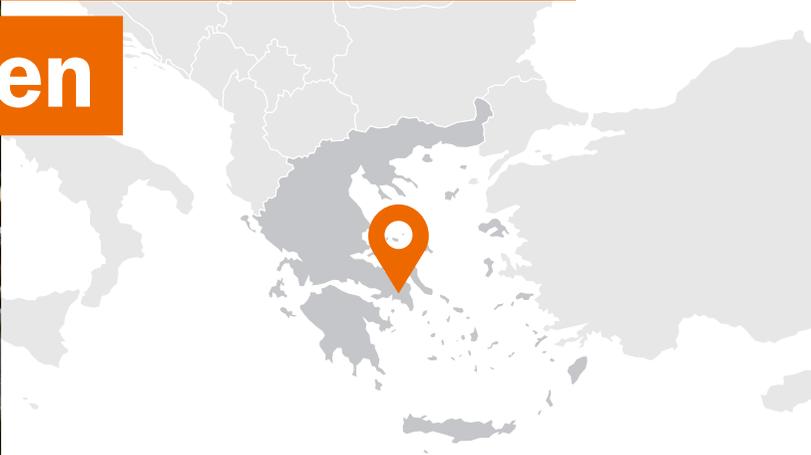




**Athens, the reflection  
of a broken protection  
system for refugee  
children**



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# INTRODUCTION

The following research took place in Athens and the surrounding areas of Attika in October 2017. The purpose of this research was to map the current situation refugee children find themselves in there, and to identify the existing issues and needs. We aimed to find out whether the standards envisaged in the UN Convention on the Rights of the Child were met in the case of refugee children present in Athens.

For the purposes of this quick scan we interviewed twelve professionals including social workers, lawyers, psychologists, NGO staff and former Governmental professionals on the field of asylum and migration child protection. We interviewed six refugee children aged ten to seventeen years old from Syria, Afghanistan, Iraq and Pakistan. We also spoke with people from the solidarity movements and adult refugees. For each issue, we provide a short background of the local law and official structure. Electronic material that accompanies this research, such as photos and videos, is also available.

In Athens, the capital of the country, you won't come across the same appalling scenes of refugee children as those that capture the unspeakable conditions in the Greek islands. Nor will you feel the same massive presence of NGOs, child protection professionals and other non-state actors in the area. However, each of the refugee children's stories encompasses the same elements of harm and despair, only this time coupled with the harm experienced in the border areas of the country. With this in mind, Athens becomes the

reflection of the broken child refugee protection system in the Greek islands and the refugee children's unfulfilled expectation for a better life or easier exit to another European country. Undoubtedly, the same critical issues we met on the islands continue to be a matter

of concern in Athens as well. However, the difference is that in Athens, a city with millions of inhabitants, the child protection problem is not magically resolved; it is spread around, firmly kept hidden in abandoned buildings, houses, detention centers and parks.

## THE DOMINO EFFECT

One of the first obstacles unaccompanied minors face upon arrival in Greece is the complicated and ever shifting legal framework they must navigate to seek age appropriate protection. Legal protection does not automatically translate into actual protection due to the ineffective implementation of the existing law. While Greek legislation establishes the obligations of different authorities to care for and protect unaccompanied boys and girls, the reality of the situation on the ground is woeful.

“

*I thought I would have more chances to seek help and make some money in Athens.*

Hasan, 15,  
from Afghanistan

”

The structural deficiencies in the Greek islands have a domino effect on the situation of refugee children on the mainland of the country, including in Athens. Since the closure of the European borders, the bottleneck of children stuck at the border of Greece has grown, the rate of its growth having increased recently with a rise in new arrivals in July, August and September 2017. The majority of the refugee children currently present in Athens were living in critical conditions in the islands for long periods of time before their arrival in the city. They have been exposed to the threat of violence, sexual assault and poor hygiene conditions, and have been at a high risk of self-harm due to their poor mental state.

“

*I thought that nothing could be worse than the life I had in the Hot Spot in Moria on Lesbos Island. I was wrong.*

Mahmood, 13,  
from Syria

”

Some lived in overcrowded camps by the sea, others in detention centres, with no access to schools or to durable solutions for the issues at hand, and exposed to growing risks to their welfare and development. In legal terms, children are not properly identified and their ages are assessed incorrectly, this having a detrimental effect on their future state.



