Report 2018

Children on the Move Network

Ombudsman’s Department of Children’s Rights

Institutional mission to promote and protect children’s rights

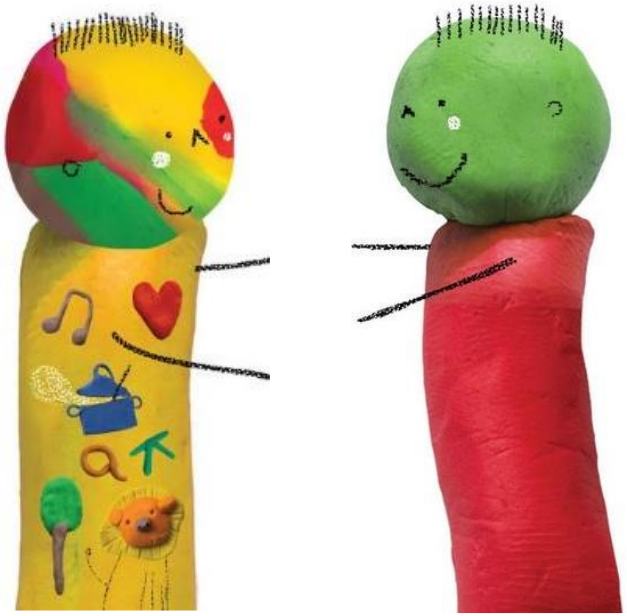
Monitoring the situation of children on the move

Purpose to intensify coordinated institutional intermediations & thereby strengthen their protection and contribute to the strategic planning

Mediations with relevant actors
Interventions towards administrative bodies and authorities
Activities
Consultations with competent authorities
30 in situ visits across Greece

Network for the Rights of Children on the Move

- Informal network-27 members
- Coordinated by the Deputy Ombudsperson for Children's Rights
- Meetings on a monthly basis
- Members provide for their observations from their experience on the field
- Objectives : a) enhanced monitoring of children's situation b) strengthening the effectiveness of advocacy actions



- Main activities of the Department and associates
- Institutional interventions
- Main observations and remarks on the situation of children on the move
- Based on the data and information collected from the various site visits as well as the information received form the Network
- Presentation of major developments on the field of child protection

Report content on the Rights of Children on the move 2018

Background

31% reached Greece from the land borders

69% arrived by sea (11.888 children)

Arrivals

17.127 migrant and refugee children arrived in Greece

Number of children residing in Greece

`

an estimated 27.000 refugee and migrant children were present in Greece

3. 458 were unaccompanied and 283 were children separated from their families

Protection of children upon arrival and early reception stage

Discrepant practices and different administrative treatment of children

Treatment of children which have not been subjected to the registration and identification procedure and may be subject to detention and/ or face the risk of homelessness

Endanger children's physical and mental health

Hinder the effective protection of their rights as provided for in the CRC

Reception and identification procedure

Efforts for adhering to procedural safeguards

Capacity building (insufficient)

