



Convention on the
Rights of the Child

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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-ninth session

SUMMARY RECORD OF THE 754th MEETING

Held at the Palais Wilson, Geneva,
on Wednesday, 16 January 2002, at 3 p.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Greece (CRC/C/28/Add.17; CRC/C/Q/GRE/1 (list of issues)) (continued)

1. At the invitation of the Chairperson, the members of the delegation of Greece took places at the Committee table.
2. Mr. KASTANAS (Greece) said that the spiritual leaders of the Muslim minority, the muftis, were empowered to hear disputes between members of that minority concerning family and inheritance. But in accordance with 1991 legislation, the courts could not apply the decisions of the Muftis if they were unconstitutional or contrary to the international treaties which Greece had ratified.
3. Isolated xenophobic incidents occasionally took place, but in general, prejudices and racist ideas had no support in Greek society. No political party had adopted slogans or an ideology hostile to foreigners.
4. Criminal sanctions for perpetrators of racist acts or incitement of racial hatred had been provided for under Act No. 927 of 1975, but victims of such acts had had to lodge a complaint before prosecution could be instituted. Under legislation enacted in 2001, the public prosecutor's office could henceforth automatically start criminal proceedings.
5. Pursuant to the Nationality Code, jus soli was applicable to foreign children born in Greece who could not acquire any other nationality by birth and would thus be stateless. Greece was party to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, and it had also signed the European Convention on Nationality (Council of Europe), which it would probably ratify in 2002.
6. Ms. ANAPLIOTOU-VAZAIYOU (Greece), referring to artificial insemination, said that files in which the name of the sperm donor appeared were confidential and could be consulted only by the competent health and judicial authorities, the latter being solely authorized to reveal the identity of the donor in the higher interest of the child. As in other European countries, the rule of anonymity for the donor usually applied.
7. The CHAIRPERSON, speaking in his capacity as member of the Committee, asked whether a child who had been conceived by artificial insemination had the right to be so informed and for what reasons a judge might allow a child to learn the identity of the donor.
8. Ms. SPINELLI (Greece) said that artificial insemination had not been used in Greece until the mid-1990s and that children conceived in that fashion were thus still very young. Older children conceived in that way had been conceived abroad. Hence, there was not yet any real case law on the subject.

9. Ms. ANAPLIOTOU-VAZAIYOU (Greece) said that the Government was taking measures in close cooperation with representatives of the Roma community to promote the integration of the Roma into Greek society. For example, it paid allowances to parents, who then had to enrol their children in school, where they benefited from school medical services, in particular for vaccinations. The Roma were part and parcel of Greek society and had the same rights as other citizens. The Government was actively working with their representatives to facilitate their access to health care and education.

10. Greece was facing a serious decline in the birth rate; most couples did not want to have more than two children. The country had some 20 family planning centres, and the number of abortions was very high. To stop the falling birth rate, legislation had recently been passed instituting the payment of an allowance to families that had a third child.

11. The Government was currently setting up a network composed of staff of day-care centres and child-minding services as well as social workers to report cases of ill-treatment of children to the competent authorities.

12. Ms. ANTHOPOULOU (Greece) said that teachers underwent training and were provided with the necessary educational materials to educate their pupils in various health issues such as respect for one's own person, for others and for the environment, personal hygiene, the dangers of alcohol and drug consumption, prevention of accidents in the home and on the roads, diet, sex education, including prevention of sexually transmitted diseases and contraception, and tolerance, anti-racism and multiculturalism.

13. Greece had a network of youth counselling centres specializing in areas such as health education and vocational guidance, and of centres to assist disabled children and those experiencing social problems or ill-treatment. There were also about 20 environmental education centres, offering pupils courses lasting between one and four days.

14. With regard to schools, parents were notified of pupils' absences. If teachers had the impression that a child was facing problems in the family, they were required to notify the authorities.

15. A children's parliament met for four days a year in the early summer, and its debates were televised and made available on the Internet. Proposals made by children in the course of that event were sometimes taken up by members of the national parliament.

16. In schools, pupils elected representatives to the school councils that dealt with matters concerning sport, cultural activities, participation in international projects, social issues and school trips. The school committees, comprising representatives of teachers, parents, pupils and the school management, considered all questions that might arise in the context of the day-to-day life of the school. The committees were one of the bodies to which pupils could address complaints about their teachers.

