the report contained very useful information on the legislative framework relevant to the Convention's implementation within the State party, it lacked sufficient information on the effects to implement the Convention itself. The Committee notes with regret that the report did not include a specific section on general measures of implementation, as required under the Committee's reporting guidelines (CRC/C/5). The Committee welcomes the detailed information provided in the State party's replies to the list of issues. The Committee welcomes the State party's large delegation composed of experts from several ministries that contributed to the informative dialogue that took place.

B. Positive factors

95. The Committee notes that the Convention forms a part of national law and takes precedence over domestic legislation.

96. The Committee welcomes the State party's recent ratification of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

97. The Committee welcomes: the law (2646/1998) on the development of the national system of social care; the law (2716/2001) on the provision of mental health services; the law (2889/2001) on the improvement and modernization of the national health system creating, *inter alia*, a decentralized system which may contribute to better accessibility of health-care services for children, in particular those living in remote areas; and law (2920/2001) on the establishment of a body of inspectors of health and welfare services.

98. The Committee also notes the establishment of the National Observatory on the Rights of Children for the monitoring and implementation of the Convention.

99. The Committee notes efforts to raise awareness among children of their rights and to sensitize them to global issues through, *inter alia*, the implementation of the "Schools as defenders of children" programme and the "Children write and paint about their rights" programme.

100. The Committee notes the establishment of the Youth Parliament and of Pupils' Councils.

C. Factors and difficulties impeding the implementation of the Convention

101. The Committee notes that the State party is facing new challenges with the growth of a multicultural society, including different languages and ethnic and religious backgrounds.

102. The Committee notes the difficulties posed by urbanization in ensuring respect for the rights of children in some isolated and rural communities.

D. Principal subjects of concern, suggestions and recommendations

1. General measures of implementation

Legislation

103. The Committee notes the ongoing efforts by the State party to introduce relevant legislation. The Committee remains concerned that some aspects of domestic legislation are still not consistent with the principles and provisions of the Convention and that implementation of existing legislation needs to be improved.

104. The Committee recommends that the State party:

- (a) Harmonize its legislation with the principles and provisions of the Convention;
- (b) Strengthen implementation of domestic legislation towards improved protection of children's rights;
- (c) Establish a mechanism and time frame for implementation of ILO Convention No. 182;
- (d) Proceed with ratification of the Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption adopted at The Hague in 1993.

Implementation and coordination

105. While noting the involvement of many ministries in the implementation of the Convention, the Committee remains concerned:

- (a) At the lack of a clear structure or body for the coordination of the Convention's implementation both at the national level and, via the process of decentralization, at the regional level;
- (b) That considerable disparities exist between urban and rural areas with regard to the Convention's implementation.

106. The Committee recommends that the State party:

(a) Establish a coordinating body with adequate authority and sufficient human, financial and other resources to support effective coordination for the full implementation of the Convention;

(b) Implement measures to reduce disparities in the Convention's implementation and ensure equal access to services such as education, health, welfare and others, for all children, including those in isolated regions.

Decentralization

107. Noting the State party's progress in decentralizing health services, the Committee remains concerned that many services fundamental to the Convention's implementation remain centralized in the main cities.

108. The Committee recommends that the State party:

(a) Strengthen the Convention's overall implementation throughout the country, giving particular attention to rural and small island communities and ethnic, national, cultural and other population groups, including through ongoing efforts to strengthen the presence of health and education professionals in such communities;

(b) Promptly implement the laws on decentralization of health and social services.

Independent monitoring

109. In light of the establishment of the National Observatory on the Rights of Children, and given the existence of the Ombudsman's Office and the National Human Rights Committee, the Committee is concerned that there is no clear division of labour between these bodies, which may have a negative impact on effective monitoring of the Convention's implementation.

110. The Committee recommends that the State party:

(a) Clearly define the role of each of the above bodies in accordance with the Paris Principles, and ensure that they are easily accessible for children and can deal with individual complaints in a child sensitive manner;

(b) Proceed with its efforts to develop the work of the National Observatory on the Rights of Children, including through the timely implementation of the law on the Observatory.

Plan of action and children's rights policy

111. While noting the existence of numerous plans of action and policies focusing on specific issues of concern to children, the Committee remains concerned at the absence of a general plan of action for children's rights and a comprehensive children's rights policy.