IMAGE: YOUNG BOYS IN IN THE STREETS OF ATHENS

## GUARDIANSHIP

Greek legislation states that the competent authorities shall take the appropriate measures to ensure a minor's necessary representation. In the absence of a guardian, the Public Prosecutor for Minors shall act as a provisional guardian. In practice, however, the Public Prosecutors lack the capacity to handle the large number of unaccompanied minors who are referred to them for protection. As a result, the thousands of unaccompanied children in Greece are left alone and exposed to criminal channels and human rights violations. Despite the meaningful efforts of non-state actors to cover some of the existing needs, the critical lack of any permanent guardianship system persists.

## AGE ASSESSMENT

*“If you ask me, [incorrect Age Assessment] is one of the most urgent issues that needs to be addressed, as it has a long-term effect on a child’s protection. On paper, these kids are marked as adults and so we cannot always help them with their asylum decision. We need lawyers to bring this issue up”, an NGO staff member*

Disparate registering practices are further complicated by the nature of the Age Assessment procedure, which is regulated by Article 6 of Ministerial Decision 92490/29.10.2013. Until recently, this procedure was compulsory only for Reception and Identification Centres (RICs) and therefore not binding for other national authorities or services; it has now become applicable to asylum seekers. According to the new law, until the Age Assessment ruling is issued, the person shall be considered to be a minor and shall be treated accordingly (Law. 4375/2016, Art. 14, par. 9). However, due to its complicated nature, as well as the limited human resources and costs involved, police and coast guards rarely comply with this new procedure.

We are not able to verify the dimension of these problems, however the frequency and similarity of incidents in which ages of refugee children have been assessed incorrectly, as indicated in a number of reports, leads us to believe with some certainty that these are not

isolated errors. The lack of uniform procedures with regard to the assessment of unaccompanied minors and the lack of specialized staff at points of entry, grant authorities a wide margin of discretion.

As a result of this, many teenagers are registered as nineteen year old adults by the authorities. Thus, they end up falling outside the protection regime for the ‘vulnerable parts of the population’ and the relevant laws that provide specifically for children. So they are placed in Hot Spot areas alongside adults and are deprived of any guardianship assistance they may actually have had a right to. They are not entitled to register at a school. Most importantly, their registration impacts massively on the examination of their asylum claims.

In other instances, children fearing being placed under protective detention in Police Stations or in Safe Zones lie to the Authorities about their age and register as adults. This makes it easier for them to escape any child protection services and move illegally from the islands to Athens. The result: thousands of unaccompanied children left to survive in Athens on their own, perceived and treated as adults by the Authorities.

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“ *The unaccompanied refugee children are provided with a typical guardian: a fax device that is located at the Public Prosecutor’s office.*

*a Human Rights Lawyer and head of an NGO*

”

### **An imminent risk: the application of the EU-Turkey deal to children whose age has been assessed incorrectly**

Since the EU-Turkey agreement, a geographical restriction has been imposed on the refugee population present on the Greek islands in anticipation of its return to Turkey. Greece recently stated that Turkey is a safe third country and many refugees are just one step away from their transfer there.

This geographical restriction does not apply to children. However, the children registered as adults fall outside of this scope. In our meetings with officers of the First Instance and Appeals Authorities for Asylum Claims, we were informed of the scale of asylum cases that are lodged by children who have been incorrectly recorded as adults during the Age Assessment phase of their registration.

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*“I’m afraid that many refugee teenagers are about to be returned to Turkey in the context of the EU-Turkey agreement which has started to be applied in Greece. Even if we try hard, it is impossible in many cases to repair the wrong Age Assessment that occurs in the registration phase.”, a Former Asylum Officer*



IMAGE: CHILDREN IN THE STREETS OF ATHENS

## NUMBERS OF CHILDREN

Refugee children make up almost half of the refugee population in Greece. This is merely a rough estimate, since there is no central authority responsible for tracking them. The only primary data available relates to the number of unaccompanied children who have lodged an asylum application and minors who have requested to be allocated to shelters. Based on these sources the estimated number of unaccompanied children is 2,950. [↗](#)

PLAY VIDEO



VIDEO: CHILDREN IN THE STREETS OF ATHENS

## WHERE DO THE REFUGEE CHILDREN LIVE IN ATHENS?

Most refugee children live in unknown places or are homeless, while those who are on the waiting list for a shelter live in detention centers or Safe Zones within refugee camps. The 'lucky' ones live in special accommodation facilities.

A huge part of refugee children's needs has been taken care of by the solidarity movements. There are around ten refugee squats active in Athens at the moment. Many children, unaccompanied or with their families, have managed to find shelter, food and other fundamental needs there.