Shortcomings and slowness in the procedures

Lack of awareness of staff on child protection issues

Lack of coordination

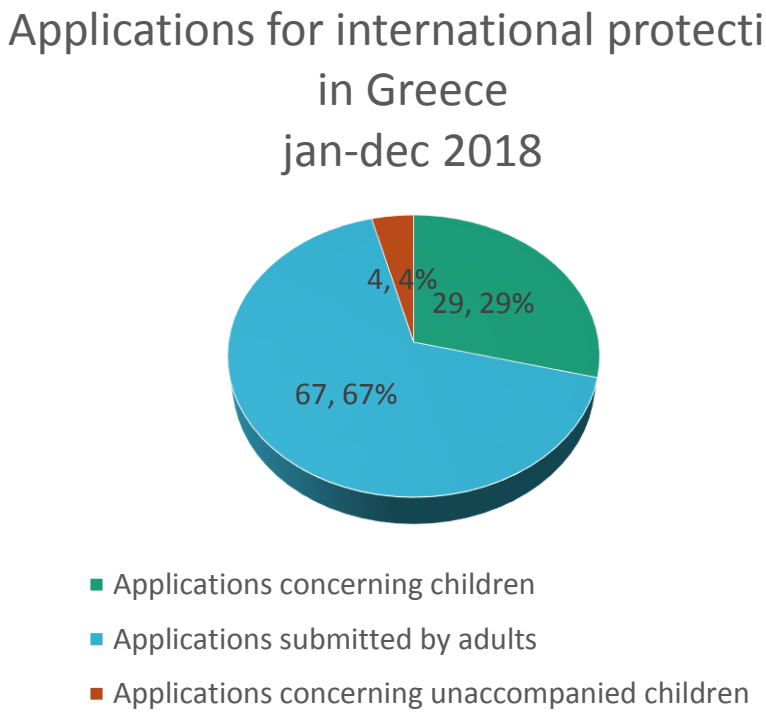
Inaccuracies in registration

Abusive behaviour towards children

neglect to address their needs

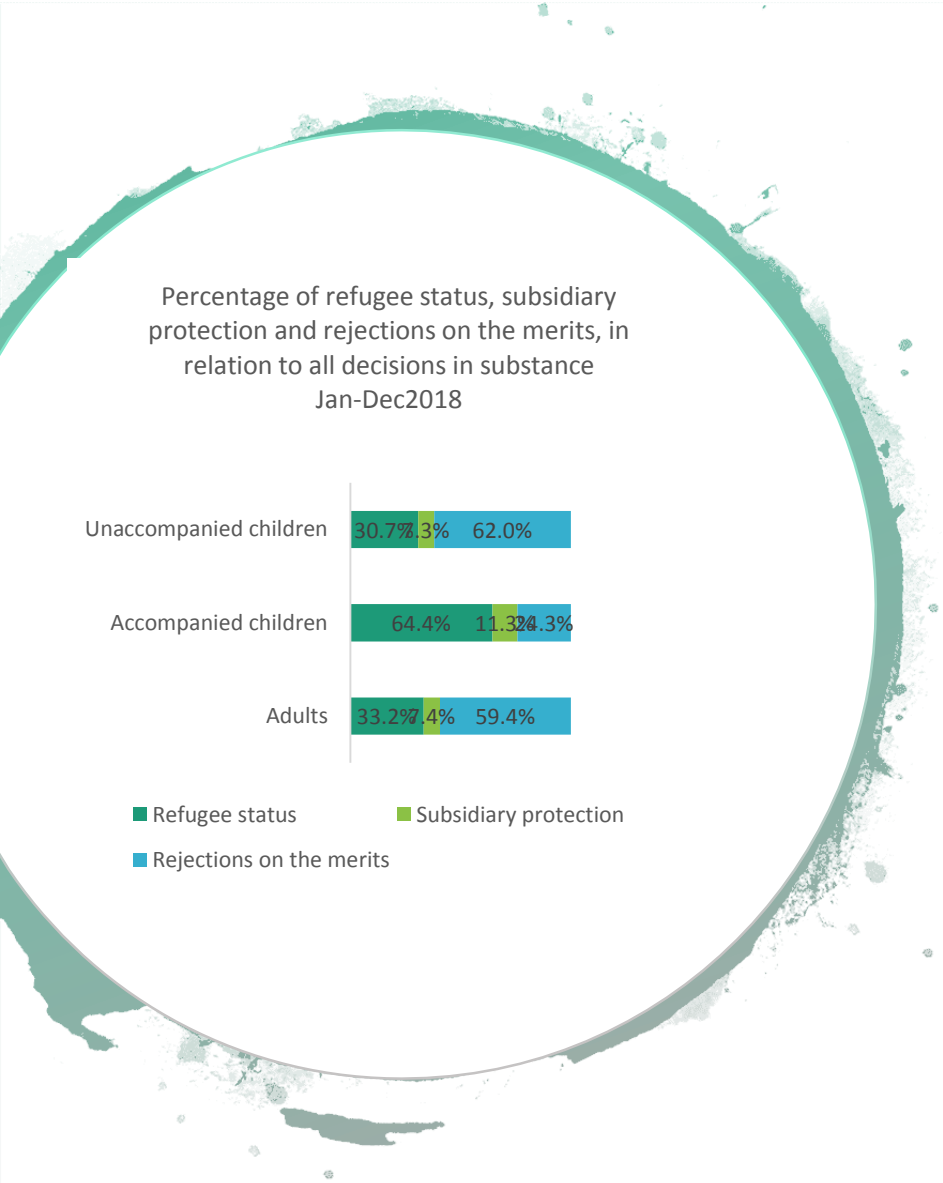
Access to international protection

Available data



- **21.771** out of 66970 applications concerned children in 2018
- **2.639** concerned unaccompanied children

