EMN STUDY 2014
Policies, practices and data on unaccompanied minors in 2014

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The Institute of International Relations (IIR) of Panteion University of Social and Political Sciences implemented the study

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The European Migration Network (EMN) was established in 2003, originally as a preparatory action of the European Commission, with the aim of providing the European Commission and the Member States with objective, reliable, comparable and up-to-date data on migration and asylum, to build policymaking in the European Union and hence their national policies in these areas. Subsequently, the Council of the EU in 2008, with the No. 381/2008/EK Judgment founded the EMN, as permanent structure that will operate within the European Commission, with the participation of member states in order achieve these goals.

More information on the EMN and its work can be found on the website http://emn.intrasoft-intl.com/html/index.html or on the Greek website http://emn.ypes.gr

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EMN STUDY 2014

Policies, practices and data on unaccompanied minors in 2014

Executive Summary (Synthesis Report)

Executive Summary (up to three pages)

Executive Summary of Synthesis Report: this will form the basis of an EMN Inform, which will have EU and National policymakers as its main target audience. The Executive Summary/Synthesis Report will be prepared by the EMN Service Provider (ICF International – Odysseus Network).

Top-line ‘Factsheet’ (National Contribution)

National contribution (one page only)

Overview of the National Contribution – introducing the study and drawing out key facts and figures from across all sections of the Focussed Study, with a particular emphasis on elements that will be of relevance to (national) policymakers.

Please also provide a summary of the main findings of Sections 1-6 below, notably:

- What have been the key changes / improvements in your (Member) State’s policy(ies) on UAMs, with a particular focus on developments since 2009?

- Has the phenomenon changed? Have any new challenges with regard to the situation of UAMs arisen / remained in your (Member) State?
Two major innovations in the Greek asylum and immigration policy marked the period covered by the current EMN Study (2009-2013). These were the adoption of the new asylum procedure and the entry into force, as of 1 June 2014, of the Code of Immigration and Social Integration (Law 4251/2014, Government Gazette A’ 80/1.4.2014). Unaccompanied minors’ policy is included in these innovative approaches, although in reality, these measures are new and difficult to evaluate over the long-term.

Indeed, the relevant national legal framework regulating the asylum procedure – consisting mainly of Law 3907/2011, Presidential Decrees 113/2013 and 141/2013 (along with Presidential Decrees 220/2007 and 114/2010 (which regulates the second instance review of the decisions of the Hellenic Police during the transitional period) – and a number of Ministerial Decisions and Circulars, include explicit provisions on the protection of children, and in particular unaccompanied minors. They regulate in detail the initial reception procedure, the appointment of a legal guardian, the age assessment procedure, the accommodation, education and health care of unaccompanied minors.

Furthermore, the Code of Immigration and Social Integration, which codifies the existing immigration legislation and replaces immigration law no 3386/2005, includes provisions on certain categories of minors that do not apply for asylum, such as the victims of human trafficking and illegal smuggling of migrants (Art. 49-50).

Notwithstanding these developments, the effective protection of unaccompanied minors still remains a challenge. The following issues summarize the priorities for the Government and relevant stakeholders:

- There is a pressing need to increase the open accommodation facilities for unaccompanied minors. Most of the existing centres are administered by NGOs that receive certain subsidy from the State. The ongoing economic crisis has affected primarily these accommodation facilities; the funding is reduced, thus rendering any long-term planning and the implementation of policies for the smooth integration of unaccompanied minors and their preparation for adulthood, almost impossible. The decreased number in open accommodation facilities adversely affects the initial reception procedure, during which the vulnerable groups are identified and referred accordingly. According to data provided by the National Centre for Social Solidarity (EKKA), during 2013, 1149 placements have taken place in 14 accommodation centres, but there is no facility for children under the age of 12.

- In relation to the abovementioned issue, there is a pressing need to establish accommodation facilities for unaccompanied girls and unaccompanied minors under the age of 12. The delays in their placement reveal that they remain for long periods in danger, or are accommodated in unsuitable facilities (e.g. hospitals) or placed in facilities outside any relevant network, facing further difficulties and threats.

- The institution of guardianship should be strengthened so as to function effectively. The understaffing and the large number of unaccompanied minors under the protective umbrella of the District Attorney Offices delay significantly the appointment of a permanent guardian, with all that this entails for the representation of the minor and the effective protection of his/her rights. Moreover, the unprecedented, for the demographic and financial situation of the country, migratory pressure that Greece is called to manage on behalf of the 27 EU member states, in particular the large number of unaccompanied minors, makes it impossible for the locally competent District Attorney to perform the duties of the temporary guardian, while it aggravates the effective functioning of the institution of guardianship for unaccompanied minors. It is worth noting that at the initiative of the General Secretariat of Transparency and Human Rights of the Ministry of Justice, Transparency and Human Rights, a special working group has been established for the reassessment of the current legal framework that regulates the guardianship of unaccompanied minors. The Working Group consists of representatives of competent Ministries and agencies (Ministry of Public Order and Citizen Protection, Ministry of Labour, Social Security and Welfare, First Reception Service) and representatives of the UN High Commissioner for Refugees, as well as the Children’s Ombudsman.

The Working Group is expected to submit its proposals in 2014.

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¹A public consultation between stakeholders took place between 5 to 10.9.2014 (see website http://www.opengov.gr/ypes/?p=2432) the Draft Law "Regulations of Immigration Law”). The Draft incorporates the JMD 30651/2014 regarding the grant of residence permit for humanitarian reasons (as article 19A).
- The detailed record of unaccompanied minors arriving in Greece or identified in the Greek territory is required as a first step to meet their needs.
- Use of alternative measures to detention in the case of unaccompanied minors.
- Ensure the unhindered access of unaccompanied minors to education, by creating classes of remedial teaching and ensuring their smooth integration into the education system.
- Facilitate minors’ access to vocational training, so that their smooth transition to adulthood is ensured and their independent living supported, with the view to achieve their effective integration into the social life of the country. The long-term planning for unaccompanied minors is one of the main shortcomings of existing policy and legislation.
- Regarding unaccompanied minors whose claims for international protection are rejected, it is recommended to facilitate referral to the competent authorities, in order to investigate without further bureaucratic burden of the unaccompanied whether a residence permit may be granted on another legal basis (e.g. humanitarian reasons).

**Bibliography**


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Human Rights Watch, *Left to survive. Systematic failure to protect unaccompanied migrant children in Greece, 2008*

Human Rights Watch, *No refuge. Migrants in Greece, 2009*

Human Rights Watch, *Turned away. Summary returns of unaccompanied migrant children and adult asylum seekers from Italy to Greece, 2013*


Greek Ombudsman, *Special report: administrative detention and deportation of third country minors, October 2005* (in Greek)


UNHCR, *Protecting children on the move. Addressing protection needs through reception, counseling and referral, and enhancing cooperation in Greece, Italy and France, July 2012*

UNHCR– Greece, *Current issues of refugeeprotection in Greece, July 2013* (in Greek)

Reception and care of unaccompanied minors in eight EU countries. Comparative study and perspectives of harmonisation, October 2010, i-RED, France Terre d'Asile, CIR, [http://www.france-terre-asile.org/childrenstudies](http://www.france-terre-asile.org/childrenstudies)
Websites
Smile of the Child – www.xamogelo.gr
National Centre for Social Solidarity- www.ekka.org.gr

National legal framework

Laws
Law 3907/2011, GGA 7/26.-1.-2011 “On the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of the provisions of Directive 2008/115/EC “on common standards and procedures in Member States for returning illegally staying third-country nationals” and other provisions”
Law 4251/2014, GG A 80/1.-4.-2014 “Code of Immigration and Social Integration and other provisions”

Presidential Decrees (PD)
266/1999 GGA 217 “Administration and operation of the Refugee Centre in Lavrion Attica and social protection of recognized refugees, asylum seekers and those granted a residence permit for humanitarian reasons”
233/2003 GG A 204/28.8.2003 “Protection and assistance to the victims of crimes of articles 323, 323Α, 349, 351 and 351Α of the Penal Code, according to article 12 Law 3064/2002 (GGA248)”
141/2013 GG A 226/21.10.2013 "Adaptation of the Greek legislation to the provisions of Directive 2011/95/EU on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast)"

Ministerial Decisions (MD)
MDY1.Γ.Π.οικ.92490, GGB 2745/29.10.2013 “Program of medical control, psychosocial diagnosis, support and referral of third country nationals entering without legal documents first reception facilities”

Case-law
ECtHR, Rahimi/Greece, appl. no. 8687/08, judgment 5.3.2011

Other
Document of the Ministry of Public Order and Citizen Protection (ref. no 7017/4/15666/6.1.2013) in response to a parliament question submitted by MPsM. RepousiandI. Panousis
Section 1: Motivations and circumstances of UAMs for entering the EU

This section of the Synthesis Report will aim to provide an up to date overview of the motivations and circumstances of unaccompanied minors who enter the EU. The section, along with Sections 2-6, will also aim to provide information, to the extent possible, on the conditions that may contribute to making certain Member States more attractive to unaccompanied minors than others.

In question 1, EMN NCPs are asked to indicate which motivations and circumstances apply in their Member State and to provide further information to describe each situation that applies. In question 3, EMN NCPs are also asked to report on any prevention programmes their (Member) State is implementing together with Third Countries in order to address the root causes of migration of unaccompanied minors.

Q1. Please state what the motivations and circumstances of UAMs for entering your (Member) State are and provide further information (please cite existing evaluation reports / studies / other sources or based on information received from UAMs and/or competent authorities). Possible motivations and circumstances of UAMs for entering the EU may include:

- Fleeing persecution or serious harm and seeking protection (asylum)
- Family reunification (e.g. to join family members already in the (Member) State, to apply for asylum followed by family reunification)
- Join migrant/ diaspora community
- Economic and aspirational reasons (including education)
- Transit to another Member State
- Victims of trafficking in human beings
- Facilitated illegal entry / smuggled
- Arrival at external borders
- Inadequate medical facilities in the country of origin / insufficient funds by parents for medical treatment
- Abandonment in a Member State (e.g. because parents have been returned / cannot or do not take care of their child in the (Member) State
- Runaways / drifters
- UAMs do not know why they have entered the (Member) State
- UAMs are not able to explain why they have entered the (Member) State (e.g. due to their early age)
- UAMs are reluctant to report their motivations and circumstances for entering the (Member) State (e.g. due to trauma)
- Other (please specify)

The vast majority of unaccompanied minors entering the Greek territory are coming from countries embroiled in armed conflicts. Therefore, they are potential refugees or beneficiaries of subsidiary protection. For instance, in 2009, 2,553 unaccompanied minors from Afghanistan entered the Greek territory, a number that was maintained high in the following years, while in 2011, 4,016 unaccompanied minors were registered by the Greek authorities.
Furthermore, after the eruption of violence in Syria and the civil war raging in the country, the number of Syrian unaccompanied minors reached unprecedented levels. While in 2011, 216 children from Syria had been recorded, the following year (2012) the number increased to around 1,519 unaccompanied minors. These statistics are provided in their entirety as an annex of the present report.