112. The Committee recommends that the State party urgently develop and implement a

comprehensive children's rights policy and plan of action.

Resources for children

113. The Committee is concerned that it is unclear what percentage of the budget is allocated for children's health and education and that the allocations for public education appear to be low.

114. The Committee recommends that the State party clarify the amount of the budgetary allocations for social services and ensure that allocations, particularly for education, are allocated to the "maximum extent of ... available resources", in accordance with article 4 of the Convention.

Data

115. The Committee is concerned at the absence of up-to-date and comprehensive data with regard to the implementation of the Convention and, in particular, that the data collected by individual ministries and other bodies are not integrated into a central data-collection mechanism.

116. Noting the State party's efforts in this domain, the Committee recommends that the State party:

(a) Strengthen its efforts to develop data collection systems and indicators consistent with the Convention and covering all children up to the ages of 18 years, with an emphasis on those who are particularly vulnerable, such as child victims of abuse, neglect or ill-treatment; children with disabilities; children who are not citizens of the State party; children belonging to distinct ethnic, religious, linguistic or cultural groups; children in conflict with the law; children who work; adopted children; and children living in the streets and rural areas;

(b) Ensure that the data collected are disaggregated by, *inter alia*, age and gender, and include up-to-date information on budgetary allocations relevant to the Convention's implementation;

(c) Ensure that data collected by various ministries and other bodies are centralized and used in the formulation, evaluation and strengthening of policies and programmes for the effective implementation and monitoring of the Convention.

Cooperation with NGOs

117. While noting the involvement of some NGOs in the preparation of the State party's initial report, the Committee remains concerned that other relevant NGOs working on human rights, including children's rights, and including NGOs from distinct ethnic, religious, linguistic and cultural groups were not involved in the process and that communication with part of the NGOs community has been insufficient.

118. The Committee recommends that the State party make every effort to further improve cooperation and coordination on a regular basis with NGOs and involve them in the Convention's implementation, giving particular attention to NGOs working on behalf of the rights of children from distinct ethnic, religious, linguistic and cultural groups, such as the Roma.

Dissemination of the Convention

119. Acknowledging the State party's efforts in this regard, the Committee is concerned that knowledge and understanding of the Convention among children, professionals working with children, distinct ethnic, religious, linguistic or cultural groups and among the public in general is still insufficient. The Committee is concerned, in addition, that the Convention has not been translated into the languages of some sectors of the population, such as the Roma language.

120. The Committee recommends that the State party:

(a) Strengthen its efforts to provide training for professionals - such as teachers, health professionals including psychological care specialists, social workers, law enforcement officials, judges, lawyers and national ministerial and local government officials with responsibility for children's rights - children, parents and the population in general, and distinct ethnic, religious, linguistic or cultural groups, on the Convention and its principles and provisions and other relevant human rights instruments in a systematic and ongoing manner;

(b) Adopt measures to ensure that training and/or information campaigns reach, among others, populations in rural communities and illiterate persons;

(c) Ensure that translated versions of the Convention are disseminated, as needed, in the languages spoken within the State party by the distinct groups referred to under paragraph 120 (a) of these concluding observations.

2. Definition of the child

121. Taking note of the State party's indication of its intention to change legislation and define the age of majority uniformly as 18, and noting the Special Committee that has been appointed in this regard, the Committee is concerned:

(a) At inconsistencies in the definitions of a child within the State party's legislation, including that under civil law a minor is a person who has not reached age 18 while under penal law a minor is a person who has not reached 17;

(b) That domestic legislation allows the drafting into the armed forces of children aged 17.

122. The Committee recommends that the State party:

(a) Clarify the age of majority, with particular regard to penal law and the international practice that juvenile justice standards are extended to children up until age 18;

(b) Raise, in light of the provisions of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict signed by the State party in September 2000, the minimum age at which persons can be conscripted into the armed forces to at least age 18.

3. General principles

123. The Committee is concerned that the principles of non-discrimination (article 2 of the Convention), best interests of the child (art. 3) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, as well as in policies and programmes relevant to children.