According to the available data, there are currently **1.114 places available in shelters nationwide in Greece.** [🔗](#) There are 1.822 unaccompanied children on a waiting list for shelter, with 87 currently being homed in reception centres and 116 in protective custody. The waiting list does not include referrals whose location is unknown.

It is estimated that a large number of those children present in Athens live in a state of invisibility.



IMAGE: YOUNG CHILDREN IN IN THE STREETS OF ATHENS



IMAGE: TWO GIRLS WALKING IN A REFUGEE CAMP NEAR ATHENS

placed in small cells with adults of no relation to them, where they have little access to information about their rights and to basic care services. This situation often deters unaccompanied children from wanting to disclose their real age, resulting in their registration as adults at the identification centers.

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*“If the best alternative to a lack of accommodation for them is detention, then the failure of the protection system is tremendous.”, a Legal Officer in an International Organization*

Many of these children are detained while they wait to be reunited with their families in other European countries. In these cases, there is an imminent need for legal assistance with the asylum and family reunification processes, as well as stronger links amongst European states where family members are present.

## DETENTION

### *The ‘protective custody’ reality*

There has been an alarming increase in the number of unaccompanied refugee children detained in police cells and detention centers, which is euphemistically called ‘protective custody’. Due to the chronic shortage of space in facilities that are suitable for children, and the wait pending children’s placement in a facility when space becomes available, unaccompanied children are often detained in overcrowded and unsanitary conditions. They are

## SAFE ZONES

There are 24 shelters, providing 600 places for unaccompanied children to live in, and two Safe Zones in camps in Athens. Safe Zones are established within refugee camps that host adults as alternative safe accommodation facilities for unaccompanied children. The purpose of these areas is to provide services and care to unaccompanied children and to address their urgent safety and protection needs until more long-term options for placements or other durable solutions are available.

In reality, Safe Zones offer poor conditions to children without promising them safety. There have been many reports of security incidents that take place in such Safe Zones, varying from drug abuse, physical assaults to violent fights where vulnerable groups are targeted. Also, these areas are exposed to smuggling and exploitation channels where unaccompanied children can become easy targets.

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*“There are smuggling and exploitation channels that function around Safe Zone areas. Unaccompanied children are particularly exposed to such dangers in these areas.”,*  
a staff member of a child protection NGO

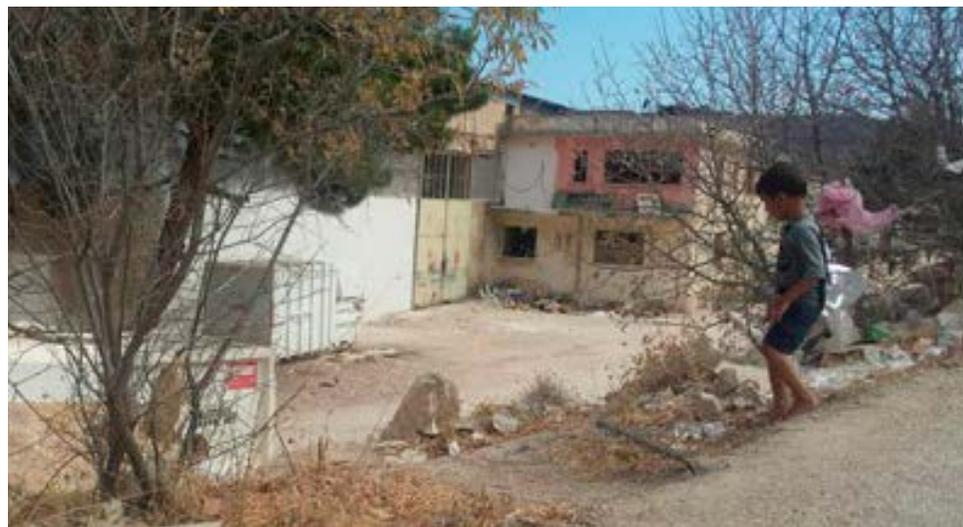


IMAGE: A CHILD OUTSIDE A REFUGEE CAMP NEAR ATHENS

## SEXUAL EXPLOITATION

The parks and sex cinemas in central Athens provide great channels for sexual exploitation, human trafficking and drug dealing. Taking just a few steps into Omonoia and Victoria Square brings you into the world of survival sex and exploitation.