However, the majority does not lodge an asylum claim. For instance, in 2011, out of the 4,016 Afghan unaccompanied minors that entered Greece, only 13 applied for asylum. The extremely low number of asylum-seeking unaccompanied minors however does not negate the fact that these children are the primary victims of the violence caused by local armed conflicts. The fact that many of them have not submitted an application for asylum is owed either to the lack of information or to deficiencies in the asylum procedure existing before 2013, the year when the new Asylum Service was launched, or to the abuse of minors by the Hellenic Police that prevents them from appearing before the police to submit an asylum claim, as this has been highlighted by the European Court of Human Rights\(^2\) and NGO reports\(^3\).

On another level, according to estimates by the Hellenic Police, the number of applications submitted by third country nationals, in particular unaccompanied minors, is indeed small compared to the fact that Greece is the main point of entry of immigrants. The implementation of Regulations Dublin II\(^4\) and Dublin III\(^5\) (the competent country to examine an asylum claim is the country of first entry, provided that the asylum-seeker has submitted an application both to the country of first entry as well as to another EU member state) is estimated that constitutes one of the main reasons for the non-massive submission of requests for international protection. This aspect is repeatedly propounded by Greek police authorities in discussions with other member states.

The number of unaccompanied minors of Albanian origin entering Greece has also increased. These flows are primarily owed to labour migration, considering that now Greece hosts more than 500,000 Albanian immigrants\(^6\).

Q2. Please provide information on any prevention actions / projects / initiatives that your (Member) State undertakes together with Third Countries with the aim to address the root causes of UAMs' migration, for example:

- Integration of UAMs’ migration in key areas of development cooperation, e.g. poverty reduction, education, health, employment, human rights, democratisation and post-conflict reconstruction;

- Targeted awareness-raising activities and training in countries of origin and transit (e.g. aimed at law enforcement officers, border guards, potential victims of trafficking and their communities, children, wider public, etc.);

- Development of child protection systems.

\(\text{If possible, please provide a short description of the impact of these specific actions / projects / initiatives.}\)

\(\text{No programs have been found (ongoing or completed).}\)

\(^2\) See Rahimi/Greece, appl.no. 8687/08, judgment 5.3.2011, par. 81-86.


\(^4\) Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national.

\(^5\) Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application for international protection lodged in one of the Member States by a third-country national or a stateless persons (recast).

\(^6\) http://www.reuters.com/article/2012/04/06/albania-greece-migrants-idUSL6E8F38XL20120406.
Section 2: Entry and assessment procedures including border controls for asylum-seeking and non-asylum seeking UAMs

This section of the Synthesis Report will aim to provide an up to date overview of the entry procedures including border controls that apply in the situation of unaccompanied minors who enter the EU, as well as the procedures that apply when an unaccompanied minor is apprehended or becomes known to the authorities. (Member) States are also requested to provide information on the procedures that apply when an unaccompanied minor claims to be a minor and once minority is either confirmed or disproved.

Section 2.1 Documentation required by unaccompanied minors for legal entry to the (Member) State (non-asylum seeking UAMs, but also asylum-seeking UAMs in some instances)

In question 3 below, EMN NCPs are asked to indicate / reconfirm the entry procedures and border controls plus the procedures that apply in their (Member) State and to provide further information to describe each situation that applies:

Q3. What documents are required by third-country national UAMs at the border to fulfil the entry requirements to the (Member) State?

<table>
<thead>
<tr>
<th>Entry documents required by unaccompanied minors</th>
<th>Please provide more information about the types of documents required and the conditions that apply, with a particular focus on developments since 2009.</th>
<th>Please state if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visa permitting entry and stay</td>
<td>Yes (when required pursuant to Council Regulation (EC) No 574/1999 of 12 March 1999 determining the Non-EU Member Countries whose nationals must be in possession of visas when crossing the external borders of the Member States and non-EU member countries whose nationals are exempt from that obligation, unless they hold a valid residence permit). Article 4 para. 2b Code of Immigration and Social Integration L.4251/2014</td>
<td>There is no differentiation</td>
</tr>
<tr>
<td>Passport</td>
<td>Yes (Art. 4 Par. 2a Code of Immigration and Social Integration)</td>
<td>There is no differentiation</td>
</tr>
<tr>
<td>Travel documents</td>
<td>Yes (Art. 4 Par. 2a Code of Immigration and Social Integration)</td>
<td>There is no differentiation</td>
</tr>
<tr>
<td>Other (please state)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Section 2.2 Circumstances where an unaccompanied minor may be refused at the border (non-asylum seeking UAMs)

Q4. Can a non-asylum seeking unaccompanied minor be refused entry at the border if they do not fulfil the entry requirements set out above?
<table>
<thead>
<tr>
<th>Categories of unaccompanied minors that may be refused entry at the border</th>
<th>Please provide more information about the circumstances under which unaccompanied minors may be refused entry at the border: a) in national legislation / policy and b) in practice, with a particular focus on developments since 2009.</th>
<th>Please state if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Non-asylum seeking unaccompanied minor arriving at a land / sea border or airport</strong></td>
<td>In cases when he/she does not possess the legal entry documents, such as those listed above, the competent authorities may refuse entry. At this level, the national legislation does not distinguish between adults and unaccompanied minors entering the national territory.</td>
<td>There is no differentiation</td>
</tr>
<tr>
<td><strong>Asylum seeking unaccompanied minor arriving at a land / sea border or airport</strong></td>
<td>Asylum seekers (adults or minors) are never prohibited from entering the country. They are referred to the appropriate Regional Asylum Office or Independent Asylum Team in order to submit an application for international protection.</td>
<td>There is no differentiation</td>
</tr>
<tr>
<td><strong>Asylum seeking unaccompanied minor arriving at an internal authority (e.g. police, child protection service, etc.)</strong></td>
<td>Asylum seekers (adults or minors) are never prohibited from entering the country. They are referred to the appropriate Regional Asylum Office or Independent Asylum Team in order to submit an application for international protection.</td>
<td>There is no differentiation</td>
</tr>
<tr>
<td><strong>Other (please state)</strong></td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

### Section 2.3 Apprehensions of unaccompanied minors by national authorities (non-asylum seeking UAMs)

Q5. Please describe the national rules and procedures that apply where a non-asylum seeking unaccompanied minor is apprehended / identified at the border and within the territory of the (Member) State. Please note that reception and care arrangements are covered in Section 3.

The initial reception procedures are regulated by Law 3907/2011. According to Article 11, the reception services first inform the third country nationals about their rights and obligations. Applicants for international protection are referred to the locally competent Regional Asylum Office or Independent Asylum Team available inside the reception centres. At each stage of First Reception, submission of claims for international protection requires separation of the applicant and reference to the locally competent Regional Asylum Office. Admittance of asylum claims and the interviews of the applicants may take place at the premises of the First Reception Centres, while the applicants remain in the facilities for the duration of the review process of their claim and for a maximum of 25 days. If this deadline expires and the examination of the application for international protection has not finished, the Regional Asylum Office provides the asylum seeker a card and refers him/her to appropriate accommodation facilities under the responsibility of the Ministry of Labour, Social Security and Welfare. In case the initial claim and the appeal are dismissed while third country nationals remain at the Centre or at the First Reception Unit, they are referred to the appropriate authority for deportation, return or
readmission proceedings.

As far as vulnerable groups are concerned, including unaccompanied minors, the head of the Centre or Unit, upon recommendation of the head of the team of medical control and psychosocial support, refers them to the competent institution(s) of social support or protection. The remaining third country nationals are referred to the authority which is legally empowered to decide their inclusion in the process of readmission, expulsion or return. The reference is decided by the Head of the Centre or Unit, upon recommendation of the team that carried out the control during first reception. These individuals may remain in the first reception facilities until a decision of expulsion or return is made. Where the authority competent to decide on the expulsion or forced return of third-country nationals considers that this should be postponed or that detention is not necessary, the third country national is provided a written confirmation and is allowed to leave the First Reception facilities under the restrictive conditions may have been imposed on him/her.

Furthermore, immigration laws include specific provision for unaccompanied minors who are victims of human trafficking or migrant smuggling. For these categories Art. 50 Par. 2 of the Code of Immigration and Social Integration stipulates that the competent District Attorney shall take every step necessary to determine the identity and nationality of the minor and to establish the fact that he/she is not accompanied, shall make every effort to locate as soon as possible his/her family and shall immediately take the necessary steps to ensure his/her legal representation and, if necessary, his/her representation during criminal proceedings. The competent Juvenile Attorney or, where there is no Juvenile Attorney, the competent District Attorney, if the family of the child is not found or if he/she considers that in the given circumstances the return does not serve the interests of the child, may order any appropriate measure of protection until the Court decides on the appointment of a guardian. The relevant submission to the Court by the District Attorney shall be made within 30 days, in accordance with the provisions of articles 1532, 1534 and 1592 of the Civil Code. Finally, Art. 7 Par. 2, Law 3907/2011 provides for the cases where unaccompanied minors are apprehended within the Greek territory. Thus, according to this provision, the competent police authorities may refer to first reception procedures the third country nationals that are apprehended in the Greek territory and fail to prove their nationality and identity by a public authority document.

NB: Please indicate if the process is different for those cases in which the age of the minor is in question (for example, when the child has no documents) and the calculation procedure of age has not yet been performed to determine the age the minor.

According to the legal framework, there is no difference in procedure in these cases.

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**Section 2.4 Training of Border Guards and / or Police Authorities**

**Q6a. Does the (Member) State provide specific training to Border Guards and / or Police Authorities to recognise the situation of unaccompanied minors who try to enter the territory illegally / are apprehended within the territory, or who may be the victims of trafficking in human beings / smuggling?**

Y/N

**Q6b. If yes, please provide further information below, stating also if this has involved cooperation with EU agencies.**

The police authorities and all competent authorities are aware of the vulnerability of unaccompanied minors and the legal framework regulating their situation. During their introductory training, Greek police officers receive training on the international and national legal framework for the protection of human rights, in the framework of the courses Constitutional Law – Human Rights (1st year) and Public International Law and Humanitarian Law (3rd year).

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**Section 2.5 The organisation of the national asylum procedures for asylum-seeking unaccompanied minors**
Q7. Please set out the national rules and procedures that apply where an unaccompanied minor apprehended / identified at the border and within the territory of the (Member) State lodges an application for asylum (e.g. which authority(ies) the minor is referred to, at what point an application is made, etc.).

Unaccompanied minors belong to the so-called vulnerable groups (Arts. 17 PD 220/2007 and Art. 11 Par. 2. Law 3907/2011) and their applications for asylum are treated with priority (Art. 16 Par. 3 pd 113/2013). According to Article 4 Par. 3 PD113/2013, an unaccompanied minor who is over 14 years of age may submit him/herself an application for international protection. The authority to which the asylum claim is submitted (Regional Asylum Offices and Independent AsylumTeams) submits a request to the District Attorney for appointment of a guardian, as provided for in Article 11 par. 1 pd 113/2013 in conjunction with Article 19 Par. 1 of PD 220/2007. During the interview the child may be by him/herself, without the presence of a guardian or a person performing the act of guardianship or other counselor. In case of doubt as to the age of the unaccompanied, this may be determined through medical examination (Article 11 Par. 3 PD 113/2013).