124. The Committee recommends that the State party:

(a) Appropriately integrate the general principles of the Convention, in particular the provisions of articles 2, 3 and 12, in all relevant legislation concerning children and apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on children;

(b) Make use of these principles to guide planning and policy-making at every level, as well as actions taken by social, health, welfare, penal and other institutions.

Non-discrimination

125. While noting the State party's legislation against xenophobia and hate speech, the Committee remains deeply concerned:

(a) At the discrimination, including some societal discrimination and instances of xenophobia, against, among others, children from distinct ethnic, religious, linguistic or cultural groups within the State party;

(b) At the fact that domestic legislation does not include a prohibition of discrimination on the ground of disability.

126. The Committee recommends that the State party:

(a) Urgently strengthen its efforts to end all forms of discrimination affecting children, as provided in article 2 of the Convention, including through the strengthening of the implementation of anti-discrimination laws and the possibilities for children and their parents who have been victims of discrimination to seek recourse through the judicial system;

(b) Amend domestic legislation so as to ensure a prohibition of discrimination on the ground of disability;

(c) Implement measures to ensure equal access to services such as education and health, welfare and other social services for all children without distinction, including children from distinct ethnic, religious, linguistic or cultural groups;

(d) Introduce public awareness and sensitivity campaigns on tolerance and respect for the other.

127. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of general comment No. 1 on article 29 (1) of the Convention (aims of education).

Life, survival and development

128. The Committee is concerned:

- (a) At the very high rate of accidents, especially road accidents and domestic accidents of poisoning, of which children are victims in the State party;
- (b) At the very poor educational and health statistics relating to children from Roma communities.

129. The Committee recommends that the State party take steps:

- (a) To prevent road accidents and domestic accidents of poisoning involving children;
- (b) To improve respect for the rights to life, survival and development of Roma children, including through proactive efforts on the part of relevant authorities.

Respect for the views of the child

130. The Committee is concerned that children's opinions are insufficiently taken into consideration in the context of judicial or administrative decisions, including in the context of child custody procedures following parental separation and decisions to place a child in a State institution, foster care, or other form of alternative care. The Committee is also concerned that the Youth Parliament does not represent the views of a sufficiently wide spectrum of children in the State party.

131. The Committee recommends that the State party:

- (a) Strengthen its efforts, including in respect of legislation, to ensure that children's views are heard and taken into consideration in all judicial, administrative and other decisions affecting them and in accordance with the child's age and maturity;
- (b) Ensure that the Youth Parliament is representative of all sectors of the State party's child population, including children from distinct ethnic, religious, linguistic or cultural groups.

4. Civil rights and freedoms

Right to a name and identity

132. The Committee is concerned:

(a) That the right of some children, and particularly child members of some distinct ethnic, religious, linguistic and cultural groups such as the Roma, to birth registration is not respected as a result of a lack of information on birth registration procedures, a lack of legal representation for particular population groups and the lack of sufficiently decentralized services;

(b) That persons who speak a language other than Greek, including refugees and asylum-seekers, have difficulty in registering names for their children in their native language.

133. The Committee recommends that the State party ensure:

(a) That all children are registered at birth, including through improvement of the provision of information on, and easier access to, birth registration facilities;

(b) That all children are able to be registered under, and make use of, their full original name as chosen by themselves, their parents or other legal guardian.

Violence and ill-treatment

134. The Committee is concerned that:

(a) As indicated in the State party's report, about 60 per cent of parents practice corporal punishment of children;

(b) Although corporal punishment is prohibited by law in schools, it is not prohibited in the family.

135. The Committee recommends that the State party:

(a) Prohibit all forms of violence against children, including corporal punishment, by law in all contexts, including in the family;

(b) Undertake education and awareness campaigns to inform, among others, teachers, parents and medical and law enforcement personnel about the harm of violence, including corporal punishment, and about alternative, non-violent, forms of educating children.

Freedom of religion

136. The Committee expresses its concern at reports of administrative and social pressures being placed on children from religious minorities including, for example, the requirement that a student's secondary school graduation certificate indicate, where this is the case, that the student does not practise the Greek Orthodox religion.

137. The Committee recommends that the State party ensure that a child's religious affiliation, or lack of one, in no way hinders respect for the child's rights, including the right to non-discrimination and to privacy, for example in the context of information included in the school graduation certificate.