Insufficient protection and assistance for minors, and delays in the asylum and family reunification processes, result in refugee children being urged to sell cheap sex, for as little as 5 euros. In some instances, they are given a warm place to sleep and food in return for sex acts. In others, refugee children are tricked by smugglers' empty promises. They are told that this is the only way they can fund their journey to the rest of Europe. Some children simply see no other option for survival and are unable to escape this vicious cycle. Refugee children are also often exploited to work as drug dealers.

This is another alternative for them to earn money. Or in some cases, the children are addicted to drugs themselves and this is their means to secure their drugs for their own consumption. 

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*“There are children that are in need of legal support to protect them from criminal actions against them.”, a Social Worker*

### MENTAL HEALTH ISSUES

One of the main challenges in relation to unaccompanied refugee children is the safeguarding of their mental health. This is an emerging issue that receives very little attention. Most of the unaccompanied refugee children that are exploited in Athens are facing serious mental health issues, including drug addictions.

*“The first nights I arrived in the safe zone I was so scared that I had nightmares about being killed. I still have such nightmares sometimes.”, an unaccompanied boy, 14, from Iraq*

Unaccompanied children have often survived extremely harmful experiences that have left a mark on their fragile mental health. The condition of their mental health only worsens once they arrive in Greece. The poor reception facilities, their prolonged detention, exposure to inhumane conditions, uncertainty about their legal status and their future in general, are only a few of the factors that critically damage the state of their mental health. In the few shelters that provide accommodation explicitly for unaccompanied minors,

many refugee children with serious mental health diagnoses have been documented. Depression, suicidal and aggressive behavior, insomnia, and drug and alcohol addictions constitute these children’s daily reality.

Under Greek law, all children who are present in the Greek territory are entitled to mental health protection. However, the current child protection system falls extremely short in meeting the needs of refugee children with serious mental health issues. In many cases,

these children never visit a doctor and even when they do, there is no systematic follow up on their medical cases. Non-state actors currently present in the area are unable to deal with such medical needs.

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*A man from my country had a video of me in which I am naked. He kept threatening that he would send it to people back home, to my family and friends. He said the only way he wouldn’t was if I gave him money.*

”

*a boy, 13,  
from Pakistan*

## EDUCATION

Under Greek Law, children who seek international protection must have access to schools, as long as they are granted or are in the process of applying for asylum, come from regions identified as turbulent or are third-country nationals residing in Greece.

Registration takes a few months. There are preparatory classes provided by the Ministry of Education, where children are taught English and Greek, mathematics, sports, arts and computer science. Those who live in urban settings are allowed to go to school near their place of residence.

*“I want to go to school and find a good job here afterwards. I ask the managers of the camp about it every day . They tell me to wait. I don’t want to end up like my friends here, selling drugs and sex.”, an unaccompanied boy, 16, from Afghanistan*

Although the refugee education programmes provided by the Ministry are welcome, their slow implementation is a matter of concern. There are significant gaps in the entire system. Even if children’s transportation to school is sometimes provided by some International Organizations, their needs are still not covered. For instance, the children in some of the camps around Athens have not managed to attend school yet even as the first semester is about to finish.

Also, children between the ages of fifteen and eighteen face even greater difficulties in attending school. This is mainly because the law does not explicitly cover them. There were plans to enroll them in some training to improve their technical skills, but these have not yet been fully implemented.



IMAGE: DRAWINGS BY REFUGEE CHILDREN AGED 5 TO 8 YEARS OLD

## DISCRIMINATION

On top of the hardships that refugee children experience in Greece, they are also the subjects of discrimination by some parts of Greek society.

In some areas there have been reports of far-right groups causing security issues for children attempting to access schools. Greek parents have campaigned against the registration of refugee children at certain schools, at times with public support from the school principal. There are cases in which fascist groups have supported their efforts to keep refugee children out of schools.

We also learned of an incident in which the police arrested a group of Syrian children whilst they were on their way to rehearse a play at the theatre. The children, boys aged between twelve and sixteen, were seized 'on suspicion of being members of an armed group'. They were carrying toy guns as props on their way to perform in a theatre play in central Athens. The five Syrian refugee children were detained, beaten and forced to strip naked by Greek police for carrying plastic toy guns in the street.

## LATEST HIGHLIGHTS FROM ATHENS

### A new influx

Thousands of people are being transferred from the Greek islands to the mainland. Athens is expected to receive a large number of accompanied and unaccompanied refugee children in December 2017 and the beginning of the year 2018.

