



# Convention on the Rights of the Child

Distr.: General  
20 November 2012  
English  
Original: French

---

## Committee on the Rights of the Child Sixtieth session

### Summary record of the 1711th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 6 June 2012, at 3 p.m.

*Chairperson:* Mr. Zermatten

## Contents

### Consideration of reports of States parties (*continued*)

*Combined second and third periodic reports of Greece on the implementation of the Convention on the Rights of the Child (continued)*

*Initial report of Greece on the implementation of the Optional Protocol on the sale of children, child prostitution and child pornography*

*Initial report of Greece on the implementation of the Optional Protocol on the involvement of children in armed conflict*

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

*The meeting was called to order at 3 p.m.*

**Consideration of reports of States parties** *(continued)*

*Combined second and third periodic reports of Greece on the implementation of the Convention on the Rights of the Child (continued) (CRC/C/GRC/2-3; CRC/C/GRE/Q/2-3; CRC/C/GRE/Q/2-3)*

1. *At the invitation of the Chairperson, the delegation of Greece took places at the Committee table.*
2. **Mr. Kastanas** (Greece) said that Greece had ratified the Convention on the Rights of Persons with Disabilities and its Optional Protocol in April 2011.
3. Under article 1350 of the Civil Code, judges could authorize marriage between persons under 18 years of age where necessitated by exceptional circumstances, subject to prior consultation with the persons concerned and their parents or guardians. The law established no minimum age for marriage but the courts were generally guided by the recommendations of international instruments and the minimum marriageable age of 16 years advocated by the Committee.
4. **Mr. Karatsolis** (Greece) said that the Roma population was estimated at 250,000–300,000 but that the authorities did not have exact figures as people were not asked about their ethnic origin in censuses. To facilitate and increase birth registration among the Roma, the Ministry of the Interior had introduced a procedure whereby persons who had not been registered at birth could apply to the civil registration service through a court of first instance in order to have a birth certificate issued for themselves or their children. Most Roma children were now born in hospital, where they were automatically registered.
5. The new 2012–2020 strategic plan for the integration of the Roma consolidated the integrated 2002–2008 action plan on the social integration of the Greek Roma. The new strategic plan had been drawn up in consultation with the European Commission and tackled the priority areas of education, health, employment and housing through action at the local level and the establishment of monitoring indicators and mechanisms. The aim was to fight discrimination and fully integrate the Roma in society by offering them a package of pro-integration measures that included housing assistance.
6. **Mr. Pollar** (Country Rapporteur for the Convention), noting that information in the Committee’s possession indicated that children who had not been registered at birth received a document bearing the abbreviation “AKO” (awaiting baptism) instead of an official identity document, said that further information about that practice would be appreciated. He also sought information about the investigation into the 500 Albanian children who had gone missing some years earlier and whose whereabouts remained unknown.
7. **Mr. Guráň** asked why the State party had not granted minority status to the Roma as a number of other European States had done, and why it had decided not to ask for information about ethnic origin in censuses.
8. **Mr. Karatsolis**, supported by **Mr. Kastanas** (Greece), said that the question of whether the Roma should be recognized as a minority had never been debated and that a few years previously representatives of the Roma community had made it known that the Roma did not wish to be treated as a minority. The fact that they were not officially recognized as a minority did not constitute a problem as public policies that specifically addressed their needs had been developed nonetheless.
9. The Government had decided not to ask for information about ethnic origin or religion in population censuses mainly out of respect for personal privacy.

10. **Ms. Toura** (Greece) said that in priority zones the Ministry of Education had introduced an educational programme that consolidated the pilot project for the education of migrant children, Roma children, repatriated children and children belonging to the Muslim minority of Thrace by promoting the integration of vulnerable and minority groups within the Greek educational system. The main focus of the new programme, which sought first and foremost to prevent Roma children from dropping out of preschool and primary education, was on training mediators for Roma education to assume the role of cultural intermediaries and teaching assistants. In February 2011 Greece had joined the Council of Europe's Dosta! awareness-raising campaign which aimed to eliminate prejudices and stereotypes relating to the Roma. In addition, at the end of each school year, low-income Roma families were eligible to receive an annual allowance of 300 euros upon presentation of a certificate attesting to their children's regular school attendance. School heads were required to take all necessary measures to ensure Roma children's successful integration in school and to cooperate with the organizations participating in the project for the education of Roma children.

11. **Ms. Nores de Garcia** asked whether any school heads had been disciplined for refusing to accept Roma children and how many families had received school enrolment incentive allowances.