According to information provided by the Hellenic Police, in case of third country nationals who are unaccompanied minors or victims of trafficking, the competent authorities (district attorney or police) shall take the necessary steps to establish their identity and nationality and the fact that they are not accompanied. Also, every effort is made for the identification of their families as soon as possible and the necessary steps are taken to ensure their legal representation and, where necessary, their representation in criminal proceedings. The above procedure is followed in all cases (even if he/she do not submit an application for international protection) pursuant to Article 19 of PD 220/2007. If, following investigation, the minors’ parents or custodians have not been found, the Aliens Division informs Interpol to conduct a search in their country. After this procedure, and if their request for international protection has been dismissed (if submitted), decisions are made on their expulsion or return. Based on the specific regime of care and protection, they are held in specially designed premises without the presence of other adults (see document no 7017/4/15666 / 6.1.2013 of the Ministry of Public Order and Citizen Protection responding to a question from MPs M. Repousi and I. Panousi).

NB: Please also highlight if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

The same procedure is followed.

Q8. Please describe the specific rules and procedures that apply in respect of the (asylum) applicant’s status as an (unaccompanied) minor. Please indicate, for example:

- Whether and when a legal guardian is appointed;
- Whether and when an asylum interview(s) is conducted.

When an asylum claim is submitted by an unaccompanied minor, the competent authorities (Regional Asylum Offices and Independent AsylumTeams) act in accordance with the provisions of Article 11 Par. 1 PD 113/2013 in conjunction with Article 19 Par. 1 PD 220/2007 and submit a request to the District Attorney for appointment of a guardian to the minor. The guardian or the person that acts in that capacity shall be given the opportunity to inform the unaccompanied minor about the meaning and possible consequences of the personal interview and how to be prepared for this. The guardian or the person that acts in that capacity is invited and may attend the personal interview of the child and submit questions or comments to facilitate the process. (Article 11 PD 113/2013)

Case-workers conducting personal interviews with unaccompanied minors shall have the necessary knowledge of the special needs of children and shall carry out the interview in such a way, so as to be fully understood by the applicant, taking into consideration his/her age (Arts. 11 Par. 2 PD 113/2013). To that effect, the Asylum Service conducts regularly special training sessions for the staff responsible for the decision-making process.

NB: Please also highlight if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet
Q9. Please describe the procedure for assessing the age of an asylum-seeking UAM who claims to be a minor. Please indicate, for example:

- Whether and when the stated age (date of birth) and unaccompanied situation is registered;
- Whether, when, why and how a formal age assessment is undertaken;
- Whether and how the conclusions from an age assessment are registered (e.g. is the registered claimed age (date of birth) replaced by the assessed age or is this age added to the file, etc.).

According to pertinent legislation (Art. 11 Par. 3PD113/2013), the competent decision-making authorities may use medical examinations to determine the age of unaccompanied minors. In cases where medical examinations are used, care shall be taken so that unaccompanied minors are informed prior to the examination of their application in a language they can understand, about the possibility of age determination by a medical examination, the possible implications of the results of the medical examination for their application and the consequences of their refusal to undergo the medical examination. Furthermore, unaccompanied minors or guardians shall consent to the examination to determine the age of the child. In case the asylum claim is dismissed, this decision shall not be based solely on the refusal of the unaccompanied minor to undergo a medical examination. Until the completion of the medical examination procedure, the person claiming to be a minor is treated as a minor. Moreover, if the examination cannot establish with certainty that the applicant is an adult, he/she shall be treated as a minor. Finally, even if the unaccompanied minor has refused to undergo a medical examination this shall not prevent the decision-making authority from making a decision on the application.

The findings and results of the evaluations are delivered to the head of the team of medical control and psychosocial support who shall recommend to the head of the reception centre the official registration of the age, indicating the reasons and the factors that led to these conclusions. The date of birth shall be the day and the month in which the recording was made at the Centre or Unit of First Reception (Art. 6 Par. 7 MD Y1.G.P.oik.92490).

In practice, the results of the medical examination are added to the file along with the age declared by the unaccompanied minor.

Q10. Please provide the average (or where this is not available median) duration of an asylum procedure for a UAM.

Under pertinent legislation, unaccompanied minors belong to vulnerable groups and their applications are examined with priority (Art. 11 Par. 2. Law 3907/2011).

NB: Please also highlight if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

The same procedure is followed.

Section 2.6 Guardianship and age assessment for non-asylum seeking UAMs

Q11. Please describe the arrangements for guardianship of non-asylum seeking UAMs. Please specify, for example: who organises guardianship for UAMs, who can become a guardian to a UAM, what the role of a guardian to a UAM
is, which UAMs are entitled to a guardian, until what age and whether this depends on the status of the UAM, e.g. does the UAM get another guardian when s/he is granted international protection, etc.

The provisions of the legislation on the appointment of a guardian for asylum seeking unaccompanied minors are applied *mutatis mutandis* to non asylum-seeking unaccompanied minors.

Furthermore, the Code of Immigration and Social Integration includes a provision for unaccompanied minors, victims of trafficking or smuggling of migrants who have not submitted a claim for international protection. In particular, in these cases, the competent District Attorney shall take every step necessary to establish the identity and nationality of the unaccompanied minor and to establish the fact that he/she is not accompanied, shall make every effort for the identification of the family as soon as possible and shall take the necessary steps immediately to ensure his/her legal representation and, if necessary, his/her representation in criminal proceedings. The competent Juvenile Attorney or, where there is no Juvenile Attorney, the competent District Attorney shall submit within 30 days to the competent Court a claim for appointment of a guardian in accordance with the provisions of articles 1532, 1534 and 1592 of the Civil Code. Furthermore, he/she may order any appropriate measure for the protection of the minor until the Court reaches a decision (Arts. 50 Par. 2, Code of Immigration and Social Integration L.4251/2014).

The integration of unaccompanied minors after they have been granted international protection is regulated by Presidential Decree 141/2013. In relation to the appointment of a guardian, the decree in question stipulates that the Department for the Protection of Refugees and Asylum Seekers of the Division of Social Awareness and Solidarity at the Ministry of Labour, Social Security and Welfare shall take the necessary measures as soon as possible after international protection has been granted to ensure the representation of unaccompanied minors by appointing a guardian or, where appropriate, assigning the relevant responsibility to an organization responsible for the care and protection of minors, or in other suitable form of representation pursuant to the laws and court decisions (Art. 32 Par. 1 PD 141/2013).

The powers of the guardian include, *inter alia*, the custody of the child and his/her representation in any legal act or proceeding that implicates him/her (Art. 1603 CC). In practice, the District Attorney is informed about the unaccompanied minor from the asylum office, the police or civil society organisations. Usually, there is no further action by the Attorney for the appointment of a permanent guardian or other actions as to the person of the minor. The delay is due to excessive workload of the District attorney’s offices and limited human resources within the existing services of the courts that can follow the cases; all these factors are added to the large number of unaccompanied minors that District Attorney offices are called to protect as a result of the increased migratory pressure faced by Greece as the south-eastern external border of the EU.

Furthermore, there is no institution or organization that the District Attorney may contact to appoint permanent guardians and other individuals cannot easily take unaccompanied minors under their custody because this target group often absconds and is difficult to find. There are cases where district attorneys formally assign full guardianship to the directors of shelters or social workers of state institutions (e.g. municipalities, courts), although this practice is not always effective, taking into account existing obstacles. The prosecutor may, therefore, appoint an adult to perform a specific act of guardianship, for example school registration. Because of these challenges, there is no standard practice on the part of district attorneys in Greece. It appears that the procedures followed in order to ensure the representation and protection of unaccompanied children are at the discretion of the District Attorney and the support services that are available to him/her (such as NGOs, social services).

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7See UNHCR, Unaccompanied Minors Asylum Seekers in Greece, April 2008, p.7 where it is stated that “guardianship is extended to unaccompanied minors even before they apply for asylum” και UNHCR, France Terre d’Asile, Save the Children and PRAKSIS Report "Protecting Children on the Move", 2012, p. 19

8 See UNHCR, France Terre d'Asile, Save the Children and PRAKSIS Report "Protecting Children on the Move", 2012, p. 20.
Therefore, in practice there is no effective custody or legal representation of unaccompanied minors and children often remain unprotected and vulnerable to all forms of exploitation; especially unaccompanied minors lacking a shelter that are very difficult to locate and protect.\(^9\)

For this reason, both the UN High Commissioner for Refugees and the Ombudsman have proposed “the establishment of a judicial social service, as the one provided for in Article 49 of Law 2447/1996, which can take over the guardianship of unaccompanied children that should become a priority for the Ministries of Justice and Health and Welfare”\(^10\). Thus, at the initiative of the General Secretariat of Transparency and Human Rights of the Ministry of Justice, Transparency and Human Rights, a special working group has been established for the reassessment of the current legal framework that regulates the guardianship of unaccompanied minors. The Working Group consists of representatives of competent Ministries and agencies (Ministry of Public Order and Citizen Protection, Ministry of Labour, Social Security and Welfare, First Reception Service) and representatives of the UN High Commissioner for Refugees, as well as the Children’s Ombudsman. The Working Group is expected to submit its proposals in 2014.

Currently, there are contacts between the prosecutors and NGOs for the assignment of legal representation of unaccompanied minors to NGOs. This is a positive development that highlights the lack of state policy regarding unaccompanied minors and the need for a government authority with overall responsibility. The need to strengthen the guardianship system has been highlighted by the Committee on the Rights of the Child (monitoring body of the Convention on the Rights of the Child) in its concluding observations\(^11\) on the second and third Greek report\(^12\).


\(^12\) Second and third periodic reports of states parties due in 2000: Greece, UN doc. CRC/C/GRC/2-3, 11.4.2011.
Q12. Please describe the procedure for assessing the age of a non-asylum seeking UAM who claims to be a minor. Please specify different situations (e.g. UAMs who apply for asylum, at the border, illegally staying UAMs, etc.). Please indicate, for example:

- Whether and when the stated age (date of birth) and unaccompanied situation is registered;
- Whether, when, why and how a formal age assessment is undertaken;
- Whether and how the conclusions from an age assessment are registered (e.g. is the registered claimed age (date of birth) replaced by the assessed age or is this age added to the file, etc.).

The abovementioned provisions for asylum seeking unaccompanied minors shall apply mutatis mutandis to non-asylum-seeking unaccompanied minors.

Section 2.7 Residence permits granted to unaccompanied minors (both asylum- and non-asylum seeking UAMs)

Q13a. Please provide details on the possible residence options available to unaccompanied minors not applying for asylum and to those whose claims for asylum have been rejected.

- When unaccompanied minors are victims of human trafficking or migrant smuggling they may be granted, upon request, a residence permit for 12 months, which is renewable. Characterization of an unaccompanied minor as a victim of human trafficking or migrant smuggling is ordered by the District Attorney, even before the initiation of criminal proceedings against the traffickers. The legislation also provides for a “period of reflection” for third country nationals that have been designated as victims of human trafficking or migrant smuggling, to allow for restoring victims’ mental health, their disassociation from the influence of traffickers and allow them decide whether or not to cooperate with the competent police and judicial authorities. During the reflection period, which is 3 months and for minors it may be extended for 2 more months, removal from the country is prohibited (Arts. 49-52 Code of Immigration and Social Integration). The competent police or District Attorney authorities take all necessary measures to establish that the minors are not accompanied and to locate their family. During the reflection period, victims of human trafficking or migrant smuggling have the right of healthcare and access to services of psychological support. Furthermore, their residence permit may be renewed on the grounds mentioned in Law 4251/2014, by virtue of a decision of the Minister of Interior or of the Decentralized Administration, provided that the conditions of the law are met.