17. Persons were appointed at regional level to coordinate implementation of educational activities targeted on the Roma community, and to assist its members in their dealings with the administration.

18. Ms. KARP asked what was the composition of the children's parliament, how its members were elected, and whether representatives of the Roma and other minorities were included in it.
19. Ms. TIGERSTEDT-TÄHTELÄ asked whether the Roma were represented in State bodies, whether there was a law on national minorities, and whether any measures were taken to promote the rights of those minorities, including children.
20. Ms. ANTHOPOULOU (Greece) said that the Muslims of Thrace were the only officially recognized national minority in Greece and that the Government's policy towards them complied with the provisions of the Treaty of Lausanne. With regard to institutional cooperation, an inter-ministerial committee had been set up under the auspices of the Prime Minister to deal with all questions relating to the Roma.
21. The children's parliament, organized by the national parliament in cooperation with the Greek and Cypriot Ministries of Education and organizations representing the Greek diaspora, comprised 350 members (50 of them representing Cyprus and the diaspora). The representatives were pupils from the highest classes of the second cycle of general and vocational secondary education, and were selected after taking a test. Young Albanians and disabled children had been represented at the 2000 session.
22. Ms. LAMBROPOULOU (Greece) said that measures to combat sexism and racism would be included in the new school curriculum. The Institute of Education had prepared the new handbooks and made recommendations to the ministries concerned. A training programme was under way to make teachers aware of the ways in which women were depicted in textbooks; that programme would run until 2003. Non-sexist educational materials had also been prepared for teachers and pupils in primary and secondary schools. The Government had allocated the necessary funds to continue that initiative, which was supported by the European Community, until 2006.
23. Programmes were implemented to help disabled children and their parents participate more actively in educative activities and to assert their rights. Courses were organized in cooperation with associations of parents of disabled children, to improve children's access to education and enable them to participate more fully in the life of society. In addition, the Department of Special Education of the Institute of Education, established in 2000, cooperated with groups of disabled children and their parents in proposing new laws and preparing school textbooks. Programmes to raise awareness of disabled people's problems were broadcast on television. Furthermore, brochures had been published and measures taken to ensure that all teachers were acquainted with sign language, whether or not they needed to use it in their work.
24. Ms. DIAKOUMAKOU (Greece) said that, in accordance with the Act on the democratization of the trade union movement and the protection of trade union freedoms, minors who had attained 16 years of age and worked legally could join a trade union.

25. The Ministry of Labour carried out employment aid programmes targeted on the most vulnerable groups, providing educational and vocational training activities and social and psychological assistance, and granting employers subsidies to encourage job creation and recruitment. The Government took measures to guarantee equal opportunities in the labour market and to combat exclusion. All those provisions aimed at strengthening social cohesion and solidarity and ensuring that all children could grow up in a balanced family environment.
26. Mr. MYLONAS (Greece) said that the labour legislation contained no provision that was discriminatory on grounds of sex, nationality or religion. The State party scrupulously applied the European Union directives, as well as ILO Convention No. 111 and the national collective labour agreement for the period 2000-2002, which obliged the social partners to respect workers' national and religious characteristics and to ensure that they were employed without discrimination of any kind.
27. Ms. TZOVOLOU (Greece) said that 382 cases of abandonment and mental, psychological or sexual violence had been recorded between 1998 and 2000 (112 in 1998, 118 in 1999 and 152 in 2000). However, the official statistics did not fully reflect the true state of affairs, for most such acts of violence took place within the family and were not reported, partly because children were afraid to speak up about them. Similarly, parents hesitated to complain if their child had been the victim of sexual violence, for fear that the criminal proceedings would result in additional trauma. Generally speaking, when the police arrested the perpetrators of acts of violence against children, they notified the child protection services.
28. The CHAIRPERSON, speaking as a member of the Committee, asked whether the State party had put in place any specific mechanism for reporting cases of ill-treatment and had established awareness-raising programmes for the public and specialized staff, so as to encourage school doctors, for example, to report any cases that came to their attention.
29. Ms. ANAPLIOTOU-VAZAIYOU (Greece) said that the staff of kindergartens and hospitals (paediatric services, in particular) were required to report cases of ill-treatment to the police. However, it was difficult to persuade psychologically disturbed parents who ill-treated their children to contact social workers with a view to undergoing treatment.
30. Ms. KARP said that some countries provided for the possibility not only of reporting cases of ill-treatment to the police, but also of directly contacting the social services, who were in a better position to take the necessary steps and to provide advice. She asked whether any specialists had been trained to monitor the progress of child victims of sexual violence, and invited the State party to follow the recommendations made by the Committee concerning violence against children.
31. Ms. AL-THANI said that it was of paramount importance to assist the children, whether or not the parents who ill-treated them were psychologically disturbed. With regard to the mechanisms for reporting and assisting the victims, it was essential to strengthen the role of the social services so as to enable children and their parents to report all cases of ill-treatment.