Access to information

138. The Committee is concerned that children and their families who do not speak, read or write Greek fluently, and children from some isolated regions of the State party and from some distinct ethnic, religious, linguistic or cultural groups do not always have adequate access to information regarding, for example, welfare or legal assistance, and information reflecting the multicultural nature of the State party. The Committee is also concerned that some harmful information, notably via the Internet, remains easily accessible to children.

139. The Committee recommends that the State party:

- (a) Make additional efforts to ensure that all children and their families have access to essential information regarding their rights, giving particular attention to isolated groups and those who do not communicate easily in Greek;
- (b) Promote the development and accessibility, including through radio and television, of a wide variety of information reflecting the cultural diversity of the State party's population;
- (c) Take further steps towards the protection of children from harmful information, including on the Internet.

5. Family environment and alternative care

Assistance to parents

140. The Committee is concerned:

- (a) At the high percentage of persons (19.5 per cent) estimated to be living below the poverty line and that, in this regard, the rights of some children, including the right to a family environment, may be violated;
- (b) That the system of financial "allowances" provided by the State to assist in the care of children under certain circumstances, such as low family income, are not provided to children themselves but rather to mothers, irrespective of whether they are caring for their children;
- (c) That the amount of such financial allowances is extremely low and, in addition, that many Roma families do not receive these allowances at all.

141. In the light of article 18, the Committee recommends that the State party:

- (a) Strengthen its efforts to protect children's right to a family environment, including by reducing the number of persons living in poverty and ensuring access for all children and parents in need to financial assistance, giving particular attention in this regard to children and parents from Roma communities;

(b) Amend the procedures for the disbursement of family allowances to ensure that this financial support is provided to the person(s) currently caring for the children intended to benefit from the allowances;

(c) Consider increasing financial support to families living in poverty to the maximum extent of available resources.

Abuse and neglect

142. While acknowledging the many activities of the Child Health Institute in the field of child abuse and neglect and the new bill to establish the “legal bystander” for the child victim, the Committee remains concerned:

(a) At the absence of national data on the incidence of child abuse and neglect;

(b) At indications that physical, psychological, and sexual abuse are prevalent within the family and in the context of institutional care;

(c) That social, medical and other service resources through which the State party can respond to abuse and neglect are primarily limited to Athens and that even these are insufficient.

143. The Committee recommends that the State party:

(a) Improve its data collection with regard to the abuse and neglect of children, including sexual abuse within the family;

(b) Develop and implement a national programme for the prevention and reduction of the incidence of child abuse and neglect of children within the family and within institutions, *inter alia* by conducting awareness raising campaigns and providing adequate support to families at risk;

(c) Develop and implement an effective system for reporting and referral of cases of child abuse and neglect and appropriate measures for the protection of child victims and the provision of rehabilitative assistance and the prosecution and treatment of alleged perpetrators of abuse and neglect;

(d) Strengthen the capacity of social services across the country to identify and treat instances of abuse or neglect of children, including for physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment, violence or sexual exploitation, in accordance with article 39 of the Convention; take measures to prevent the criminalization and stigmatization of victims; strengthen the use of child-sensitive methods of investigation and presentation of court evidence and the availability of expert multidisciplinary child assistance teams, including psychosocial counsellors; and ensure that domestic legislation provides adequate protection for all children, both girls and boys, from sexual and other forms of abuse;

(e) Take note of the Committee’s recommendations adopted at its 2000 and 2001 days of general discussion on children and violence (CRC/C/100, para. 688 and CRC/C/111, paras. 701-745).

Child custody

144. The Committee is concerned that upon the separation of some Muslim parents, custody of children below a certain age is systematically awarded to mothers and custody of children above a certain age is systematically awarded to fathers, without due regard for the best interests and opinion of the child.

145. The Committee recommends that in the context of child custody decisions the State party ensure full respect for the Convention including, inter alia, the obligation to give due consideration to the best interests and views of the child.