- Residence permit for humanitarian reasons: 1. The competent authorities may grant an applicant whose application for international protection has been rejected a residence permit for humanitarian reasons. 2. For the approval of a residence permit for humanitarian reasons the competent authorities shall take into consideration the obstacles for the removal or return to the country of origin or habitual residence of the third country national for reasons of force majeure, such as serious health problems of him/herself or member of his/her family, international embargo imposed on the country, civil war and massive human rights violations, or the non-refoulment clause of Article 3 of the European Convention on Human Rights or Article 3 of the Convention against Torture.

- A residence permit for humanitarian reasons by decision of the Secretary General of Decentralized Administration of the place of residence may be granted to third country minors that evidently are in need of protection measures and are hosted in shelters or other charitable legal entities, provided that their return to a safe environment is impossible (Art. 2a JMD 30651/2014).

Q13b. Please provide details of the residence permit granted to unaccompanied minors whose claims for asylum are successful (e.g. refugee status, residence permit issued on other grounds than international protection, etc.).

An alien or stateless person recognized as refugee is granted a residence permit for 3 years by the authority competent to receive and / or examine his/her claim.

An alien or a stateless person eligible for subsidiary protection is granted a residence permit for 3 years by the authority competent to receive and / or examine his/her claim.
Q13c. Please provide details of the (temporary) residence permit granted to unaccompanied minors who do not fulfil the entry requirements of the (Member) State but are not refused entry at the border / or who are apprehended in the territory of the (Member) State (e.g. tolerated stay, etc.).

<table>
<thead>
<tr>
<th>Categories of unaccompanied minors</th>
<th>Please describe the residence permits granted to unaccompanied minors</th>
<th>Please state if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.</th>
</tr>
</thead>
</table>
| **Non-asylum seeking unaccompanied minor arriving at a land / sea border or airport** | A residence permit for humanitarian reasons for 1 year is granted in the following cases:

a) Minors who evidently are in need of protective measures and are hosted by institutions or other charitable legal entities, provided that their return to a safe environment is impossible (Article 1 Para. 2A JMD olk. 30651/2014 GG B 1453 / 05.06.2014);

b) Minors, the custody of whom has been entrusted by virtue of a judgment of a Greek court or foreign court, recognized by the Greek authorities, to Greek families or families of third country nationals legally residing in the country or for whom a procedure of adoption is pending before Greek authorities. (Article 1 Par. 2bJMDolik. 30651/2014, GGB1453 / 05.06.2014). Actually, inthiscasetheminorisonlonger “unaccompanied”;

c) Minors that are hosted in boarding schools operating under the supervision of the competent Ministries (Article 1Par. 2d JMD olk. 30651/2014, G G B 1453 / 05.06.2014);

Please also note that if the authorities believe that the conditions for the return of unaccompanied minors to their country of origin under Article 25, Law 3907/2011 are not met, they can order the postponement of the removal in accordance with Article 24 of Law 3907/2011, by granting a written confirmation that a return cannot be performed temporarily. The | The same procedure is followed |
confirmation remains in force for six months.

<table>
<thead>
<tr>
<th><strong>Non-asylum seeking unaccompanied minor apprehended in the territory of the (Member) State</strong></th>
<th>Same as above</th>
<th>The same procedure is followed</th>
</tr>
</thead>
</table>
| **Asylum seeking unaccompanied minor arriving at a land / sea border or airport** | Upon completion of the registration procedures, asylum seeking unaccompanied minors are provided free of charge by the authority competent to receive their claim with the international protection applicant’s card, which bears their photograph. Note that the new international protection applicant’s card, issued in the framework of the new Asylum Service, does not replace the asylum seeker’s card (pink card) issued by the Hellenic Police, but is given to all individuals that have submitted an asylum claim with the new service.

This card is a temporary document, it does not establish a right to a residence permit, it safeguards access to the rights of asylum seekers according to the law, it ensures the necessary transactions required for as long as it is in force and allows them to remain in the Greek territory. (Art. 8 Par1d. PD 113/2013) | The same procedure is followed |
| **Asylum seeking unaccompanied minor apprehended or identified in the territory of the (Member) State** | See above (Art. 8 Par1d. PD 113/2013) | The same procedure is followed |
| **Asylum seeking unaccompanied minor arriving at an internal authority (e.g. police, child protection service, etc.)** | See above (Art. 8 Par1d. PD 113/2013) | The same procedure is followed |

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13 See a template on the website
### Other (please state)

| Grant of a residence permit to third country nationals that have been designated as victims of human trafficking or migrant smuggling by virtue of Directive 2004/81/EC; with the delivery of an irrevocable court judgment, the holder of a residence permit in the capacity of victim of human trafficking or smuggling of migrants may be issued with a residence permit for one of the grounds and under the relevant conditions prescribed in Law 4251/2014 (articles 52 and 56). |

### Section 3: Reception arrangements, including integration measures for UAMs

This section of the Synthesis Report will provide a factual, comparative overview of the reception arrangements in place for asylum-seeking and non-asylum-seeking unaccompanied minors that exist in the EU, including integration measures such as access to healthcare, education, and employment.

Please note: If there are different reception arrangements / integration measures for confirmed UAMs and UAMs who claim to be minors but are not confirmed, please elaborate on this difference in your answers to the questions in this section and provide a summary of the different arrangements / measures in Section 3.9 (e.g., more comprehensive measures available to confirmed UAMs than UAMs who claim to be minors but are not confirmed, etc.).

### Section 3.1: Reception and care arrangements for unaccompanied minors

Q14. Please provide an overview of the national legal framework of your (Member) State with regard to the reception and care arrangements available to UAMs from first arrival until a durable solution is found.

Please distinguish between the provisions in place for:

- UAMs who are seeking asylum or have been granted international protection;
- UAMs who are not seeking asylum, including those who entered irregularly and/or are in a trafficked situation;
- UAMs who are not yet confirmed as minors.

First reception services inform third-country nationals about their rights and obligations. Applicants for international protection, including unaccompanied minors, are referred to the locally competent Regional Asylum Office or Independent Asylum Team that operates within the First Reception Service. The reception of the claims and the interviews of the applicants may be held at the premises of the First Reception Centre, and the applicants remain within the facilities for the duration of the examination procedure and for a maximum of 25 days. If after this deadline the examination of the application for international protection has not been completed, the competent Regional Asylum Office provides the asylum seeker the international protection applicant’s card and refers him/her to appropriate accommodation facilities the operations of which have beenentrusted to the Ministry of Labour, Social Security and Welfare.

In case the claim and the appeal are dismissed while the third country nationals remain in the Centre or Unit of First Reception, they are referred to the competent authority for deportation, return or readmission. The head of the Centre or Unit, upon recommendation of the head of the team of medical control and psychosocial support

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14 Until now, the reception system has been under the competence of several Ministries, in particular the Ministry of Health and Social Solidarity and until recently the Ministry of Labour. After the initiatives taken by the Ministry of Public Order and Citizen Protection, the competence for the reception will be transferred to this Ministry and in particular the First Reception Service. See Greek Action Plan for the management of asylum and migration (2013), p. 6, http://www.minocp.gov.gr/images/stories//2013/executive_summary_council_dublin_greek.pdf
refers persons belonging to vulnerable groups, including unaccompanied minors, to the competent authority of
social support or protection (Art. 11 Law 3907/2011 in conjunction with Art. 7 “procedure of first reception” Par.
11 JMD 7001/2/1454-ν Initial Reception Services Rules).
In particular, unaccompanied minors shall be accommodated as far as possible in institutions that have personnel
and facilities at their disposal that take into account the needs of persons of their age (Arts. 32 Par 4
Law 3907/2011).

Q15. Which national authorities and organisations (including Non-Governmental Organisations where relevant) are
responsible for the reception and care of UAMs from first arrival until a durable solution is found, indicating also
the arrangements for funding (e.g. reception centres, healthcare, schooling, etc.)?

Please distinguish between national authorities and organisations deciding and administering the reception and
care of:
- UAMs who are seeking asylum or have been granted international protection;
- UAMs who are not seeking asylum, including those who entered irregularly and/or are in a trafficked situation.

Requests for accommodation of asylum seekers and unaccompanied minors are handled by the National Centre for
Social Solidarity (EKKA), in particular the Service for the Management of Accommodation Requests of Asylum
Seekers and Unaccompanied Minors. The service in question is competent to:

A) Collect and manage requests of asylum seekers and unaccompanied minors referred by the competent
public authorities or cooperating agencies of reception and social support services for that target group;
B) Create and maintain a system of recording, managing and monitoring accommodation requests, available
also to the Central Authority and the Directorate for Social Awareness and Solidarity of the Ministry of
Health and Social Solidarity for their information, as per the instructions of the Data Protection Authority;
C) Coordinate authorised agencies of the Ministry of Health and Social Solidarity or voluntary relocation
programs, to assist the Central Authority in implementing the necessary relocations of asylum seekers and
unaccompanied minors from the islands or frontier areas to accommodation shelters or to Athens for
temporary accommodation.

Currently most Reception Centres for asylum seekers and unaccompanied minors (open accommodation
structures) are run by civil society organisations, under the supervision of the Ministry of Labour, Social Security
and Welfare. According to data by EKKA for 2013, average waiting time from the time EKKA is notified until the
reservation of a place in an accommodation centre is 13 days, while 12 more days are needed from the delivery of
the relevant EKKA document until the minor is placed in the centre (awaiting escort from the police or
NGO “Metadrasi”). During these 25 days, children are under “detention”, homeless or in precarious accommodation
with all dangers that this entails. As has already been mentioned, the open accommodation facilities for children
are inadequate, while there are no facilities particularly for unaccompanied girls and children under 12 years of
age. However, according to Art. 7 PD. 266/1999 “Administrative management and functioning of the Refugee
Centre in Lavrion Attica and social protection of recognized refugees, asylum seekers and those residing for
humanitarian reasons” (GG A 217), children under 15 years of age that are not accompanied by a parent or
guardian may be accommodated in the state institutions available to nationals. Indeed, there have been cases
where unaccompanied minors have been placed in facilities of the NGO “Smile of the Child”.

Note that Greece has been condemned by the European Court of Human Rights for violation of Article 3
(prohibition of torture and inhuman and degrading treatment) and Article 5 (right to liberty) ECHR for the detention
and deplorable accommodation conditions of an unaccompanied minor.