12. **Ms. Toura** (Greece) said that, to the best of her knowledge, no school heads had been disciplined but a number of cases had been reported to the Ministry of Education. She did not know the exact number of families who had received enrolment incentive allowances but would be able to provide that information to the Committee at a later date.

13. With regard to measures supporting the education of minorities, the Government had embarked on the fourth phase of the project for the education of the Muslim minority in Thrace, consisting of three distinct population groups, each with their own language. In line with the spirit of the Treaty of Lausanne of 1923, the Government was committed to funding and supporting the 174 primary schools and 2 secondary schools serving the Muslim minority in Thrace, at which students received a bilingual education in Greek and Turkish. Pupils from the Muslim minority could also enrol in ordinary State schools where they followed the mainstream curriculum, supplemented in certain schools by optional Turkish language courses. Courses in Greek civilization and language were offered to their parents to foster their integration as well. Muslim pupils enrolled in State schools were not required to attend religious education classes. As most children completed their compulsory education, the number of students enrolled in secondary education — three-quarters of them in State schools — had increased significantly over the past decade. School support programmes had been established to reduce dropout and repeat rates.

14. Since 2006, universities had been required to allocate at least 0.5 per cent of places to students from the Muslim minority in Thrace in order to give them the opportunity to enter higher education and foster their subsequent inclusion in the labour market.

15. **Mr. Giannakopoulos** (Greece) said that Law No. 3860/2010 concerning the improvement of juvenile justice and juvenile crime prevention had eased the punitive measures applied to minors in conflict with the law. As a result, only minors over 15 years of age could be subject to criminal sanctions. The Law took account of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), which provided that juveniles should not be deprived of their liberty unless they had been "adjudicated of a serious act involving violence against another person". Up to the age of 15, juveniles could be placed in therapeutic centres or rehabilitation programmes. Juveniles between 15 and 18 years of age could be sentenced to terms of imprisonment, of up to a maximum of 15 years, but only if they had committed a serious offence and exceptional circumstances applied. The juvenile probation service, whose officers were appointed by the Ministry of Justice, was tasked with monitoring young offenders' progress towards

reintegration under the supervision of the prosecutor in charge of juvenile affairs. Under the jurisdiction of the first instance courts, probation officers carried out social surveys and, where required, took the steps necessary to place minors in foster care.

16. **The Chairperson** said that, as he understood it, the age of full criminal responsibility was 18 years and minors between 15 and 18 years of age had diminished criminal responsibility. He requested details concerning the forms of deprivation of liberty to which minors under the age of 15 could be sentenced, the body that decided such measures and the possibilities of appeal. He also wished to know whether therapeutic and rehabilitative measures were subject to supervision and sought more detailed information about the use of pretrial detention.

17. **Mr. Gastaud**, noting that minors under 15 years of age were not detained in prison facilities but placed in therapeutic centres, asked what treatment they received in those centres and what training was offered to them. He also wished to know under what circumstances children who were placed in such centres and adolescents over 15 years of age who were detained in traditional prisons could have their sentences reduced.

18. **Mr. Karageorgos** (Greece) said that NGOs worked with the public services in detention centres and at borders. They provided medical and psychological assistance to migrants.

19. Government resources for collecting and analysing data about child migrants, especially information about their age and nationality, had been strengthened in recent years with the help of Frontex, the European Agency for the Management of Operational Cooperation at the External Borders. The newly established initial reception centres should be operational by autumn 2012.

20. Law No. 3938/2011 provided for the establishment of a new unit that would be responsible for investigating cases of ill-treatment by law enforcement officers and would be empowered, in certain cases, to reopen cases that had been discontinued.

21. **Ms. Nores de Garcia** asked what the capacity of the initial reception centres scheduled to open in the near future would be and how long migrants would remain in them.

22. **Mr. Karageorgos** (Greece) replied that migrants would remain in the centres no longer than absolutely necessary. At present, migrants who entered Greece illegally were registered and questioned, then returned to their country of origin. Under domestic legislation, migrants could remain in holding centres for a maximum of six months or, in certain cases, one year. In practice, however, they spent no more than two months in the centres.

23. **The Chairperson**, noting that the Committee was very concerned about the situation of unaccompanied child migrants, and especially their living conditions in holding centres, asked how the Greek authorities determined whether or not a young person was a minor. Where doubt existed, it appeared that young people were often treated as adults. He wished to know whether unaccompanied minors were provided with guardianship services or legal assistance, whether there were any holding centres specifically for children and whether children enjoyed the right to be heard. Information about the conditions under which unaccompanied girls were held and the number of unaccompanied minors currently in Greece who were awaiting repatriation or a response to their asylum application would also be appreciated.