Available data (2)



- 6.249 children received international protection on the first instance:
- 5.301 received refugee status and 948 subsidiary protection.
- More specifically, 5.022 accompanied children received refugee status on first instance, while 882 accompanied children received subsidiary protection on first instance.
- Additionally, 279 unaccompanied children received refugee status on first instance and 66 unaccompanied children received subsidiary protection on first instance respectively.
- By analysing the total decisions in substance issued by the Greek Asylum Service (refugee status, subsidiary protection and rejections in substance) on first instance during 2018, the percentage of rejection of applications concerning unaccompanied children goes up to 62%. Although this seems quite high, it still indicates a decrease in rejection of applications in substance concerning unaccompanied children during 2017, where the same rejection rate in the previous year was 72.

Land vs Sea Borders

Sea borders = implementation of the EU-Turkey Statement

- Modification of the asylum procedure
- Key priority the accelerated processing of applications
- Fast-track border procedures

- Restrictions on the exercise of rights
- Geographic restriction of movement on the island of entry

General remarks

Efforts

- Increase staff capacity with the recruitment of temporary staff
- Establishment of additional regional asylum offices

Shortcomings

- Staff is still insufficient and not trained properly
- Continuous accumulation of pending applications

Growing role of EASO

Obstacles

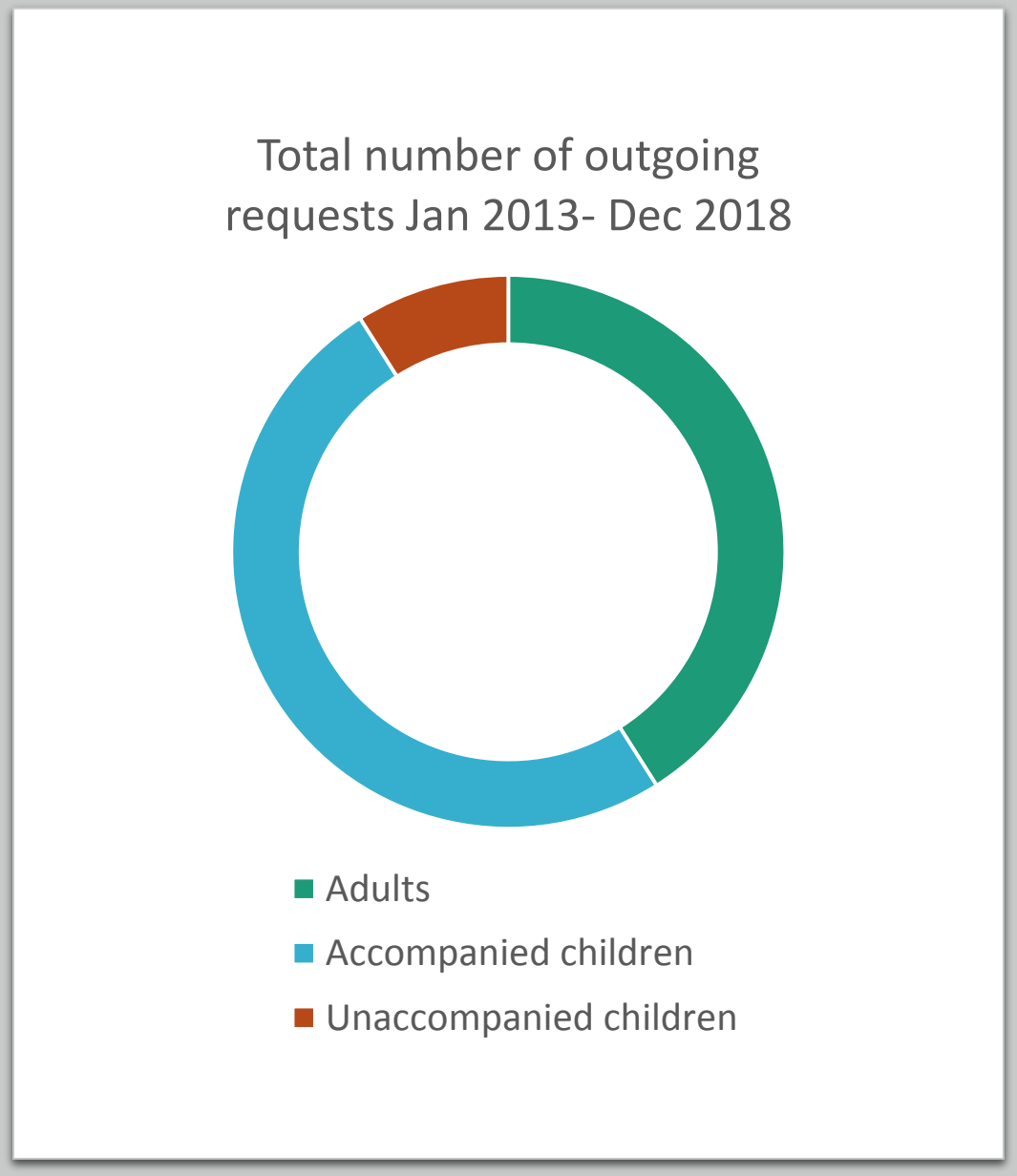
- Timely access to the procedure
- Delays in registration of applications
- Deficiencies in the examination and processing of claims
- Lack of clear and timely information