32. She was concerned to learn that the diagnostic and support centres for disabled children could also take in children who were victims of violence: such an environment might further undermine their confidence and self-esteem.

33. Ms. ANAPLIOTOU-VAZAIYOU (Greece) said that social workers were the first people to whom children and their parents turned, even before approaching the police and the courts. The social services were also able to request the examining magistrate to order children to be kept in hospital if abusive parents wished to take them home, so as to avoid the case going to the courts.

34. Ms. SPINELLI (Greece) said that since 1950 the Criminal Code had included an article concerning the ill-treatment and neglect of children. The Public Prosecutor's Office was obliged to take proceedings in the event of a violation of that article.

35. With regard to sexual offences, the Criminal Code covered virtually all areas. Prostitution applied only to girls; but prostitution of boys, although the legislation did not provide for the prosecution of the prostitutes, was punishable under several provisions whereby procurers, persons abusing minors and parents who incited their children to prostitution, for example, were liable to prosecution. The Ministries of Justice and Public Order had prepared a draft law which reproduced the provisions of the Optional Protocol on the sale of children, child prostitution and child pornography.

36. With regard to the high number of traffic offences, the culprits were very often minors who drove motorcycles or cars without a licence. The solution might be to reduce the minimum age for obtaining a driving licence to 16, or to deal with such acts as minor offences without bringing the offenders before a juvenile court.

37. All citizens had the right to a name. With regard to the choice of name, as a result of the process of acculturation, there was a tendency especially among Greeks living abroad, for example in the United States, to use those first names or patronymics that were easiest to pronounce or write. The State party should in any case take more initiatives to make its citizens aware of the importance of preserving their cultural identity.

38. With regard to corporal punishment and alternative disciplinary measures, there were a number of "schools for parents", which worked to make the public aware of that problem.

39. In the event of the parents divorcing, the views of the child were always taken into consideration when deciding on custody. Parental responsibility comprised three elements: custody of the child, including the taking of decisions concerning the place of schooling and medical care; representation of the child before the courts; and administration of his or her property. When a child was placed in an institution, the director of the establishment took any urgent decisions necessary (for instance, concerning hospitalization), but did not replace the parents in other situations. Parents could not be deprived of custody of a child, except following a court decision.

40. Persons wishing to adopt a child must first apply to a social body (public or private and, in the latter case, supervised by the Ministry of Health), attend a series of interviews and await the decision of a court taken following a six-month probationary period. Any form of adoption not complying with that procedure, including private arrangements between families, was unlawful.

41. Lastly, some provisions of the Convention (for instance, articles 3 and 15) were directly applied in domestic law, but it had to be said that others were not fully implemented. The Convention had not been translated into all the minority languages spoken in Greece.

42. Mr. KASTANAS (Greece) said that the Office of the Ombudsman, which had begun operating in 1998, had received 25,000 complaints to date. The procedures followed by the Ombudsman were simple and effective and thus entirely suited to children's needs. Cooperation between the Ombudsman and the administration was good, and a large number of complaints had been settled in accordance with the Ombudsman's recommendations.

43. Ms. LAMBROPOULOU (Greece) said that disabled children were referred to specialized services on the basis of screening tests conducted at the start of schooling.

44. Ms. KARP said she strongly favoured the idea of lowering the minimum legal age for obtaining a driving licence, as the large number of children driving without licences reflected a real need among young people. Such a measure would also have the effect of relieving the courts of the burden of dealing with the many cases of that type.

45. With regard to the new legislation on sexual violence, it was to be hoped that the definitions to be given of crimes such as rape would take full account of the psychological state of the victims.

46. She wished to know whether any support services were available to girls who had to undergo an abortion, and whether proper safety and hygiene procedures were followed when abortions were performed.