Alternative care

146. The Committee is concerned that:

- (a) Alternative care provisions for children, such as foster and institutional care, are inadequate, including as a result of inadequate funding and insufficient staffing;
- (b) There is a lack of systematic and effective coordination between welfare services and the courts;
- (c) The “juvenile protection societies” are inadequately resourced to fulfil their mandates effectively;
- (d) That children from some groups, such as Roma and illegal immigrants, receive particularly limited protection of their rights in the context of alternative care mechanisms.

147. The Committee recommends that the State party:

- (a) Continue to strengthen further its ongoing efforts to improve the protection of children’s rights in the context of alternative care proceedings;
- (b) Strengthen the effectiveness of its efforts to prevent and reduce the recourse to institutionalization for children in need of alternative care;
- (c) Strengthen collaboration and coordination between the various relevant governmental and non-governmental bodies in the context of alternative care including, as relevant, with the courts;
- (d) Ensure that children’s views are heard and taken into consideration in alternative care decisions, in accordance with the principles and provisions of the Convention.

6. Basic health and welfare

148. The Committee is concerned that:

- (a) The State party’s data on basic national health indicators are insufficient;

- (b) Weaknesses in infrastructure and problems of uninsured families may limit the realization of children's right to health care;
- (c) There is a shortage of nurses and social workers, and notes the need to improve the quality of dental services, as indicated by the State party in its report;
- (d) Children of parents who are not covered by family social insurance policies may not have access to health care;
- (e) Children from certain groups, such as the Roma and some immigrant groups, have particularly poor access to health care, leading to a high level of health concerns;
- (f) High numbers of children smoke cigarettes and use alcohol.

149. The Committee recommends that the State party:

- (a) Strengthen its health infrastructure, including through the recruitment of additional nurses and social workers;
- (b) Ensure that all children have access to health care, irrespective of the insurance situation of their parents;
- (c) Give particular attention to ensuring the access to health care of children from Roma communities and other economically disadvantaged groups;
- (d) Take steps to lower the number of children who smoke cigarettes and use alcohol, including through the use of information campaigns.

Children with disabilities

150. Taking into consideration the efforts that have been made in the past 10 years and the recent involvement of children with disabilities and their families in policy making, especially in relation to the Ministry of Education's special education department, and the progress made in modifying access to streets, buses, trains and some buildings for persons with disabilities, the Committee remains concerned that:

- (a) There is a lack of up-to-date national data on children with disabilities;
- (b) Children with disabilities face discrimination, as indicated by the State party in its report;
- (c) There is a shortage of qualified personnel to provide health and educational support to children with disabilities;
- (d) Many children with disabilities in need of alternative care are institutionalized, that residential care for persons with disabilities remains of poor quality, limiting respect for children's rights, and

that children in some institutions experience abuse and inhuman or degrading treatment;

(e) Children with disabilities are often not consulted in decisions that affect them;

(f) Access facilities for persons, including children, with physical disabilities to public areas, buildings and transport remain poor and legislation in this regard is not sufficiently enforced.

151. Noting the State party's efforts in this regard, and in the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, para. 338), the Committee recommends that the State party:

(a) Continue to implement programmes to improve respect for the rights of children with disabilities and ensure that children are consulted in decisions that affect them, in accordance with their age and abilities;

(b) Improve data collection on children with disabilities;

(c) Take steps, including through the use of information campaigns, to end discrimination against children with disabilities;

(d) Ensure that children with disabilities, in particular those children living in institutions, are protected from all forms of neglect, abuse or inhuman or degrading treatments;

(e) Recruit additional qualified personnel to provide, inter alia, health and educational support to children with disabilities;

(f) Strengthen efforts to limit recourse to institutional solutions for children with disabilities in need of alternative care and improve the quality of residential care;

(g) Continue efforts to establish adequate secondary schools for children with special needs, while also continuing to place emphasis on integrating children with disabilities into the ordinary education system where this would be in the best interests of the child, and ensure that all children with disabilities have access to secondary school education;

(h) Continue and strengthen efforts to ensure the easy access of children with disabilities to public areas, buildings and transport, including pavements, schools, hospitals, trains and buses;

(i) Strengthen the provision of training in daily living skills for children with cognitive disabilities.

Adolescent health

152. The Committee is concerned that:

(a) The existing plans for sex education in schools have not been fully implemented;

- (b) Abortions are widely used as a method of birth control;
- (c) There are weaknesses in family planning assistance to adolescents, related to the inadequacy of staff and suitable premises and equipment, as indicated by the State party in its report.