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15 See information on the website http://www.ekka.org.gr/portal_docs/forceaccount/picture/21_1065.pdf
16 UNHCR – Greek Office, Topical issues of refugee protection in Greece, July 2013,
17Rahimi/Ελλάδας, appl. no. 8687/08, judgment 5.4.2011, ”conditions de détention déplorables”, par. 83.
Pursuant to the Greek National Action Plan for Asylum and Migration (2013), the reception system that to this date has been entrusted to several Ministries and in particular the Ministry of Health and Social Solidarity and until recently the Ministry of Labour, will be transferred to the Ministry of Public Order and Citizen Protection, in particular the First Reception Service.\footnote{See, Greek Action Plan on the management of asylum and migration (2013), p. 6, http://www.minocp.gov.gr/images/stories//2013/executive_summary_council_dublin_greek.pdf}

According to data provided by EKKA, for 2013 there have been 1,149 placements of unaccompanied minors in the following accommodation facilities:

1) Public bodies

Hospitality Unit for Unaccompanied Minors Refugees in Lesbos

**Responsible Institution:** Centre for Social Welfare of the North Aegean Region

2) Private Legal Entities supervised by public bodies

Reception and Support Hostel for Unaccompanied Girls, Women and Single Parent Families, Athens

**Responsible Institution:** Youth and Lifelong Learning Foundation - INEDIVIM

Hospitality Centre for Foreign Unaccompanied Minors in Anogia, Crete

**Responsible Institution:** Youth and Lifelong Learning Foundation - INEDIVIM

Centre of Male Child Care in Konitsa

**Responsible Institution:** Ministry of Health and Social Solidarity

3) RedCross

Hospitality Centre for Foreign Unaccompanied Minors in Agria, Volos

**Responsible Institution:** Hellenic Red Cross

4) Civil Society Organisations (NGOs)

Hospitality Centre for Unaccompanied Minors, Makryntsa, Volos

**Responsible Institution:** ARSIS - Social Association for Youth Support

Hospitality Centre for Unaccompanied Minors, Oraiokastro Thessaloniki

**Responsible Institution:** ARSIS - Social Association for Youth Support

Hospitality Centre for Unaccompanied Minors, Athens

**Responsible Institution:** Child Care Association

Guesthouse for unaccompanied minors, Alexandroupolis

**Responsible Institution:** ARSIS - Social Association for Youth Support

Accommodation PLUS - Guesthouse for unaccompanied minors, Athens

**Responsible Institution:** Praksis and Hellenic Red Cross

Smile of the Child

NostosMoschatoMinors

5) Church
Guesthouse for unaccompanied minors "Estia", Aghios Demetrios

**Responsible Institution:** Mission of the Holy Archdiocese of Athens

For unaccompanied minors who have been granted international protection status, the Section for the Protection of Refugees and Asylum Seekers of the Department of Social Awareness and Solidarity of the Ministry of Labour, Social Security and Welfare ensures the accommodation of unaccompanied minors: a) with adult relatives or b) with a family that will have custody of the minor or c) in centres specialized in accommodation for minors or d) in other facilities suitable for minors. The opinion of the minor shall be taken into account depending on the age and degree of maturity (arts. 32 par. 3 PD141/2013).

**Q16a. What is considered a durable solution for the child in your (Member) State (could also be derived from practices in place, guidelines used by reception / care facilities, etc.)?**

There is no general policy as to what is considered a durable solution for a child. The law usually makes reference to the "best interests of the child".

**NB:** Please also highlight if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

There is no differentiation.

**Q16b. How quickly do the competent authorities take decisions on durable solutions for UAMs based on the best interests of the child? Please specify the starting point for the time taken by (Member) States to identify durable solutions (e.g. date of apprehension / application, etc.).**

The decisions are taken during the first reception procedure.

**NB:** Please also highlight if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

There is no differentiation.

**Section 3.2: Accommodation and other material reception provisions**

**Q17. Please describe in the tables below the reception and care arrangements granted to UAMs in your (Member) State (in accordance with Directive 2003/9/EC19) from first arrival until a durable solution is found. Where relevant, please distinguish between UAMs who are seeking asylum or have been granted international protection and UAMs who are not seeking asylum, including those who entered irregularly and/ or are in a trafficked situation.**

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19 Please note that Ireland does not participate in this Directive.
Please state (Y/N) whether the accommodation types and other material reception provisions listed are available to UAMs (in cash or in kind) in each of the categories below, and provide a brief description of the facilities available in each case:

<table>
<thead>
<tr>
<th>Accommodation type and access to other care and material reception provisions</th>
<th>UAMs seeking asylum or have been granted international protection</th>
<th>UAMs not seeking asylum, including those who entered irregularly and/or child victims of trafficking</th>
<th>Please state if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation with adults</td>
<td>Yes</td>
<td>-</td>
<td>No differentiation</td>
</tr>
<tr>
<td>Accommodation with a foster family</td>
<td>Yes</td>
<td>-</td>
<td>No differentiation</td>
</tr>
<tr>
<td>Accommodation / reception facilities specifically for minors</td>
<td>Yes</td>
<td>-</td>
<td>No differentiation</td>
</tr>
<tr>
<td>Accommodation / reception facilities with special provisions for minors</td>
<td>Yes</td>
<td>-</td>
<td>No differentiation</td>
</tr>
<tr>
<td>Specialised accommodation facilities available for UAM victims of trafficking</td>
<td>-</td>
<td>-</td>
<td>No differentiation</td>
</tr>
<tr>
<td>Specialised accommodation facilities available to UAMS to meet specific identified needs</td>
<td>-</td>
<td>-</td>
<td>No differentiation</td>
</tr>
<tr>
<td>Other types of accommodation (please state, e.g. in adult accommodation facilities if over 16 years of age)</td>
<td>Yes (not specified in the legislation see Arts. 32 Par.3 P D 141/2013). There is a provision for accommodating unaccompanied minors under 15 years of age in state institutions for nationals (see Art. 7)</td>
<td>-</td>
<td>No differentiation</td>
</tr>
<tr>
<td><strong>Food (please indicate how this is arranged in practice, e.g. meal vouchers to buy or prepare own meals, prepared meals, etc.)</strong></td>
<td>Yes</td>
<td>Normally they provide food (3 meals daily) at the premises of the centres, taking into account their religious affiliations. In some cases, minors are allowed to prepare their own meals.</td>
<td>-</td>
</tr>
<tr>
<td><strong>Clothing (please indicate how this is arranged in practice, e.g. provision of a budget to buy clothes, provision of second-hand clothes, etc.)</strong></td>
<td>Donations or at the expense of minors.</td>
<td>-</td>
<td>No differentiation</td>
</tr>
<tr>
<td><strong>Allowance / pocket money (please provide details on what possibilities there are to earn pocket money in reception facilities, what amount and how this is paid, etc.)</strong></td>
<td>Financial assistance is given based on the funding received by each centre. Due to the diversity in funding, it is not possible to give details as to the exact amount or how often this amount is paid.</td>
<td>-</td>
<td>No differentiation</td>
</tr>
<tr>
<td><strong>Other types of material reception provisions (please state)</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
Q18. Please explain if UAMs have the freedom to make their own choices with regard to the provisions available to them (e.g. do UAMs have the possibility to prepare their own meals, buy their own clothes, etc.) with the ultimate goal of preparing them for the transition to adulthood (please see also section 5).

The minors can prepare their meals or buy their clothing themselves.

NB: Please also highlight if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

There is no differentiation.

Q19. Which organisations (governmental and non-governmental) are responsible for the provision of accommodation / other material reception conditions of UAMs (if different from above)?

As above.

Q20. Please provide more information on the staff (e.g. care/ social workers, etc.) responsible for the reception and care of UAMs, for example:

- What are the main tasks of the staff;
- Is there a specific training for the staff (if yes, please describe);
- In general, what is the staff to UAMs ration (the number of UAM per staff member).

Social workers, psychologists, kindergarten teachers/teachers/professors, attorneys/lawyers specialized in human rights protection, nurses, interpreters, cooks, cleaners, security guards and secretaries work primarily in the centres. Given the diversity in the services provided by the various centres, it is not possible to list precisely the positions and tasks performed by the staff (these vary depending on funding), or what the ratio of staff for each unaccompanied minor is.

Q21. What is the overall assessment of the standard of accommodation / material reception conditions provided to UAMs in your (Member) State (as cited in existing evaluation reports / studies / other sources or based on publicly available information received from competent authorities)? Please provide references to these sources of information.

Do you foresee an evolution of the national legislation and / or the practice in light of the recast Reception Conditions Directive (2013/33/EU)20?

Within reception facilities, efforts are made to teach the Greek language, to have meetings with social workers and psychologists, to ensure that minors take part in sport activities, are financially supported and integrated into the educational system. However, the main problem that accommodation facilities for unaccompanied minors face is that their funding is insufficient, thus creating volatile situations in terms of long term planning, and leading to understaffing. Furthermore, there is inadequate time for the smooth integration of minors, since most of the minors that arrive in Reception Centres are already close to the age of majority. The personnel of the centres is in need of constant training and updating on the current legislative framework for minors, a fact that is even more evident in remote centres where access to information is difficult. Finally, there are differences in the terms of operation and the services provided by each centre, thus creating inequalities in the treatment of unaccompanied

20 Please note that Ireland does not participate in this Directive.
minors (for instance, centres located in major cities have easier access to services due to the existence of structures, such as cross-cultural schools, health services, legal assistance etc.)\textsuperscript{21}.

\textbf{Section 3.3: Access to legal advice}

Q22: Please describe access by UAMs to legal advice in your (Member) State.

<table>
<thead>
<tr>
<th>Legal advice</th>
<th>UAMs seeking asylum or have been granted international protection</th>
<th>UAMs not seeking asylum, including those who entered irregularly and/or child victims of trafficking</th>
<th>Please state if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Legal advice and other forms of legal support</strong></td>
<td>The Greek Council for Refugees provides free legal and social aid and support to asylum seekers and refugees through its 3 main departments: the Service of Initial Reception and Interpretation, the Social and Legal Service. Accordingly, there are attorneys/lawyers specialized in human rights protection available (depending on the amount of funding of each centre) within the accommodation centres for unaccompanied minors mentioned above.</td>
<td>The activities of the Greek Council for Refugees have expanded in order to offer protection not only to refugees but also to all beneficiaries of other forms of international protection. Vulnerable groups such as unaccompanied minors, victims of trafficking etc., care among them. The Greek Council for Refugees shows special interest for them. Furthermore, according to Art. 8 PD 233/2003, services and units of protection and assistance (such as the Counselling Centres of the General Secretariat for Gender Equality in Athens and Piraeus) ensure the legal support for victims and interpretation services when the victims do not speak Greek. Furthermore, in accordance with Article 50</td>
<td>There is no differentiation.</td>
</tr>
</tbody>
</table>

\textsuperscript{21} See Dimitropoulou G., Papageorgiou I., Unaccompanied minors asylum-seekers in Greece. Study on the treatment of unaccompanied minors seeking asylum in Greece by the Greek state, commissioned by the office of the UN High Commissioner for Refugees in Greece, April 2008 (in Greek), p. 70-71.
Law 4251/2014, in case of a third country national who is victim of human trafficking or migrant smuggling and is an unaccompanied minor, the competent District Attorney takes all necessary measures in order to ensure his/her legal representation, as well as his/her representation in criminal proceedings, if applicable. The competent Juvenile Attorney or District Attorney may order all appropriate measures for the protection of the unaccompanied minor until the Court delivers a judgment, if the minor’s family is not located or if the district/juvenile attorney considers that under the given circumstances his/her repatriation is contrary to his/her best interests.

Q23: Which organisations (governmental and non-governmental) are responsible for the provision of legal support to UAMs (if different from above)?

As cited above.