- Ineffective exercise of rights
- Prolonged duration of the procedures
- Feelings of insecurity and futility, especially for children reaching adulthood

Family Reunification (Dublin III)

Available data

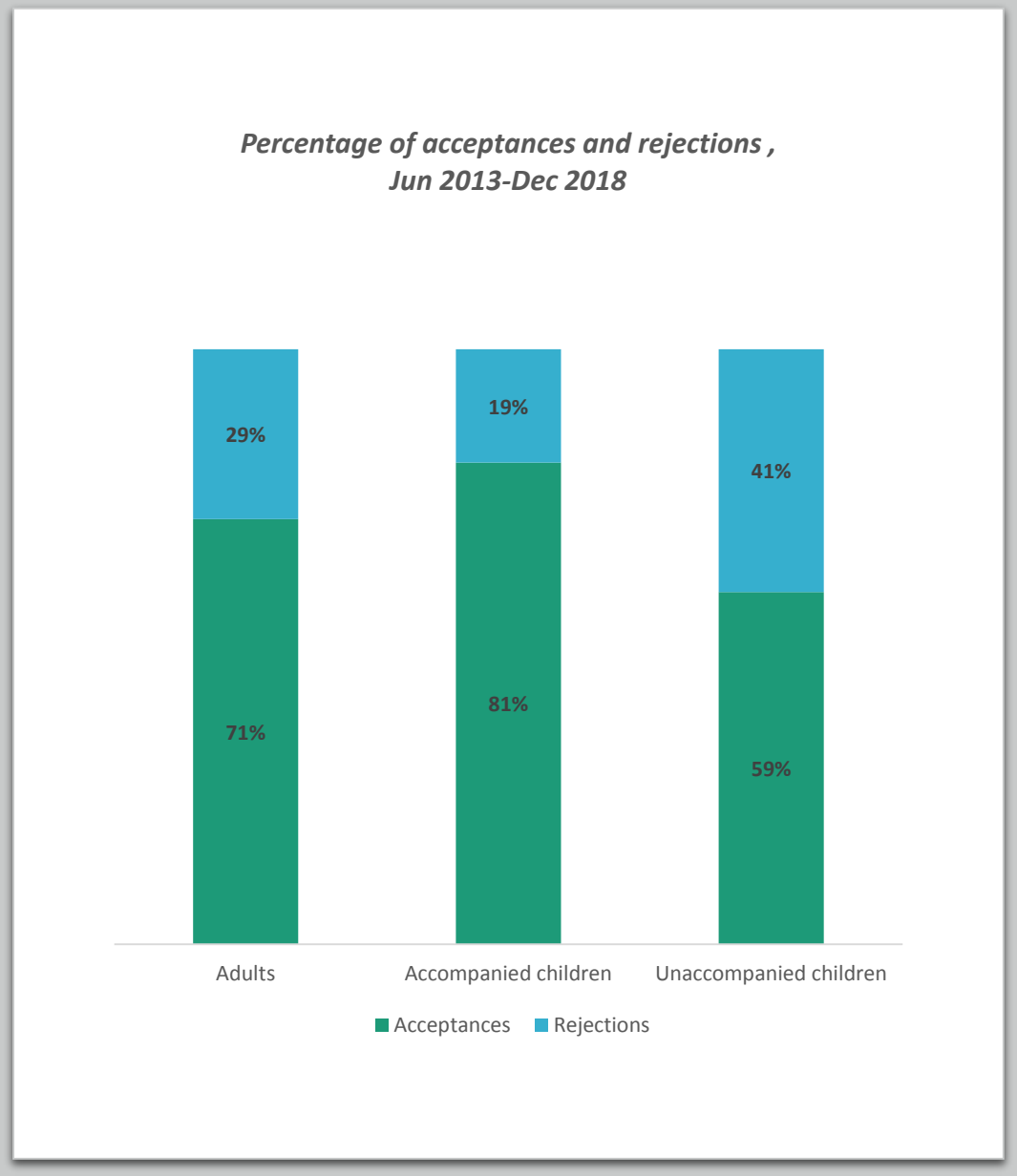
- From June 2013 until the end of December 2018, the Asylum Service recorded a total of 22.401 applications of international protection in the framework of Dublin Regulation
- 11.156 applications concerned accompanied children (50%) and 2.024 unaccompanied children (9%)