24. **Mr. Karageorgos** (Greece) said that in 2011 the authorities had registered 6,422 minors in an irregular situation. Upon their arrival, minors underwent identification procedures before being transferred to detention centres for minors that accommodated girls

as well as boys. Officers received special training in how to determine the age of those children.

25. Minors were informed of their rights in relation to legal assistance and guardianship services and benefited from the protection measures provided by law, whether or not they were seeking asylum. Minors who were not seeking asylum were returned to their country of origin with the help of organizations such as the International Organization for Migration.

26. **Ms. Toura** (Greece) said that mass immigration to Greece had had a direct impact on the demographic composition of primary and secondary school classes. Currently, approximately 11 per cent of all pupils were migrants. The Ministry of National Education had adopted a set of measures to guarantee that those children were able to exercise their right to education. Migrant and repatriate students enjoyed the right to free education on the same basis as Greek students, irrespective of their parents' or guardians' legal status in the country.

27. Law No. 2413/1996, on measures to respond to the needs of children belonging to groups with specific social, cultural and religious characteristics, had provided for the opening of several intercultural education schools. In parallel, primary schools provided reception and support classes for immigrant and repatriate pupils and secondary schools organized support programmes. The teachers responsible for those children received special training and were qualified to teach Greek. In addition, Aristotle University of Thessaloniki had launched an education programme for migrant and repatriate students under the supervision of the Ministry of Education, with the aim of reducing school dropout rates among those children and fostering their social integration.

28. The 2010 law regulating the acquisition of Greek nationality should have the effect of increasing school enrolment rates among migrant children as it gave children of foreign nationals, who had successfully completed six years of education in Greece and were permanently resident in the country, the opportunity of acquiring Greek nationality. The aim of that measure was to combat discrimination between the second-generation children of immigrants and Greek children.

29. **Mr. Cardona Llorens** asked whether the budget allocated to integration programmes had been maintained in 2011 or had been reduced because of the economic crisis.

30. **Ms. Toura** (Greece) replied that the integration programmes were co-funded by the European Union and the Greek Government and were currently in their fourth phase. That phase was due to end in 2013, at which point the programmes would gradually be subsumed into the various initiatives launched in application of the educational priority zones policy.

31. Instruction in human rights was included in several subjects on the primary and secondary school curricula but was not a subject in its own right. The Ministry of Education was working closely with the Institute of Educational Policy to give greater prominence to human rights-related issues in school textbooks and curricula.

32. Since 2008, a leaflet on the Convention on the Rights of the Child had been distributed to pupils in the fifth and sixth years of primary education, at the start of the school year, and had been used by teachers to raise pupils' awareness of human rights and citizenship. Teachers received instruction in human rights as part of their academic and professional training.

33. **The Chairperson** asked for information about any programmes aimed at preventing violence in schools.

34. **Ms. Toura** (Greece) said that a human rights committee had been established within the Institute of Educational Policy to assume responsibility for formulating and proposing specific measures designed to realize human rights in general and the rights of the child in particular, in the educational context. Human rights education and the incorporation of human rights in school curricula was a particular focus of the committee's work.

35. The Government of Greece worked closely with the Council of Europe in the area of human rights and education for democratic citizenship and a number of jointly developed recommendations had been considered by the Institute of Educational Policy in the context of the reform of the national school curricula and the development of ministerial policies.

36. The problem of violence in schools was being tackled by regional scientific and pedagogical guidance units, which worked in conjunction with educational counsellors and other professionals, including psychologists and social workers. In February 2011, the Ministry of Education, in conjunction with the Children's Ombudsman, had published a circular detailing the main methods for reducing violence in schools. The Ministry was also a founding member of the network for combating violence in schools established in 2010 by the Greek Association for the Psychosocial Health of Children and Adolescents. That network included a mobile response unit.

*The meeting was suspended at 4.30 p.m. and resumed at 4.50 p.m.*

37. **Mr. Kofinas** (Greece) said that, although the Government of Greece had adjusted the administrative structure of its social care services to reduce operating costs, the restructuring had not affected the range of services available.

38. To combat unemployment among women, in 2008 the authorities had launched a work-life balance programme predicated principally on the establishment of childcare facilities. The aim was to increase employment rates among women by giving them the means to continue working.

39. Four assistance programmes for unaccompanied children, run by NGOs under the auspices of the Greek authorities, had been operating since 2011. A central aim of those programmes was to provide medical and psychological assistance for minors placed in holding centres.