Q24: What is the overall assessment of the provision of legal support to UAMs in your (Member) State (e.g. cited in existing evaluation reports / studies / other sources or based on publicly available information received from competent authorities)? Please provide references to these sources of information.

ANSWER?

Section 3.4: Healthcare

Q25: Please describe access by UAMs to healthcare in your (Member) State.

Please state (Y/N) whether the healthcare types listed are available to UAMs in each of the categories below, and provide a brief description of the healthcare available in each case:

| Healthcare                      | UAMs seeking asylum or have been granted international protection | UAMs not seeking asylum, including those who entered irregularly and / or child victims of trafficking | Please state if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no |
| **Emergency treatment** | Even though it results in a temporary status and does not produce right to a residence permit, the international protection applicant’s card ensures that asylum seekers have access to their rights under the law, guarantees necessary transactions for as long as it remains effective and allows applicants to remain in Greek territory (Arts. 8 Par. 1d PD 113/2013). This card also offers access to healthcare. Beneficiaries of international protection have access to healthcare, in the same terms that that apply to Greek citizens (Arts. 31 Par. 1, PD 141/2013). | Unaccompanied minors victims of human trafficking that have been granted the relevant residence permit (under the provisions of the Code of Immigration and Social Integration) have access to health care in accordance with the provisions of Presidential Decree 233/2003 (see Art. 7 1). The victims who are uninsured are provided with immediate free medical and hospital care within the services of the National Health System for as long as the protection and assistance measures last. 2. For the establishment of the right to medical and hospital care the person concerned is provided by the competent Police Department with a confirmation that he/she is subject to the provisions of this law”). Furthermore, minors’ access to health services must be ensured in all cases (emergency or other need), irrespective of their legal status and whether or not they possess legal documents, according to Circular Y4a / oik. 45610 / 2.5.2012 of the Minister of Health. | There is no differentiation |

| **Basic medical care** | As cited above | As cited above | There is no differentiation |

| **Essential / specialised healthcare if required** | Beneficiaries of international protection who have special needs, including children who have been victims of any | As cited above | There is no differentiation |
A form of abuse, neglect, exploitation, torture, cruel, inhuman or degrading treatment, or who have suffered due to armed conflict, adequate medical care is provided, including treatment for mental disorders where appropriate, on the same terms that apply to Greek citizens (Art. 31 Par. 2 PD 141/2013).

Also, the competent reception and accommodation authorities ensure access to social care units for minors that are victims of any form of abuse, neglect, exploitation, torture or cruel, inhuman or degrading treatment or armed conflict and ensure the provision of appropriate psychological care and specialized treatment, if necessary (see Art. 18 Par. 2 PD 220/2007).

**Psychological support / counselling**

Beneficiaries of international protection who have special needs, including children who have been victims of any form of abuse, neglect, exploitation, torture, cruel, inhuman or degrading treatment, or who have suffered due to armed conflict, adequate medical care is provided, including treatment for mental disorders where appropriate, on the same terms that apply to Greek citizens (Art. 31 Par.2 PD 141/2013).

As cited above

There is no differentiation

<table>
<thead>
<tr>
<th>Other (please state)</th>
<th>-</th>
<th>-</th>
<th>-</th>
</tr>
</thead>
</table>

**Do UAMs have equal access to healthcare as child**

Yes

As cited above

There is no
<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
<th>Differentiation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Are UAMs assessed to ensure their healthcare needs are met (e.g. through a health assessment)?</strong></td>
<td>In the course of first reception, medical examination and psychosocial support teams conduct an individual screening of all cases and refer vulnerable groups to the competent institution of social support or protection (Art. 11 Law 3907/2011). Once international protection has been granted, the provisions of Presidential Decree 141/2013 as mentioned above apply.</td>
<td>There is no differentiation</td>
</tr>
<tr>
<td><strong>Do UAM have access to health insurance? If yes, under what conditions?</strong></td>
<td>They have access to primary and secondary health care without being insured with a social security fund. If they work, then they have access to health insurance (as employees, self-employed, etc.). As cited above</td>
<td>There is no differentiation</td>
</tr>
<tr>
<td><strong>How is reception organised for UAMs with psychiatric problems or addictions?</strong></td>
<td>In the course of first reception, medical control and psychosocial support teams conduct an individual screening of all cases and refer vulnerable groups to the competent institution of social support or protection (Art. 11 Law 3907/2011). As cited above</td>
<td>There is no differentiation</td>
</tr>
</tbody>
</table>

Q26: Which organisations (governmental and non-governmental) are responsible for the healthcare of UAMs (if different from above)?

All organizations within the National Health System.

Civil society organisations - NGOs (such as Medecins sans Frontiers, Medecins du Monde etc.) manage relevant projects.

Q27: What is the overall assessment of the standard of healthcare provided to UAMs in your (Member) State (e.g. as cited in existing evaluation reports / studies / other sources or based on publically available information received from competent authorities, please give references)? Please provide references to these sources of information.
Do you foresee an evolution of the national legislation and / or the practice in light of the recast Reception Conditions Directive (2013/33/EU)?

The problems that the National Health System as a whole faces due to the ongoing economic crisis (underfunding, understaffing, shortages in medical supplies, merging of health units, abolition of diagnostic tests and benefits etc.) have inevitably affected the health care of unaccompanied minors.

**Section 3.5: Education**

Q28: Please describe access by UAMs to education in your (Member) State.

<table>
<thead>
<tr>
<th>Education</th>
<th>UAMs seeking asylum or have been granted international protection</th>
<th>UAMs not seeking asylum, including those who entered irregularly and / or child victims of trafficking</th>
<th>Please state if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.</th>
</tr>
</thead>
</table>
| **Is access to education (appropriate to the age and needs of the UAM) provided for in legislation in your (Member) State?** | Pursuant to article 21 Law 4251/2014, underage third country nationals that reside legally in the Greek territory are subject to compulsory education. Exceptionally, children of third country nationals not legally residing in the Greek territory may enroll in public schools provided that:  
  a. They are protected by the Greek state as beneficiaries of international protection or are under the protection of the United Nations High Commissioner.  
  b. Are coming from regions where the situation is out of control.  
  c. Have applied for international protection.  
  d. Are third country nationals that reside in Greece, even if their residence status has not been yet legally settled.  
  In Greece, primary and secondary (high school) education is | Pursuant to article 21 Law 4251/2014, minor third country nationals that reside legally in the Greek territory are subject to compulsory education. Exceptionally, children of third country nationals not legally residing in the Greek territory may enroll in public schools provided that:  
  a. They are protected by the Greek state as beneficiaries of international protection or are under the protection of the United Nations High Commissioner.  
  b. Are coming from regions where the situation is out of control.  
  c. Have applied for international protection.  
  d. Are third country nationals that reside in Greece, even if their residence status has not been yet legally settled.  
  Unaccompanied minors victims of human trafficking who have been | There is no differentiation |
compulsory for minors (Law 1566/1986).

Regarding minors who have been granted international protection, they have access to the education system on the same terms that apply to Greek citizens (Art. 28 PD 141/2013).

As far as asylum seeking unaccompanied minors are concerned, the applicable provision is Article 9 of Presidential Decree 220/2007 on the education of minors. In particular, underage children of asylum seekers and minor asylum seekers have access to the educational system on similar terms as those applicable for Greek citizens, provided that no enforceable removal order is pending against them or their parents. Access to secondary education is not restricted solely because the child has become an adult.

<table>
<thead>
<tr>
<th>How quickly can a UAM access education in the (Member) State?</th>
<th>According to Article 9 of Presidential Decree 220/2007 on the education of minors: Inclusion in the educational system should not be delayed for more than 3 months from the date of submission of the application of the minor or the minor’s parents. This period may last up to one year where specific language training is provided to facilitate access to the education system. When for special reasons access to the educational system is impossible, the authorities may take appropriate steps, in accordance with applicable law provisions.</th>
<th>There is no differentiation</th>
</tr>
</thead>
<tbody>
<tr>
<td>How does the (Member) State ensure that the education provided to UAMs are adapted to their age, level of education in the country of origin</td>
<td>The procedure of placement of foreign students that cannot produce documents relating to their educational level is set forth in Art. 9 Presidential Decree 155/78 (Government Gazette A 33/03.08.1978).</td>
<td>There is no differentiation</td>
</tr>
<tr>
<td>Question</td>
<td>Response</td>
<td>Notes</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>What support measures are available to help the UAM with the transition to education in the (Member) State (e.g. language training, mentoring, vocational training, other support mechanisms – please state?)</td>
<td>Law 2413/1996 for intercultural education provides for the establishment of intercultural schools, while Ministerial Decision Γ1/708/7-9-1999 regulates matters relating to the establishment and operation of reception classes and tutorial classes in regular schools to ensure the smooth integration of foreign students in the educational system in the framework of intercultural education.</td>
<td>There is no differentiation</td>
</tr>
<tr>
<td>Do UAMs have the same right to education as other children in the (Member) State?</td>
<td>Yes</td>
<td>There is no differentiation</td>
</tr>
<tr>
<td>Do UAMs receive education in specialised educational establishments? If yes, does the (Member) State have plans to integrate these UAMs in the general education system?</td>
<td>Law 2413/1996 on intercultural education provides for the establishment of intercultural schools.</td>
<td>There is no differentiation</td>
</tr>
<tr>
<td>How does the education provided to UAMs support their social integration in the (Member) State?</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>How does the (Member) State prepare UAMs for accessing their labour market (e.g. provision of training, vocational guidance, etc.)?</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Q29: Which organisations (governmental and non-governmental) are responsible for the education of UAMs (if different from above)?
Q30: What is the overall assessment of the standard of educational support provided to UAMs in your (Member) State (as cited in existing evaluation reports / studies / other sources or based on publically available information received from competent authorities, please give references)? Please provide references to these sources of information.

Do you foresee an evolution of the national legislation and / or the practice in light of the recast Reception Conditions Directive (2013/33/EU)?

Section 3.6: Access to support to employment

Q31: Please describe access by UAMs to employment in your (Member) State.

<table>
<thead>
<tr>
<th>Access to employment</th>
<th>UAMs seeking asylum or granted</th>
<th>UAMs not seeking asylum, including those who</th>
<th>Please state if the process is different for</th>
</tr>
</thead>
</table>

Please state (Y/N) whether the measures to support access to employment listed are available to UAMs in each of the categories below:

---

22Ibid.

23 See, opinion no. 71/2010

https://docs.google.com/open?id=0BzLLCPJMrNIEYjMzYTQ5ZWUtMzk5YS00NjgwLWFjNDY1Yi0zZTRmNTA2ZGRI
What is the minimum age a UAM can take up employment in the (Member) State?