Available data (II)

- Of all the requests that were examined up until December 31st 2018, 15,495 were accepted by the Member States, while 5,166 were rejected

- In all accepted and rejected requests, the highest rate of rejections appears to be for unaccompanied children, with 41%, higher than for adults, which amounts to 29%

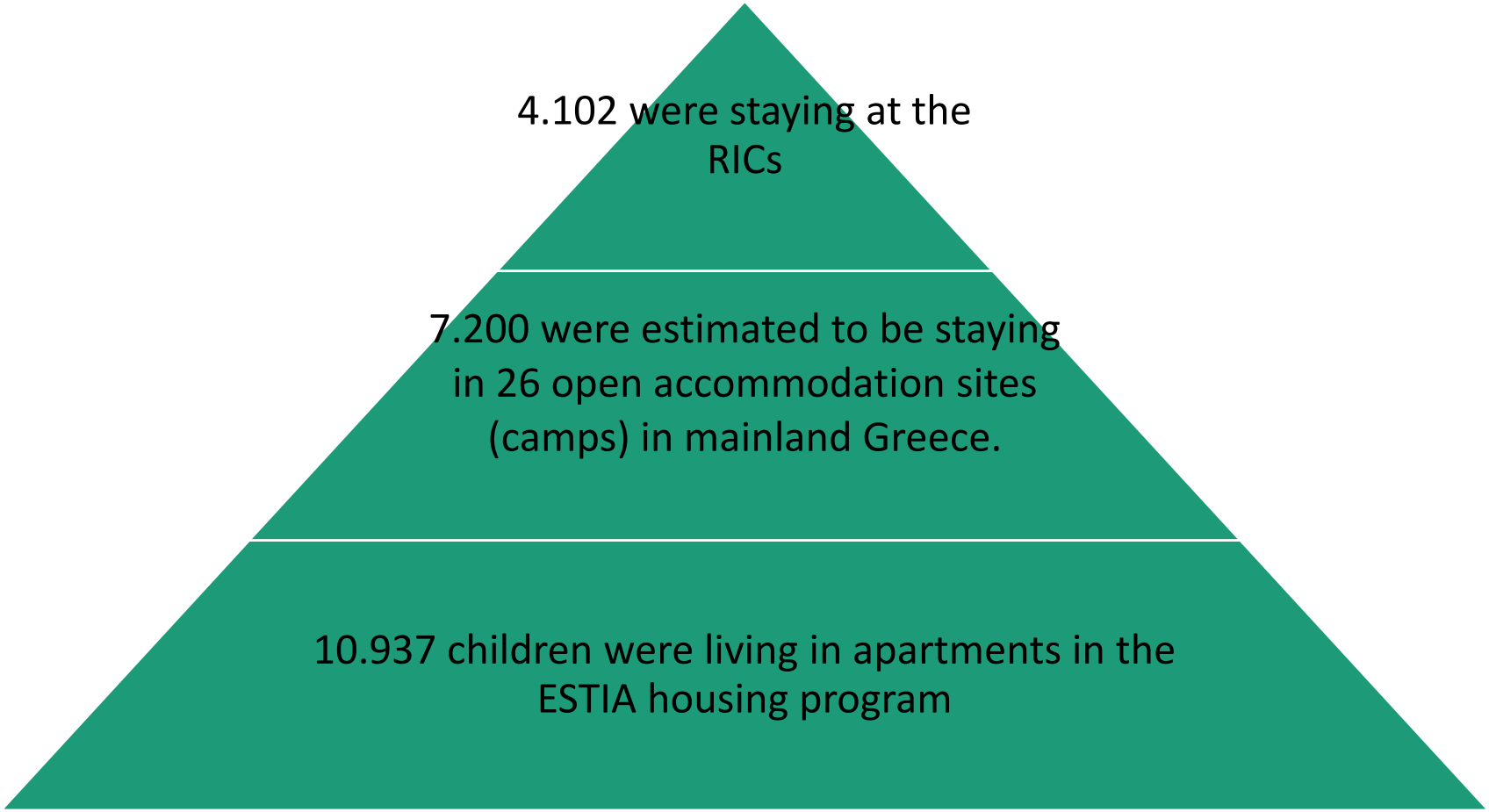


Procedural issues

- Tendency of Member States to adopt restrictive practices
- More evidence required, on assessing the individual situation of children and additional documentation for the verification of family ties
- Making maximal use of the time limits
- Increase in the number of rejections

- Compromisation of family unity
- Prolonged separation
- Deterioration of children's physical and mental health

Access to dignified and safe accommodation



Key aspects of current conditions in accommodation

A. Decisive matters (factors) affecting the operation

B. Critical display of living conditions in sites and RICs

Context and impact on the field

Legislative framework and recent amendments

Actors involved in the management, coordination and support of the facilities as well as their supervision

Absence of uniform operational standards and requirements

Conditions for the provision of reception conditions, the implementation of programs and the supervision of the services provided remain unregulated

Insufficiency of reception facilities

Diverse operation and administration of the sites

Absence of substantive state oversight

Lack of coordination

Insufficiency of reception facilities

General Remarks	Situation	Result
• Lack of timely state planning • Provision of material reception conditions in dignified and humane terms remains a challenge • Shelter provision as a vicious cycle of decongestion • Emergency-driven responses	• Operation of open sites in full capacity • Continuous arrivals • Absence of plan to create new spaces • Pace of transfers from the islands to mainland Greece was slow throughout the year due to shortage of accommodation in the existing sites of the mainland	• Thousands were left homeless or crowded under unacceptable living conditions in the RICs • Children deprived of housing or housed in d inappropriate facilities that render every basic care and protection devoid