153. The Committee recommends that the State party:

- (a) Ensure the provision of relevant health information to adolescents, including through the existing plans for sex education in schools, including a safe birth control practices;
- (b) Strengthen its provision of family planning counselling and assistance with particular regard to reproductive health, and ensure that adolescents have free and confidential access to such assistance.

Social security and welfare

154. While noting bill (2646/1998) on the development of the national system of social care which will create a network of services - coordinated by the National Centre for Immediate Social Help - providing social care to individual families and groups in need of immediate attention and help, the Committee remains concerned that:

- (a) The National Welfare Organization, created in 1998 to coordinate child welfare services, has not yet become fully operational;
- (b) There is an insufficient number of social workers, lawyers, speech therapists, psychologists and other specialists working within the welfare system and available to support children and their families;
- (c) There is a lack of children's welfare services in some areas of the country, such as on the Peloponnese and the Ionian islands;
- (d) Many children and families from some distinct ethnic, religious, linguistic or cultural groups, such as the Roma, are not fully aware of their rights to social security and welfare and are consequently unable to claim such assistance.

155. The Committee recommends that the State party:

- (a) Proceed with efforts to make the National Welfare Organization fully operational;
- (b) Improve the availability of welfare specialists, including social workers, lawyers, speech therapists and psychologists;
- (c) Ensure that all children, in all parts of the country, have easy access to welfare services;
- (d) Strengthen the provision of information on social security and welfare benefits to children and families in need of such assistance from distinct ethnic, religious, linguistic or cultural groups,

including the Roma.

Standard of living

156. The Committee is concerned that:

- (a) Some children in the State party live in very poor conditions;
- (b) Children from Roma communities are particularly exposed to substandard living conditions, including inadequate housing, poor sanitation and waste disposal, and no running water.

157. The Committee recommends that the State party:

- (a) Ensure that all children have access to adequate living conditions;
- (b) Give particular attention to assisting Roma families to improve the living conditions of their children.

7. Education, leisure and cultural activities

158. Acknowledging the many activities of the State party towards improving access to education and the quality of education and introducing multicultural teaching, the Committee remains concerned about a variety of problems that still exist, such as:

- (a) The closing of many rural schools, thereby limiting the access of children from rural communities to education;
- (b) Reports of xenophobia among teachers and students;
- (c) The high overall drop-out rate and the very high drop-out rates among rural and Roma children;
- (d) Reports that compulsory education requirements are not systematically enforced;
- (e) Difficulties in gaining access to education for some groups of children, including asylum-seeking and refugee children who experience difficulties in registering for school and obtaining education certificates;
- (f) The poor quality of education in many schools that teach in languages other than Greek, including the use of outdated textbooks and late term starting dates; the very high estimated illiteracy rates among Roma children; the low proportion of children from distinct ethnic, religious, linguistic or cultural groups who attend secondary school and that some children, particularly from these groups, are accepted in school only as auditors and not permitted to gain academic credit for their studies;
- (g) The lack of sufficient space for schools, particularly in cities.

159. The Committee recommends that the State party:

- (a) Continue ongoing efforts to increase the proportion of the national budget spent on public education;
- (b) Ensure the access to education for all children in the State party, including increasing the enrolment and reducing the drop-out rates, giving particular attention to children in rural communities, children from Roma and other distinct ethnic, religious, linguistic or cultural groups, and children from disadvantaged backgrounds, including through the use of information campaigns targeting parents and local authorities;
- (c) Ensure that legislation with regard to compulsory education is enforced, including through provision of the appropriate resources for this purpose;
- (d) Encourage and support increases in the numbers of children from distinct ethnic, religious, linguistic or cultural groups attending secondary school;
- (e) Expand the practice of recruiting second teachers who speak languages other than Greek to cover all relevant schools and major languages;
- (f) Ensure that schools have sufficient space to function effectively, including for gymnasium and sports facilities;
- (g) Continue and strengthen existing programmes of training and information for all teachers on multicultural concerns, with a view to the effective integration into the State party's school system of children from all distinct ethnic, religious, linguistic or cultural groups and other backgrounds;
- (h) Ensure that all children are able to gain full academic credit for their school attendance;
- (i) Implement these recommendations in the light of the Committee's general comment No. 1 on article 29 (1) of the Convention (aims of education).