<table>
<thead>
<tr>
<th>international protection</th>
<th>entered irregularly and / or child victims of trafficking</th>
<th>those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.</th>
</tr>
</thead>
<tbody>
<tr>
<td>According to the law, minors are those that have not completed 18 years of age. Those, however, that have not reached even the age of 15 are forbidden to engage in any work, with the exception of participation in theatrical performances, fashion shows, movie recordings etc. In the latter case, the employer requests authorization from the Labour Inspectorate (valid for 3 months) and sees to that the health and morals of the minor are not compromised. For other similar jobs, minors under 15 years of age are employed with the permission of the Minister of Labour. The employment of children in work that is hazardous, heavy, and unhealthy or in any work likely to harm their mental health and intellectual development is prohibited. Also, children who still go to secondary school, high school or vocational high school or are under 16 years old shall not work for more than 6 hours per day and a total of 30 hours a week. Their fee is equivalent to that of an unskilled worker in relation to the hours they work.</td>
<td>As mentioned for asylum seekers/refugees (provided that unaccompanied minors have been designated as victims of human trafficking).</td>
<td>There is no differentiation</td>
</tr>
</tbody>
</table>
Finally, minors who have completed 15 years of age are provided a minor labour booklet issued by the competent Labour Inspectorate. (Presidential Decree 62/1998)

| Is access to employment for UAMs conditional upon obtaining legal (residence) status, a work permit, etc.? | As regards asylum seekers the applicable provisions are included in Art. 10, PD 220/2007. In particular: Applicants can have direct access to the labour market if the condition of the case of paragraph 1 of Art. PD 189 4/1998 (GG A140) is met. Applicants wishing to work are granted a temporary work permit in accordance with the provisions of Par. 2 and 3 of Article 4 PD 189/1998. If they start work while staying in the centres, the applicants are required to declare this to the Director of the Centre. The ability to access the labour market shall not be withdrawn during the examination of the appeal of the applicant until a final rejection is delivered.

Once the unaccompanied minor acquires the status of international protection (refugee/subsidiary protection) the applicable provisions are included in Art. 27 PD 141/2013: beneficiaries of international protection are allowed to engage in employed or self-employed activity, in accordance with the provisions of PD 189/1998 (A 140). For the beneficiaries of international protection the existing provisions relating to remuneration, access to | For access to the labour market a permit is required in any case. In particular:

- Unaccompanied minors that have been designated as victims of human trafficking and have been granted the relevant residence permit (Art. 49 Code of Immigration and Social Integration) have the right to work in accordance with the provisions of Art. 6 PD233/2003 | There is no differentiation |
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Under what circumstances does a UAM receive a permit to work in the (Member) State once the minimum age is reached?</strong></td>
<td>As cited above</td>
</tr>
<tr>
<td><strong>Is labour market access limited to a maximum number of days per year?</strong></td>
<td>-</td>
</tr>
<tr>
<td><strong>Can UAMs take up paid employment / household tasks for pocket money from the accommodation facilities where they are residing?</strong></td>
<td>-</td>
</tr>
<tr>
<td><strong>What other forms of support are available to UAMs once working age is reached if they are unable to find employment?</strong></td>
<td>Art. 6 PD233/2003: “1. Victims who are not over 23 years of age that have the necessary qualifications for inclusion in Technical and Vocational Education and Manpower Employment Organisation (OAED)A and B cycle training programs are enrolled regardless of the intended number of places and the applicable procedures. 2 &quot;Vocational Training SA&quot; (Art. 9 Law 2956/2001, GG A 258) provides for the creation of special training programs according to the needs identified for victims who have reached 15 years of age.”</td>
</tr>
</tbody>
</table>

Q32. Which organisations (governmental and non-governmental) are responsible for providing employment access support to UAMs (if different from above)?

As cited above

Q33. What is the overall assessment of the standard of employment access support provided to UAMs in your (Member) State (as cited in existing evaluation reports / studies / other sources or based on publicly available information received from competent authorities)? Please provide references to these sources of information.
Do you foresee an evolution of the national legislation and / or the practice in light of the recast Reception Conditions Directive (2013/33/EU)?

Efforts are made for the vocational training and integration of minors into the labour market to ensure their independent living; however, this is not always possible because the minors do not have a work permit or insurance. In this regard, a review of the legislative framework of work permits for asylum seeking unaccompanied minors is required (PD 141/2013 is a significant contribution as it includes provisions on the social integration of refugees and beneficiaries of subsidiary protection, but it must be followed by more concrete measures), with a view to foster their economic self-sufficiency and their transition to adulthood. Further strengthening is needed regarding the legal framework regulating the work of non-asylum seeking unaccompanied minors, since the absence of clear legislative provisions (the Code of Immigration and Social Integration makes limited reference to unaccompanied minors in general) encourages unregistered labour and the exploitation of minors.

Section 3.7: Other integration measures

Q34. Does your (Member) State have any other integration measures in place supporting UAMs? If yes, please provide further information below.

-  

NB: Please also highlight if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

Section 3.8: Withdrawal of reception and integration support

Q35. Under what circumstance can any of the above reception and integration support provisions be withdrawn from UAMs?

<table>
<thead>
<tr>
<th>Type of support (please list)</th>
<th>UAMs seeking asylum or have been granted international protection</th>
<th>UAMs not seeking asylum, including those who entered irregularly and / or child victims of trafficking</th>
<th>Please state if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.</th>
</tr>
</thead>
<tbody>
<tr>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Q36. Are there any complaint mechanisms available to UAMs in case of withdrawal of reception and integration support? If yes, please specify below.

-  

NB: Please also highlight if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine
Section 3.9 Identified challenges and good practices

Q37. Please indicate any challenges associated with the reception, care and integration of UAMs in your (Member) State (based on existing studies/ evaluations or information received from competent authorities) and how these can be overcome.

There are significant deficiencies in the area of the accommodation of unaccompanied minors and the need to increase the number of open accommodation facilities is pressing. Most of the existing centres are run by NGOs that receive a relevant subsidy from the state. The ongoing economic crisis has affected primarily those accommodation structures, funding has been curtailed, thus making impossible any long-term planning and implementation of policies for the smooth integration of unaccompanied minors and their preparation for adulthood. Deficiencies in open accommodation structures adversely affect the process of first reception for the identification and appropriate referral of vulnerable groups. According to the UN High Commissioner for Refugees (July 2013), there are 9 centres for unaccompanied children, with a total capacity of 400 seats, while there is no centre for children under 12 years old.

Furthermore, long-term planning for unaccompanied minors and their integration into the social life of the country is one of the main shortcomings of the existing policy and legislation. The minors' access to vocational training, in order to ensure a smooth transition to adulthood, and the strengthening of autonomous living remains a challenge.

The First Reception Service of the Ministry of Public Order and Citizen Protection envisions for 2015 the establishment of 8 accommodation structures, including for unaccompanied minors, in various parts of the country.

Section 4: UAMs that go missing / abscond from reception / care facilities

Q38. Have evaluations or studies on the number/ rate / country of origin of UAMs who go missing or abscond from guardianship/ reception/ care facilities been undertaken in your (Member) State? Please provide details and references below.

No specific studies have been conducted. An unaccompanied minor missing is recorded in exactly the same way as any minor missing; the “Smile of the Child” has only recently started to record unaccompanied minors missing in a separate category. Similarly, the Hellenic Police has no such data available.

Q39. What are the possible reasons for the disappearance of UAMs, including absconding from guardianship/ reception / care facilities (as cited in existing evaluations/ studies/ other sources or based on publicly available information received from competent authorities)?

Most unaccompanied minors perceive Greece as a transit country for the countries of Northern Europe.

Q40. What is the socio-demographic profile of UAMs that go missing / abscond from reception / care facilities (e.g. asylum seekers or non-asylum seekers, nationality, appointed with a guardian or not, etc.)?

Q41. When are UAMs most likely to disappear from guardianship/ reception/ care facilities (e.g. within first few days of arrival, during weekends, before / after age assessment procedures, etc.)? Please provide evidence cited in existing evaluations/ studies/ other sources or based on publically available information received from competent authorities.

According to data provided by EKKA in 2013 the average stay of children in open accommodation facilities is 60 days, mainly due to the “informal absconding” of minors in their attempt to leave Greece\(^\text{24}\).
Q42. Please provide any other evidence that may be available of the impact of guardianship/reception/care facilities on the proportion of missing or absconding UAMs.

Q43. What measures has your (Member) State developed to a) prevent or to b) react to disappearances of UAMs (e.g. existence and use of support services, national hotlines for missing children, missing persons alerts in the Schengen Information System, NGO networks such as Missing Children Europe and their member organisations, taking fingerprints and photographs of UAMs as an aid for tracing, etc.)? Is there any evidence to suggest how effective these measures have been in practice (e.g. cited in existing evaluations/studies/other sources or based on publically available information received from competent authorities)?

There are no measures especially for missing children; however there is AMBER Alert Hellas which is the National Coordinating Project for the timely and accurate notification of citizens in cases of missing/abducted children that is activated by the "Smile of the Child" with the approval of Hellenic Police.

The basic idea of the Amber Alert programme, which was officially launched in Greece on 25 May 2007, is the direct, accurate and detailed information of citizens on the disappearance of children just minutes after the notification of the authorities or the organization (European Line For missing Children 116000).

Q44. What are the procedures and practices of your (Member) State to a) report and b) deal with disappearances of UAMs (e.g. protocols among authorities, standardised procedure for dealing with disappearances, etc.)?

The "National Centre for Missing and Exploited Children" provides the following services to the public:
- 24h European Hotline for Missing Children: 116000;
- Psychological support to parents (not applicable in the case of unaccompanied children);
- Support and Consultation with the police and other relevant agencies to investigate cases of missing children;
- In cases when the Greek police have reasonable and possible reasons to believe that the child is in immediate danger, the AMBER Alert Hellas - public emergency broadcast system is activated;
- Contact with the media (TV channels, radio stations) in order to inform the public about the missing person, visibility of his/her personal data and display of numbers 100 and 116 000 for anyone who knows more;
- Publication of photographs and details on the incident on the website of the "Smile of the Child" (www.hamogelo.gr) and the website of GMCN (www.missingkids.com);
- Creation and distribution of posters in all accessible areas;
- Distribution of forms with the photo of the missing child by the Ministry of Public Order and Citizen Protection to all police vehicles in Greece;
- Coordination of all public and private institutions and enterprises;
- Psychological and Counselling support for the children after finding them;
- Advocacy and Protection of the rights of the child at a national and international level.

Q45. How is the registration of disappearances of UAMs organised in your (Member) State (e.g. by child, by incident, etc.)?

Q46. Please indicate any challenges associated with UAMs who go missing or abscond from guardianship/reception/care facilities in your (Member) State (based on existing studies/evaluations or publically available information received from competent authorities) and how these can be overcome.
Q47. Please provide any examples of proven (e.g. through evaluation reports / studies) good practices regarding UAMs who go missing or abscond from guardianship/ reception/ care facilities in your (Member) State. Please specify the source (as cited in existing evaluations/ studies/ other sources or based on publically available information received from competent authorities).

Section 5: Arrangements in the (Member) States for UAMs when turning 18 years of age

This section examines the arrangements for former UAMs, both those seeking asylum and those not seeking asylum, once they reach the age of 18 years.