Living conditions in open sites

- Shortage in child protection services
- Temporary, inadequate and inappropriate staff
- Lack of hygiene conditions
- Prolonged stay in prefabricated containers
- Geographical distance from urban centers

↓

- Isolation
- Difficulty in exercising basic rights as well as accessing services

***Critical factor: the increase of spontaneous arrivals**

State emergency plan [with partners]

- Creation of new spaces in the existing sites
- Reopening of closed structures
- Provision of emergency accommodation in hotel units
- Expansion of urban accommodation programs in apartments

Aftermath

- Overpopulation in RICs pertained
- Insufficiency of urgent measures systemic failure to guarantee access to housing of an adequate standard
- Dire living context deteriorates the health status and psychological health and can have serious consequences in children's health, protection and safety

Measures & Outcomes

Living conditions in RICs

Overpopulation: the slow pace of transfers from the islands to the mainland, the continuous arrivals on the islands and the imposition of geographical restriction

Majority of the RICs were exceeding by far their capacity

Shortages in basic goods, food and potable water and extremely limited access to services

Lesvos and Samos: makeshift camps and tents

Inhumane and substandard living conditions

Increasing needs for medical and psychosocial care

Available data

	February	March	June	July	August	September
Total RIC Capacity	6246	6292	6338	6338	6338	6438
PoC hosted	9902	10.084	12937	14.351	15.007	16.215
Transfers	847	622	994	1039 *4.000 were waiting to be transferred	1547	1602

- *Based on data published by the National Coordination Centre for Border Control, Immigration and Asylum, Ministry of Citizens' Protection and the data Factsheets published by UNHCR*

Access to health care

Access to public health system:

- Deficiencies of the public health system- infrastructure, inadequate funding and shortage of doctors

- Additional obstacles - existing language barriers &limited availability of cultural mediation services in hospitals