40. The Government of Greece was aware that making adoptions subject to court approval had lengthened the entire process but it viewed the requirement as a protective measure. Approximately 450 adoptions had been registered in each of the past three years. Child prisoners were the only children denied the possibility of being placed in foster care, although new provisions currently in the drafting stage would change Greek legislation regulating that area. Approximately 850 children had been placed with foster families in each of the past three years.

41. **Mr. Guráň** asked whether the foster family support programme covered all forms of alternative family care. He would appreciate clarification as to the number of children in foster care, as the figures in the Committee's possession differed significantly from those provided by the delegation.

42. **Mr. Pollar** asked whether undocumented child migrants could use hospital facilities without running the risk of arrest and what provision was made for children who were unable to settle any medical bills they might incur.

43. **Ms. Varmah** (Country Rapporteur for the Convention) asked whether the State party was aware of any alleged cases of illegal adoption and, if so, what remedial action it had taken.

44. **Mr. Kofinas** (Greece) said that although he was not aware of any cases of illegal adoption, he could not entirely rule out the possibility that such adoptions took place.

45. **Ms. Toura** (Greece) said that Law No. 3699/2008 on specialized education for children with disabilities and special educational needs established the non-derogable nature of the right to specialized education in domestic legislation, providing that it should be an integral part of free, compulsory State education. The Law also established early intervention measures for children of preschool age, encouraged the use of differential diagnosis and defined the procedures to be used to identify special educational needs.

46. The Ministry of Education had launched a number of initiatives to facilitate the educational inclusion of children with disabilities or special educational needs, including a specific support programme to promote their integration and a plan to develop special educational materials for pupils with disabilities and provide hearing devices and electronic equipment for deaf and hearing-impaired pupils.

47. **Mr. Cardona Llorens** asked whether the State party intended to collect data on children with disabilities who were not in school, given that it did not currently know the exact number, and whether it planned to integrate children with visual or mental disabilities in mainstream classes. He also wished to know whether the State party envisaged providing for the educational mainstreaming of children aged over 15 and those with multiple disabilities. Lastly, he asked whether it was true that, owing to a lack of resources, childcare and preschool education facilities did not cater for children with disabilities, particularly those with a mental disability.

48. **Ms. Lee** asked whether it was true that children with disabilities were kept in cage beds in certain institutions.

49. **Ms. Toura** (Greece) said that in the 2011/12 school year there had been 455 children with disabilities in specialized preschools, 3,496 children with disabilities in specialized primary schools and 18,133 children with special educational needs — the majority of them dyslexic — in support classes in mainstream schools.

50. **Mr. Cardona Llorens** said that the Committee needed to know the total number of children with disabilities in Greece in order to determine how many of them did not have access to education and health services.

51. **Ms. Toura** (Greece) said that the Ministry of Education intended to rectify the lack of data by carrying out a census to collect quantitative and qualitative data on children with disabilities.

52. **Mr. Kofinas** (Greece) said that he had no knowledge of cage beds being used in institutions for children with disabilities. He asked the Committee to share the information in its possession so that the competent authorities could investigate what would appear to be an isolated case.

53. **Ms. Wijemanne** said that it was regrettable that only 10 per cent of babies were exclusively breastfed for the first six months of their lives and that many mothers ceased breastfeeding soon after birth. She attributed the problem to the fact that samples of breast-milk substitutes were distributed in maternity units.

54. She wished to know more about the health services available to adolescents, particularly drug abuse, alcoholism and smoking prevention services and sexual and reproductive health services. Information about the practice whereby children with mental health disabilities were routinely placed in psychiatric hospitals would also be appreciated.

55. **Ms. Lee** asked whether the State party intended to continue approval procedures in respect of two hospitals that were seeking baby friendly accreditation.

*Initial report of Greece on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC/C/OPSC/GRC/1)*

56. **Ms. Nores de Garcia** (Country Rapporteur for the Optional Protocol on the sale of children, child prostitution and child pornography) said that the child protection system remained unsatisfactory, despite the formulation of a national plan of action for migration management in 2010 and the adoption of Law No. 3811/2009 on the award of compensation to victims of organized crime, Law No. 3727/2008 ratifying the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse and Law No. 3625/2007 amending the Criminal Code, the Code of Criminal Procedure and the Civil Code. She wished to know which institution coordinated the work of the different bodies involved in implementing the provisions of the Protocol (i.e. the National Observatory for the Rights of the Child, the Children's Ombudsman and the National Commission for Human Rights), what steps had been taken to systematically disseminate the provisions of the Optional Protocol to all State agents and professionals working with children, including teachers, and whether a unit specializing in issues related to the sale of children, child prostitution and child pornography had been created within the judiciary. She also asked whether, in the context of the current economic crisis, a specific body had been tasked with assessing the effectiveness of the various policies adopted in that area.