8. Special protection measures

Refugee/asylum-seeking children

160. Noting the progress made through the 1999 presidential decree expanding the rights of asylum-seekers and recent legislation allowing unaccompanied minors to apply for asylum, the Committee remains concerned at:

- (a) The large number of asylum applicants whose initial requests are rejected leading, *inter alia*, to delays and detention at the State party's borders that may affect respect for the rights of the children involved;
- (b) The frequent occurrence of delays throughout the administrative and/or judicial processes with

regard to asylum or refugee applications, including delays in family reunification, which affect children;

- (c) The absence of adequate public funding of legal aid for asylum-seekers and refugees;
- (d) The insufficient attention provided for the specific needs and situation of unaccompanied child refugees;
- (e) Reports of discrimination against asylum-seekers and refugees by, among others, police, employers and teachers which may affect the children involved;
- (f) The detention of asylum-seekers, refugees and illegal immigrants in poor conditions and for long periods without appearing before a court;
- (g) Limited access for asylum-seeking, refugee and illegal immigrant children to education and health services.

16. The Committee recommends that the State party:

- (a) Consider means to reduce delays in the consideration of asylum requests and in subsequent administrative and judicial proceedings, which affect children, and to avoid the detention of children;
- (b) Ensure that child asylum-seekers or refugees, and their families, have access to legal aid;
- (c) Develop a procedure to attend to the specific needs and situation of unaccompanied child refugees;
- (d) Make every effort to end practices of discrimination against child asylum-seekers or refugees and their families including, where relevant, through prosecution of those responsible for such discrimination and through the use of information campaigns;
- (e) Ensure that, where children and their families - asylum-seekers, refugees or illegal immigrants - are detained, their conditions of detention comply with relevant international standards and with the provisions of the Convention in particular, and that detentions are reviewed by a court;
- (f) Ensure that asylum-seeking, refugee and illegal immigrant children have access to education and health services, including psychological care;
- (g) Ratify the 1961 Convention on the Reduction of Statelessness.

Child labour

162. The Committee is concerned:

- (a) At the large number of children under the minimum age for working reported to be working in

the State party, particularly in rural and/or disadvantaged communities;

(b) While noting the State party's provision in its report of data from 1992 to 1995, at the absence of precise up-to-date data on child labour practices.

163. The Committee recommends that the State party:

(a) Collect and maintain up-to-date data on the number of children who are working;

(b) Take steps to reduce the numbers of underage children working, giving particular attention to the agricultural, fishing, street trade, garment manufacturing, construction and tourism industries, and giving particular attention to children from disadvantaged communities.

Street children

164. The Committee is concerned:

(a) At the number of children working and/or living on the street, and the numbers of Roma children in particular;

(b) At the lack of access of these children to education and health services;

(c) That young children illegally in the State party are expelled from the country without a process to examine what action would be in their best interests.

165. Noting the State party's efforts in this regard, the Committee recommends that:

(a) Greater efforts be made to study the causes and scope of this concern;

(b) Additional efforts be made to provide a response through comprehensive social services to assist children living and/or working on the street, including innovative educational services adapted to the situation of these children and as an alternative to the formal education system, and in cooperation with NGOs;

(c) Efforts be strengthened to prevent children from falling into a situation of street life and to assist children in leaving street life, with a particular focus on Roma children.

Substance abuse

166. The Committee is concerned:

(a) At the smoking of cannabis and the sniffing of petrol and glue by children;

(b) That drug abuse rehabilitation services are available only in Athens.

167. Noting the State party's efforts in this regard, the Committee recommends that the State party:

- (a) Implement its primary, secondary and tertiary prevention programmes for the prevention and combating of substance abuse throughout the country;
- (b) Continue to cooperate with NGOs and to work with families in the context of rehabilitation programmes.