Open sites and RICs

- Deficiencies in human and material resources and insufficient and unqualified staff to meet children's needs
- Bureaucratic dysfunctions and delays, in the absence of organizational infrastructure, coordinated management and professional health personnel, resulting in the

Public sector child and adolescent mental health services

- Extremely restricted due to availability only in specific areas and limited capacity

Children on the North Aegean Islands, Crete and in remote areas

- Extremely restricted due to the concentration of child-focused services in large urban centers

Access to education

Until now

- Critical assessment for the developments so far:
- Special educational model outside the normal program for children in camps: “Reception/ Preparatory Classes for the Education of Refugees” (DYEP)
- Two parallel systems
- A large proportion of children did not have access to formal education
- Children on the islands of the North Aegean did not have access to formal education
- Absence of mechanism to monitor population for registration

Ministry’s responce

- Efforts to coordinate the competent bodies and to fill the gaps
- Operation of Reception classes in Secondary Education
- Operation of kindergartens in open sites

Main pending problems in education

- Significant delays in the commencement of reception classes
- Concentration of large population in urban areas
- Vast population movements and the operation of housing programs in remote locations without the prior coordination of the actors
- Children aged over 15 and children on the islands continue to face significant constraints
- Hostile reactions from the local community
- Absence of a consistent mechanism to follow population for registration
- The absence of up to date drop-out rates

Key issues specifically for unaccompanied children

Efforts to reform the framework of protection of unaccompanied children	Implementation and expansion of foster care
	National Center of Social Solidarity responsible authority for all issues related to unaccompanied children special Department for the Protection of unaccompanied children
	Professional guardianship scheme
	Adoption of procedural rules for the best interest assessment and best interest determination
	Creation of three registries; a registry of unaccompanied children, a registry of shelters and a registry of professional guardians
	Supported independent living scheme

Enduring problems

Multidisciplinary and rights-compliant age assessment processes

Shortage in accommodation places

Absence of coordinated inclusion policies and long term sustainable funding

Resort to systematic detention

Reception deficiencies

Facts

- Estimated number of unaccompanied children: 3.458 (end of December 2018)
- The number of accommodation places for unaccompanied children was 1.959
- 1.500 unaccompanied children did not have access to housing
- Decline of number of places in long-term facilities, dramatic increase in places in temporary transit shelters
- Steady deviation between the number of unaccompanied children and the capacity of accommodation schemes

Consequences

- Children remain in inappropriate structures for a long period of time or
- Children are living in precarious conditions or
- are placed under protective custody

Challenges to proper shelter operation

- Funding insufficiencies
- Lack of uniform and legally binding standards
- The high staff turnover and inadequacy of staff;
- Challenging: provision of care to children with special protection needs (children that show delinquent behaviour, have problems of addiction, adaptation difficulties or psychological support needs, or even psychiatric care)

Recommendations and Advocacy priorities

- Medium-long term strategic planning for children that will include sustainable funding of measures and services
- Fair distribution of refugee population in Europe
- Uniform practices in reception and age assessment procedures
- Asylum Service friendly and comprehensible to children
- Implementation of legal guardianship law with adequate supervision
- Implementation of foster care law and awareness raising for the alternative care of u.c

Recommendations and Advocacy priorities

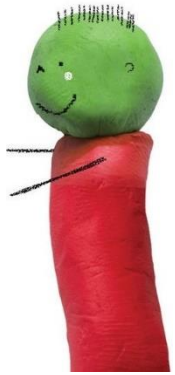
- Staffing and training of local government social services to monitor the progress of vulnerable families
- Ensuring legal representation and legal residence for unaccompanied children
- Strengthening the overall public health system with human and material resources
- Promoting the institution of intercultural mediation in all public services
- Reform of the accommodation scheme for unaccompanied children, based on a long-term, child-centered approach
- Complete abolition of detention and protective custody
- Addressing the problems of temporary presence of staff on the field

Recommendations and Advocacy priorities for education

- Teacher training on intercultural communication and multilingual education
- Train all teachers on inclusive classroom practices
- Monitoring of the number of children to be enrolled in school through a specific mechanism
- Create additional reception classes to meet needs
- Monitoring of school drop out by taking a representative sample of ref. and migrant populations for the collection and processing of data.
- Provision for the teaching of children's native language and the cultural elements of their countries

www.0-18.gr

www.synigoros.gr

cr@synigoros.gr

Thank you!