Q48. Please describe the situation in your Member State for former UAMs once they reach the age of 18 years:

<table>
<thead>
<tr>
<th>Arrangements for former UAMs</th>
<th>UAMs seeking asylum or who have been granted international protection</th>
<th>UAMs not seeking asylum including those who entered irregularly and / or child victims of trafficking</th>
</tr>
</thead>
<tbody>
<tr>
<td>What residence permit provisions are in place for the UAM turning 18 years of age in your (Member) State? What are the consequences for the rights and obligations of the former UAM in accordance with these residence provisions?</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Are there any exceptions to the residence provisions that are in place for UAMs who are turning 18 years of age? If not, what are the implications of these provisions for the reception arrangements and integration measures that have supported the UAM up to that stage?</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>What measures are in place to support the UAM in advance of the transition (e.g. integration support, return support)?</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>What measures are in place to support the former UAM after the transition (e.g. formal follow up or after-care service, open door policy at residential homes, Although there are no specific provisions to allow children to stay in accommodation facilities when they reach adulthood, however in practice some minors are still hosted on ad</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
**personal adviser, pathway plan, etc.?**

hoc basis, even when they turn 18. The main reasons for this is that there are no specific housing facilities for young adults, while the integration process faces many practical problems and takes place quite slowly. Consequently, it would be inhumane to drive a minor out of a reception centre simply because he/she reached the age of 18, when he/she has not yet developed social support networks and cannot be self-sufficient.

<table>
<thead>
<tr>
<th>Q49. Please describe the monitoring mechanisms in place to ensure the effective transition of unaccompanied minors from the age of minority to 18 years of age, including the types of measure undertaken and the duration of the monitoring period, where the situation in the Member State has changed since 2009, or where the (Member) State did not take part in the 2009 Study.</th>
</tr>
</thead>
</table>

No official oversight mechanisms have been identified for the effective transition of unaccompanied minors to adulthood. From the experience of the hospitality centre in Anogeia (Crete) such initiatives for studies or work were done informally through the structures of the accommodation facility and local authorities that facilitated them. In some cases, naturalization procedures have followed (Crete).

<table>
<thead>
<tr>
<th>Q50. Please indicate any challenges associated with the transition to 18 years of age experienced by unaccompanied minors in your (Member) State (based on existing studies / evaluations or information received from competent authorities) and how these can be overcome.</th>
</tr>
</thead>
</table>

Given the absence of specific transitional measures, the challenges are various and relate mainly to the self-sufficiency of unaccompanied minors – already adults – the completion of their education, their accommodation, their vocational training and their access to the labour market.

<table>
<thead>
<tr>
<th>Q51. Please provide any examples of proven (e.g. through evaluation reports / studies) good practices regarding the transition to 18 years of age of UAMs in your (Member) State. Please specify the source (e.g. cited in existing evaluations / studies / other sources or based on publically available information received from competent authorities).</th>
</tr>
</thead>
</table>

Unfortunately, the experience of the hospitality centres has not been recorded in relevant reports or studies.

### Section 6: Return practices, including reintegration of UAMs
This section of the Synthesis Report will provide an overview of (Member) States’ Return policies with regard to unaccompanied minors. (Member) States are also requested to provide information on the procedures that apply when an unaccompanied minor claims to be a minor and once minority is either confirmed or disproved.

Q52. Can an unaccompanied minor be returned (through voluntary or forced return) to the country of origin if s/he does not fulfil the entry requirements set out in Section 2?

<table>
<thead>
<tr>
<th>Categories of unaccompanied minors that may be returned to the country of origin</th>
<th>Please provide more information about the circumstances under which unaccompanied minors may be returned voluntarily to the country of origin a) in national legislation / policy and b) in practice, with a particular focus on developments since 2009.</th>
<th>Please provide more information about the circumstances under which unaccompanied minors may be the subject of a forced return to the country of origin / Dublin country / transit country a) in national legislation / policy and b) in practice, with a particular focus on developments since 2009.</th>
<th>Please state if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.</th>
</tr>
</thead>
</table>
| Non-asylum seeking unaccompanied minor arriving at a land / sea border or airport | Before deciding to issue a return decision for an unaccompanied minor, and taking into account his/her best interests, assistance is provided by the appropriate services, which are different from the authorities enforcing the return, mentioned in Article 19 PD220 / 2007 (GG 251 A), applicable accordingly.

Before removing an unaccompanied minor from the country, the competent authorities shall verify that he/she will be returned to a member of his/her family, to a designated guardian or to adequate reception facilities in the State of return. (Article 25 Law 3907/2011) | - | There is no differentiation |
<p>| Non-asylum seeking unaccompanied minor apprehended in the territory of the (Member) State | The same | - | There is no differentiation |
| Asylum seeking unaccompanied minor arriving at a land / sea border | Applicants are allowed to remain in the country until the completion of the administrative procedure for the examination | - | There is no differentiation |</p>
<table>
<thead>
<tr>
<th>or airport</th>
<th>of their application and shall not be removed by any means (Art. 5 PD 113/2013 and Art. 5 of PD 114/2010).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asylum seeking unaccompanied minor apprehended in the territory of the (Member) State</td>
<td>The same</td>
</tr>
<tr>
<td>Asylum seeking unaccompanied minor arriving at an internal authority (e.g. police, child protection service, etc.)</td>
<td>The same</td>
</tr>
<tr>
<td>Other (please state)</td>
<td>According to Art. 21, Law 3907/2011: &quot;In case of refusal to grant or renew a residence permit, and in case of withdrawal of a valid residence permit, the competent authority shall issue a return decision for the third country national&quot;. For minors, the above-mentioned provisions apply in particular.</td>
</tr>
</tbody>
</table>

Q53a. Can unaccompanied minors be detained whilst awaiting return?

Yes

Q53b. If yes, please provide more information about the circumstances under which unaccompanied minors may be detained whilst awaiting return, and the legal basis for such detention.

According to the Hellenic Police, if the family of an unaccompanied minor has not been identified, Interpol is informed to search for them in their country. After this, expulsion or return decisions are issued. Unaccompanied minors are held in specially designed premises, separate from other adults. According to Article 32 (detention of minors and families), Law 3907/2011 "1. Unaccompanied minors and families with minors are detained as a last resort, only if the authorities cannot apply for the same purpose other sufficient but less coercive steps for the shortest possible period of time. 2. Families detained pending their removal are provided separate accommodation, which ensures adequate privacy. 3. Detained minors have the possibility to engage in leisure activities such as play and recreational activities appropriate to their age and, depending on the duration of their stay, access to education, in accordance with Article 72 of Law. 3386/2005. 4. Unaccompanied minors shall as far as possible be accommodated in institutions provided with personnel and facilities which take into account the needs of persons of their age. 5. The best interests of the child shall be a primary consideration in the detention of minors pending removal".

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Finally, Art. 13 Par. 6a, b and c of PD 114/2010 and 12 Par. 8a, b and c of PD 113/2013 in terms of detention of asylum seekers stipulate that the competent authorities shall avoid the detention of minors, while minors who have been separated from their families and unaccompanied minors should be kept only for the time necessary to secure their transfer to adequate accommodation for minors and avoid detaining women in late pregnancy or breast-feeding mothers.

NB: Please also highlight if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

In practice unaccompanied minors are often detained together with adults because they have been registered by the authorities as adults. The Greek Ombudsman during visits conducted in late 2012 in detention centres noted the refusal of the Hellenic Police to separate evidently minors (see the autopsy in Corinth), offering as an oral explanation the ambiguity of scientific methods of age-assessment for those lacking papers.26

Q54. Are there any alternatives to detention in place in the (Member) State for unaccompanied minors awaiting return? If yes, please provide more information in this regard.

See EMN Study on Detention and Alternative Measures 2014

NB: Please also highlight if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

Q55a. Does the (Member) State provide reintegration support to unaccompanied minors returning to their country of origin under return procedures? Please consider both voluntary and forced return in your answer.

Yes

Q55b. If yes, please describe the reintegration measures in place to support unaccompanied minors before, during and after their return under return procedures.

According to Art. 25 (Return and removal of unaccompanied minors), Law 3907/2011: 1 Before deciding to issue a return decision for an unaccompanied minor, and taking into account his/her best interests, assistance is provided by appropriate bodies other than the authorities conducting the return, which are mentioned in Art. 19 PD.220/2007 (GG 251 A) which shall apply accordingly. 2 Before removing an unaccompanied minor from the country, the competent authorities shall verify that he/she will be returned to a member of his/her family, to a designated guardian or adequate reception facilities in the State of return.

NB: Please also highlight if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

There is no differentiation

Q55c. Please describe the monitoring mechanisms in place to ensure the effective reintegration of unaccompanied minors, including the types of measure undertaken and the duration of the monitoring period.

-

NB: Please also highlight if the process is different for those cases when the minor’s age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet

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Section 7: Overview of the International and EU Legislative Framework

This section of the Synthesis Report will briefly outline the EU legal framework guiding national legislation in relation to unaccompanied minors. It will provide a mapping of the substantive and procedural provisions in the EU acquis that regulate the protection of UAMs. The section will also highlight how the EU acquis relates to the broader international legal framework on UAMs.

This section will be developed by the EMN Service Provider and no input from the EMN NCPs is required.

Section 8: Conclusions

The Synthesis Report will outline the main findings of the Study and present conclusions relevant for policymakers at national and EU level. Member States should include any overall conclusions in the Topline Factsheet at the beginning of the Common Template rather than duplicate information in this Section.

The two major innovations in the Greek asylum and immigration policy since 2009 have been the adoption of the new asylum procedure and the entry into force, as of 1 June 2004, of the Code of Immigration and Social Integration (Law 4251/2014, GG A΄ 80/1.4.2014). The national legal framework regulating the asylum procedure, consisting mainly of Law 3907/2011, Presidential Decrees 113/2013 and 141/2013 (along with Presidential Decrees 220/2007 and 114/2010, which regulates the second instance review of the decisions of the Hellenic Police during the transitional period) and a number of Ministerial Decisions and Circulars, include explicit provisions on the protection of children, in particular unaccompanied minors. They regulate in detail the initial reception procedure, the appointment of a legal guardian, the age-assessment procedure, the accommodation, education and health care of unaccompanied minors. Furthermore, the Code of Immigration and Social Integration, which codifies the existing immigration legislation and replaces immigration law no 3386/2005, includes provisions on certain categories of minors that do not apply for asylum, such as the victims of human trafficking and illegal smuggling of migrants (art. 49-50). However, concerted action is required by all stakeholders to improve the reception of unaccompanied minors, especially in the areas of housing, guardianship, education and assistance in the transition to adulthood and integration into the Greek society.

The report’s findings can be summarized as follows:

- The vast majority of unaccompanied minors entering the Greek territory are potential asylum seekers; however, not all of them apply for asylum. Due to the inadequacy of the national legislative framework for the protection of these children, unaccompanied minors who belong to this category are very often victims of exploitation by criminal networks.

- In general, the treatment is not different for unaccompanied minors whose age is disputed and relevant procedures have not yet been set in track.

- More education and training of police and border guards is needed in particular regarding the protection of unaccompanied minors.

- The institution of guardianship needs to be improved.

- There are no residence permits exclusively for unaccompanied minors.

- Access to health care and education is ensured for all unaccompanied minors without exception, but the ongoing economic crisis on the one hand and other objective difficulties on the other (e.g. lack of remedial teaching) hinder the effective enjoyment of these rights. The same applies mutatis mutandis to the employment of unaccompanied minors.

- There is no detailed record, including the reasons, for unaccompanied minors absconding or leaving the accommodation structures.

- There are no adequate measures to facilitate the transition to adulthood.
- The detention of minors and the absence of alternative measures remains a major problem.