### A fascist attack

On 8th of October 2017, fascists attacked the house of a ten-year-old Syrian boy in the night with massive stones, breaking the windows. The boy had been asked to hold the Greek flag at a national parade on 28th of October. The attackers, who are still unknown to the police, threatened the boy, his single mother and his siblings.

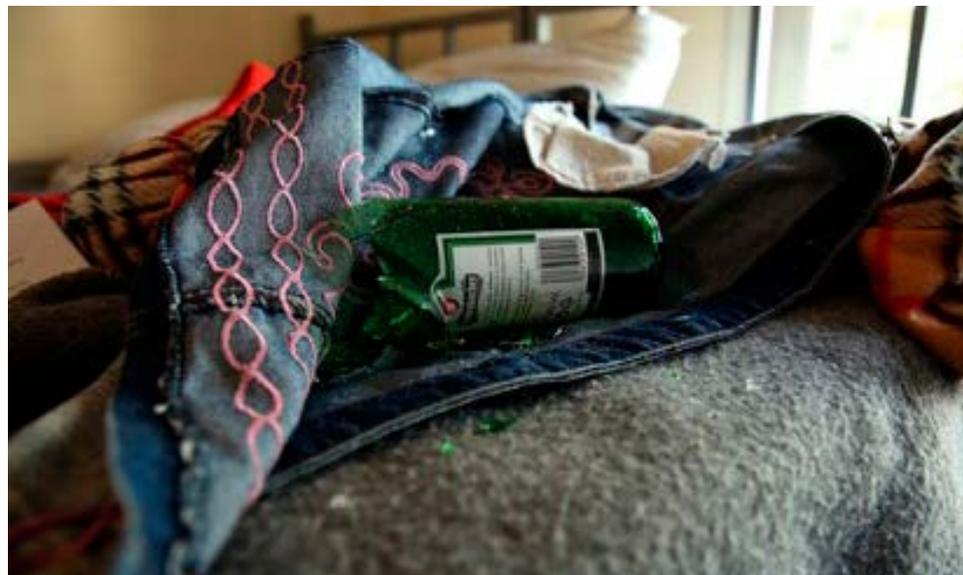


IMAGE: INSIDE THE HOUSE ON THE NIGHT OF THE ATTACK

## “REUNITE US WITH OUR FAMILIES NOW”

In November 2017, many refugee children have been on hunger strike in front of the Greek Parliament. Unaccompanied children and children with a relative present in Greece ask that their family reunification processes in other European countries are not postponed any longer.



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*“I have family in The Netherlands but I am alone and still stuck here. I have applied for family reunification but I have been waiting for months and have no idea of what is going on.”,*  
a boy, 15, from Afghanistan

## NEED FOR LEGAL ASSISTANCE

Children are provided with information sporadically, and their cases are not always followed up. Children are invited to give official interviews without the assistance and proper guidance from a lawyer. They are desperate for proper information and legal assistance.

There is a great need for legal aid for unaccompanied children and also for children with family members in Greece. Single mothers with children, for instance, constitute a part of the refugee population that has not received great attention and assistance so far.

## RECOMMENDATIONS

By International and National Greek Law, children are entitled to live with dignity within a framework of normality, like any other child in the country. However, despite consistent calls for improvements to the child protection system, the support system for accompanied and unaccompanied refugee children in Greece continues to be critically dysfunctional.



IMAGE: THE HUNGER STRIKE AT SYNTAGMA SQUARE IN ATHENS

From the issues identified in this research the following recommendations should be given due weight.

- **There is a great need for consistent legal assistance throughout a refugee child's presence in the country. Due to the lack of a guardianship system, refugee children are in particular need of a lawyer by their side to assist them with their asylum claims, family reunification, relocation, detention and enrolment in schools, amongst other needs. With the proper legal assistance, refugee children will be given the chance to become visible in the society.**

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- **There is an urgent need for improvement of the Age Assessment of refugee children at the registration process. The country lacks an effective Age Assessment system in line with international standards. In light of the EU-Turkey deal and its imminent implementation, follow up on cases of wrong Age Assessment is imperative. Failure to do so will result in a large number of unaccompanied children being sent back to Turkey due to incorrect registrations.**

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- **There is an urgent need for attention to the family reunification process. Many of the unaccompanied children who are homeless or detained in police cells are awaiting their reunion with family members in other European countries. Co-operation amongst European States is crucial in this regard.**

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- **A holistic approach must be applied to the identified issues. The current system was developed within the framework of 'emergency management'. Now we must develop an approach that fuels long-term policies and plans, aimed at satisfying the entirety of the developmental needs of refugee children.**

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