Sexual exploitation, trafficking and child prostitution

168. Welcoming the State party's recent bill in this regard, the Committee remains concerned:

- (a) At reports of the sexual exploitation of children;
- (b) At reports of children being trafficked into, and sometimes through, the State party for, inter alia, sexual exploitation;
- (c) At the absence of available official statistics on the sexual exploitation and/or trafficking of children;
- (d) At the lack of protection under the law of boy prostitutes.

169. The Committee recommends that the State party:

- (a) Undertake a study on the causes and scope of sexual exploitation and trafficking of children, including by gathering reliable data on their incidence;
- (b) With reference to the recommendations formulated in the Agenda for Action and the Global Commitment adopted at the World Congresses against Commercial Exploitation of Children, held in 1996 and 2001, develop a national plan of action to address the sexual exploitation and trafficking of children covering, inter alia, all aspects of assistance to child victims, and ensure that the plan is implemented in all regions of the country, including through the prosecution of persons responsible for such acts;
- (c) Ensure that in the context of any cross-border efforts to address trafficking, the best interests of the children concerned are a primary consideration;
- (d) Strengthen its efforts to identify and report on practices of child sexual exploitation and strengthen cooperation with NGOs working in this field;
- (e) Strengthen its actions to assist child victims of such abuse, including through the provision of counselling and health and social services.

Juvenile justice

170. Noting that the State party has a system of special juvenile justice courts and that a committee was established to look into issues of concern in the criminal justice system and a new bill relating to the care of juvenile delinquents and children at risk, the Committee remains concerned:

- (a) That children are protected by the juvenile justice system only up to age 17;
- (b) At the prosecution of children for begging;
- (c) At the lack of respect for juvenile justice standards with regard to arrest and detention proceedings, including the occasional detention of children with adults;
- (d) At the proportionally high number of children from distinct ethnic, religious, linguistic and cultural groups involved in juvenile justice proceedings, especially involving arrest and imprisonment;
- (e) That the right of children to legal representation or other appropriate assistance is not always systematically guaranteed;
- (f) At the large number of juveniles detained pending trial, on non-felony offences, in spite of the fact that domestic legislation prohibits such detention unless the alleged crime is one that would carry a sentence of 10 years' imprisonment or more;
- (g) At delays in judicial proceedings leading to long periods of pre-trial detention;
- (h) That under the law children can be given a sentence of 20 years' imprisonment;
- (i) That the right of appeal is restricted to sentences of imprisonment of more than one year;
- (j) At the lack of a sufficient number of probation officers in all cities and regions of the country.

171. The Committee recommends that the State party:

- (a) Develop laws, policies and mechanisms for all children under 18 and provide adequate resources to ensure the full implementation of juvenile justice standards and in particular articles 37, 40 and 39 of the Convention, as well the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), and in the light of the Committee's day of general discussion on the administration of juvenile justice held in 1995;
- (b) Decriminalize begging by children while taking steps to ensure that such a change would not be exploited by adults who may use children to beg;
- (c) Conduct juvenile justice and child rights training for, among others, police officers, detention officials, judges, social workers, psychologists and other personnel involved in the juvenile justice process;

- (d) Ensure respect for all juvenile justice standards including the rights of children during arrest and detention procedures, minimum conditions of detention, the non-restricted rights of appeal and to legal representation, free interpretation where needed and other relevant assistance;
- (e) Ensure that detention, including pre-trial detention, is used only as a measure of last resort and with due consideration for the seriousness of the crime, and that greater efforts be made to provide alternatives to detention;
- (f) Abolish provisions allowing for a child to be imprisoned for a period of 20 years;
- (g) Increase the number of trained probation officers and other relevant professionals.

Distinct ethnic, religious, linguistic or cultural groups

172. The Committee is particularly concerned at the level of respect for the rights of Roma children.

173. The Committee strongly recommends that the State party continue and strengthen its efforts to develop and implement policies and programmes towards improved respect for the rights of Roma children, including through cooperation with representatives of the Roma themselves and through empowerment of Roma communities.

9. Ratification of the Optional Protocols

174. Noting the State party's signature of the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, the Committee recommends that the State party proceed with ratification of both instruments.

10. Dissemination of documentation

175. The Committee is concerned that the State party's initial report has received very little dissemination within the State party, including even within government ministries and among relevant NGOs.

176. In light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within all levels of administration of the State party and the general public, including concerned NGOs.