47. With regard to education, it was important that children not belonging to the majority ethnic group in Greece should be able to attend courses in their mother tongue so as to acquire a solid linguistic and cultural identity. How many teachers of mother tongues other than Greek were there in Greece? Could children choose between several disciplines or streams, and did they participate in the preparation of school curricula?

48. Greece was to be congratulated on having acquired a nationwide system of juvenile courts which resorted extensively to non-custodial measures. However, it was regrettable that minors were not authorized to appeal against sentences of less than one year's imprisonment. It also seemed that, contrary to what was stated in paragraph 103 of the report, minors were imprisoned for acts punishable by a sentence of less than 10 years' imprisonment. Lastly, it was regrettable that child beggars over 12 years of age were referred to the courts, since it was the whole phenomenon of begging that needed to be addressed. It was also regrettable that street children who had entered Greece illegally were expelled, in flagrant disregard of their best interests.

49. Ms. CHUTIKUL asked what links existed between the Office of the Ombudsman and the National Committee on Human Rights. She also wished to know whether the three draft laws on the protection of persons under 18 years of age against pornography, prostitution, sale and trafficking contained any provisions concerning the repatriation of child victims of trafficking and whether they provided for judicial procedures to compensate victims. Were social services such as housing aid, medical care and psychological support available to victims, and had any measures been taken to ensure that child witnesses were protected? Could NGOs participate in those processes?

50. Lastly, she asked whether it was true that more than 10 per cent of children in Greece did not attend school, and whether there were any educational arrangements to cater for street children.

51. Ms. AL-THANI asked whether the delegation could provide the Committee with statistics on immunization campaigns. On the problem of thalassaemia, it would be better to make premarital medical examinations compulsory than to carry out antenatal tests on pregnant women which might require interruption of the pregnancy in the event of the disease being detected. She asked how access by Roma children to health care, and particularly to immunization programmes, was guaranteed, whether it was necessary to join a sickness insurance scheme in order to receive free primary health care, and under what conditions secondary and tertiary health care were provided.

52. Mr. AL-SHEDDI noted from his reading of the report that children of the various minorities did not enjoy the right to education on an equal footing with Greek children. In that connection, he wished to know why Greece had not ratified the Convention against Discrimination in Education, and by how much the Government was planning to increase the education budget. The information available to the Committee concerning attendance at pre-school facilities in Greece was contradictory: according to the initial report, the majority of children attended kindergartens; whereas, according to the World Education Report, the pre-school attendance rate was barely more than 50 per cent. Furthermore, as the staff employed in those facilities appeared to be entirely female, he wondered whether men were excluded from that occupational category. Lastly, he wished to know whether the authorities intended to improve the rate of access to secondary education, which was only 50 per cent.

53. Ms. EL-GUINDI welcomed the fact that centres had been established for disabled children, but asked for more details about how such children's full integration in society was ensured. She also asked what measures were taken to ensure the social integration of street children.

54. Ms. OUEDRAOGO asked what measures the Government intended to take to halt the decline in breastfeeding in the State party.

55. She asked whether the aid provided by Greece to developing countries in the framework of the Development Assistance Committee generally benefited the children of those countries. Would Greece be in a position to extend the five-year programme when it came to an end?

56. According to paragraph 274 of the report, the application of any traditional practice involving damage to the child's health was prohibited in Greece. What was the situation in practice? Was there any provision for sanctions in law? Had any cases of that type already come before the courts? If so, could the delegation provide additional information?

57. The CHAIRPERSON, speaking as a member of the Committee, asked whether Greece intended to rectify the shortage of probation officers. Was it true that, theoretically speaking, minors could face a maximum sentence of 20 years' imprisonment?

58. Ms. KARP asked whether the Act improving and modernizing health services, to which reference had been made, had been promulgated, or whether it was still at the draft stage.

59. What was the percentage of pupils from minority groups in secondary education? How many of them continued their studies until the end of the secondary cycle? Lastly, what had been the Government's reaction to the recommendation by the Ombudsman concerning the difficulties experienced by minors in gaining access to the various services?