57. An explanation as to why half of all Roma and other minority children did not attend school and whether those children were likewise disadvantaged in terms of access to health-care services would be appreciated.

58. It would also be interesting to know whether the State party applied the guidelines developed by the Deputy Ombudsman in conjunction with the Office of the United Nations High Commissioner for Refugees to prevent the unaccompanied minors who arrived in Greece, mostly from Romania and Albania, being placed in administrative detention. She asked what measures had been taken to ensure that the identity of unaccompanied minors was established as quickly as possible, whether the State party took action to ensure that photographs of them and their personal details did not appear in the media and thus that they did not fall into the hands of traffickers, and whether they were supported by a multidisciplinary team providing the protection to which their status as asylum seekers entitled them.

59. Information would be welcomed about any State-run campaigns to combat the violence in the home and school that was largely responsible for the street children phenomenon, as well as details of any assistance programmes available to the approximately 5,000 children who lived and worked in the street.

60. Further details of specific measures taken to combat the sale of children would also be appreciated. It would be particularly interesting to know whether the State party penalized private adoptions — i.e. adoptions that did not conform to the provisions of the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

61. Lastly, she asked what the State party was doing to prevent early marriages.

62. **Mr. Kotrane** asked whether under article 103 of the Criminal Code, which criminalized forced child labour, that practice was treated as equivalent to selling a child and carried equivalent penalties. He also wished to know whether intermediaries who facilitated illegal adoptions were liable to prosecution and imprisonment under the criminal law. Lastly, he asked whether the mere possession of pornographic material was prohibited by law and whether the Optional Protocol was considered a sufficient basis for ordering the



extradition of a person who had committed any of the offences covered by its provisions or whether an extradition treaty must first have been signed.

63. **Mr. Koompraphant** asked whether victims and witnesses of acts covered by the Optional Protocol were protected at all stages of criminal proceedings and whether the State party ensured that they were not treated as criminals. He also wished to know what mechanisms had been established to monitor the living conditions of child victims placed in reception centres so as to ensure that such placement did not adversely affect their personal development and health.

64. **The Chairperson** asked what measures the State party had taken to combat sex tourism and more specifically whether tourism professionals had adopted a code of conduct to protect children against offences under the Optional Protocol, including, in particular, prostitution and sexual and commercial exploitation. He also wished to know whether the State party had endorsed the principle of universal jurisdiction in criminal matters, i.e. whether it considered that it had the authority to prosecute perpetrators of offences under the Optional Protocol when they were committed overseas by Greek nationals or Greek residents or against Greek victims. Lastly, he asked whether, under domestic legislation, legal entities could be found guilty of possessing or disseminating pornographic material, could be liable to the seizure of such material and could be barred from the exercise of their activities.

*Initial report of Greece on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/GRC/1)*

65. **Mr. Madi** (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) noted with satisfaction that the Optional Protocol was an integral part of the domestic legal order and that the State party had ratified the Statute of the International Criminal Court and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime. The State party also complied with the Optional Protocol's provisions on the minimum age of conscription and voluntary enlistment in the armed forces and the minimum age of enrolment in military schools and academies. However, it needed to formalize those good practices and expressly prohibit the recruitment of minors into the armed forces and armed groups.

66. He wished to know how many complaints concerning violations of the Optional Protocol had been submitted to the Ombudsman's Office by unaccompanied minors who had been involved in armed conflict in their country of origin. He asked what specific measures the State party had taken to improve the conditions of foreigners held in the detention centre on the island of Lesbos, amongst whom were numerous minors.

67. The delegation should indicate how many minors originally from countries beset by armed conflict, such as Afghanistan, Iraq, Sierra Leone and Somalia, had been granted Greek residence permits, whether those minors were accompanied, how many of them had applied for asylum and how many of those applications had been granted. The delegation should also provide information about the physical and psychological rehabilitation and social reintegration programmes available to minors originating from conflict areas and the training provided to border guards to enable them to identify children who had been involved in conflict in their country of origin.

68. Lastly, the Committee would like to know whether the State party prohibited the sale of weapons to countries known to enlist minors in armed conflict or where there was a risk of children being involved in hostilities.

69. **The Chairperson** said that the delegation would respond to pending questions at the next meeting.

*The meeting rose at 6.05 p.m.*