60. Ms. LAMBROPOULOU (Greece) emphasized that the policy relating to minorities in Thrace was one of integration, not of assimilation. Greece had adopted a series of measures designed to integrate minority groups in the social, economic and cultural life of the country while preserving their cultural identity and their languages. Among other things, the Ministry of Education had sought to ensure that educational materials were published in minority languages, that certain subjects, such as geography, were also taught in those languages, and that remedial lessons were offered to such pupils if they were experiencing difficulties. There were 26 schools in Greece in which teaching was provided in two or more languages. However, there were no data on the number of bilingual teachers currently employed by the Ministry of Education, since needs varied, depending on the level of linguistic competence of young immigrants and the extent to which they could be integrated in the traditional courses.

61. According to Eurostat estimates, the drop-out rate in secondary education was between 10 and 12 per cent. Action taken in favour of the Muslim minorities in Thrace appeared to have yielded excellent results, as the number of Muslims attending secondary schools was said to have increased by 70 per cent between 1997 and 2000.

62. Greece had taken a number of measures to prevent dropping-out, including the adoption of new educational methods and materials, the introduction of remedial lessons for pupils in secondary education, early and systematic detection of pupils with academic difficulties, monitoring of attendance, and the introduction of educational guidance and support services. Compulsory education extended over nine academic years (six years of primary and three years of secondary education). Expenditure on education was constantly increasing.

63. Ms. ANTHOPOULOU (Greece) said that a number of measures had been taken to involve disabled children in the taking of decisions concerning them in special schools. The active role played by parents' organizations in that regard was also to be commended. Lastly, she welcomed the establishment of schools and vocational training centres for those pupils, on the initiative of the Ministries of Education and Labour.

64. While it was true that, as in many countries, pre-school education was mainly provided by women, the number of male primary schoolteachers was relatively high.

65. With a view to decentralizing an education system that had previously been administered entirely from Athens, the Ministry of Education had launched a pilot project to introduce greater flexibility in the choice of curricula and subjects for study. As a result, teachers and pupils enjoyed a wider choice, even at primary level. Thus far, the experiment had yielded good results.

66. Ms. ANAPLIOTOU-VAZAIYOU (Greece) said that the situation of street children, of whom there had been large numbers only a few years previously, had improved significantly, thanks to joint efforts by the municipalities, NGOs and the Ministry of Education. Social centres were open to them during the day, and provided them with clothing, pocket money and food. The persons in charge of the centres also ensured that the children went to school, and offered them remedial classes in various subjects.

67. So as to promote the integration of disabled people in the social life of the country, a law provided for a number of posts to be reserved for them in the civil service.

68. While it was desirable to ensure early detection of cases of thalassaemia, in no case were persons suffering from that disease obliged to undergo an abortion.

69. Immunization coverage in Greece was excellent, as immunization campaigns systematically targeted all pupils in primary education. Primary health care centres were accessible to all free of charge. The Roma, who were often not enrolled in school, had access to the health care system through their network of delegates.

70. Mr. KASTANAS (Greece) said that the Muslim minority in Thrace was made up of three ethnic groups: Turks (50 per cent), Pomaks (35 per cent) and Roma (15 per cent), and that, in accordance with the provisions of the 1923 Treaty of Lausanne, each group had the right to uphold its origin, to speak its language and to practise its religion.

71. The National Committee on Human Rights was made up of representatives of NGOs, political parties, lawyers and university teachers. It differed from the institution of the Ombudsman chiefly in that it was not empowered to receive complaints. It was nonetheless very active in the field of protection of human rights, and ensured that Greece respected its international commitments.

72. Ms. SPINELLI (Greece) said that while the Criminal Code provided for the possibility of imposing a sentence of up to 20 years' imprisonment on a minor, the usual length of the sentences was between 6 and 12 months. The Ministry of Justice had appointed a number of probation officers, who would take up their posts in March 2002. As for the decriminalization of begging, a good start could be said to have been made with the decriminalization of vagrancy.

73. While in some cases it might be deemed desirable for a child who had been the victim of trafficking for purposes of sexual exploitation to be reunited with the parents, in other cases it might conflict with his or her best interests, as the parents might once again sell the child to prostitution networks.

74. Ms. KARP welcomed the constructive dialogue that had taken place with the Greek delegation. If she had any criticism to make, it would be that the report perhaps focused unduly on health and education questions and not enough on the rights of the child in general. More emphasis should be placed on human dignity, which began with respect for children and was based on tolerance, understanding of others and acceptance of the right of others to be different.

The meeting rose at 6.10 p.m.