

## **Violence Against Children in GREECE**

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### **Relevant extracts from an NGO alternative report presented to the UN Committee on the Rights of the Child**

**CRC Session 29, 14 January - 1 February 2002**

Amnesty International - Greek Section – English

[www.crin.org/docs/resources/treaties/crc.29/greece\\_ngo\\_report.doc](http://www.crin.org/docs/resources/treaties/crc.29/greece_ngo_report.doc)

[...]

The results of the study<sup>1</sup> show that 65.5% of parents use physical punishment, while younger children (first graders) are 3 times more in danger to be punished compared to older children (sixth graders). Moreover, children with siblings are physically punished twice as often compared to only children. In 6% of the cases, spanking led to physical injury, while 1.8% were injured severely enough to need medical treatment or hospitalization. It should be noted that 90% of the parents believe that physical punishment is negatively affecting parent-child relations and also has severe effects on the child.

[...]

On page 85 of the National Report (section a), it should be added that official statistics do not record deaths of children from non-accidental injuries (abuse-neglect), except in the case of a child's murder. It has been estimated that a considerable number of deaths of children under 1 year described as "from various diseases" are due to some severe form(s) of maltreatment.<sup>2</sup>

[...]

There are significant delays in the reunification process of unaccompanied, refugee, asylum-seeker children with their parents, due to bureaucracy.

[...]

Illicit transfer of minors could involve trafficking of minors, sexual and/or labour exploitation. Efforts are being made regarding the implementation of the ratified Hague Convention (1980) concerning civil law issues on child abduction, but there are still a lot of difficulties in practice.

[...]

Children, who are both handicapped and rejected by their families, are in the worst situation, mainly because they are under the complete responsibility of the state –as the "parent"- without natural parents to advocate for their rights. There is a great need for de-institutionalisation of the children that have been abandoned by their families.

[...]

Children with special needs have no possibility to attend secondary schools because there are only primary special schools.

[...]

It should be noted that 19.5% of Greeks live under the minimum poverty standard.<sup>3</sup>

[...]

Despite the available international and national legislation<sup>4</sup>, as regards the substantive and procedural guarantees regulating one's detention, aliens including minors who apply for asylum, after their arrest

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<sup>1</sup> Conducted by the Institute of Child Health in 1997.

<sup>2</sup> Data taken from Institute of Child Health studies (1992-1995).

<sup>3</sup> Research data published in the attachment of "TA NEA" newspaper (TACHYDROMOS), 12/5/01.

<sup>4</sup> Article 27 paragraph 6 of Law 1975/1991 provides that the Minister of Public Order (as revised by a recent ministerial decision, the Secretary General) may in the public interest and if the person to be expelled is dangerous or risks absconding, order his detention until his deportation from Greece becomes feasible. According to the ministerial decision no. 4803/13/7A/18.6.92, although the submission of an asylum application postpones the ordered administrative decision of deportation, it does not postpone the detention of asylum seekers. It has to be noted that there is no special provisions for minors in this case.

for illegal entry or residence in Greece, remain detained until the final examination of their asylum application. Their detention takes place in detention centres for indefinite periods of time, without being subjected to any judicial review. These detention centres are designed and equipped for a short period of detention and their conditions as described by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment are inappropriate for long periods of detention, lacking basic facilities and infrastructure.

In many detention centres, particularly at border areas, where there are massive group arrivals, there is no special department designated for minors. In the Greater Athens area, apart from the detention place designated for minors at the Alexandras General Directorate, minors are also detained in Amygdaleza Detention Centre, when they are accompanied by their mothers. It has to be noted though, that both detention places are not appropriately designed and equipped to accommodate minors.

In the recent case of *Dogouz v. Greece* the European Court for Human Rights concluded that "... the serious overcrowding and absence of sleeping facilities, combined with the inordinate length of period during which he was detained in such conditions, amounted to degrading treatment contrary to Article 3 [of the European Convention on Human Rights]...". The aforementioned conclusion applies the foremost to minors, who happen to be in a much more vulnerable position.

[...]

Child labour does exist in Greece. But it is very hard even to estimate how many child labourers exist, since in Greece -as in the rest of Europe- child labour is not open to the "public eye". Poverty is obviously at the core of the child labour problem in Greece, as in so many other countries. Usually the families of these children are too poor to afford not to send their children out to work.

The Ministry of Labour and Social Affairs (Press Release of 08.02.2001) estimates that in Greece there are some 80,000 adolescents aged 14 to 19 who are 'helping their family' and work -which is permitted by the law under certain circumstances- but the number of the youngsters, who face harsh conditions or are forced to work without pay, is considered to be much higher (because these figures do not include child labourers without employment contract or permission, those working in family businesses or private households and the children of economic migrants, Muslims and gypsies). The most common sectors where children are employed are agriculture (63,4%), fishing, wholesale and retail trade, street trade, repair of motor vehicles, manufacturing (garment industry mostly), construction, sports, hotels and restaurants. Since many children help out in family businesses and farms and with family animals, a labour force activity rate for children is relatively high in poorer rural areas.

The Ministry of Labour and Social Affairs also believes there are some 5,000 children under 14 who are made to work in Greece, but we think this is an underestimation. A recent study<sup>5</sup> found there are an estimated 5,800 street children between the age of 2 and 15 in Greece, well known as the 'traffic lights kids'. These youngsters -dressed in shabby clothing- clean car windows or sell tissues and flowers for spare change at busy intersections, restaurants, coffee-shops and public spaces. The vast majority of these children are Greek gypsies, Albanians, Greeks and Greek Muslims.

[...]

It should be noted that sexual abuse is still a social taboo, with the majority of cases in hiding. The systematic recording of cases brought to social/legal services, would only reveal a portion of the extent of the "best kept secret" in today's society.

Therapy to offenders, especially to juvenile ones, is not provided as an alternative to the penal sentence. The traditional way of dealing with disclosed cases is to remove the child from the family and place it into care, with doubtful long-term planning.

[...]

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<sup>5</sup> Commissioned by the Greek Committee of UNICEF in November 2000.

There is serious evidence and police data on the trafficking, sale and abduction of children from neighbouring countries, especially Albania, for purposes of exploitation of all types, including sexual exploitation.

Trafficking in women and girls for prostitution in Greece has increased sharply in recent years. A survey, carried out from September 1995 to March 1997 in Athens<sup>6</sup>, revealed the presence of around 3,000 children and young persons involved in prostitution and the forced provision of sexual services.

[...]

The alleged recorded cases of torture and ill-treatment by law enforcement officials are not that rare to be considered as “accidental”. The dark figure of this phenomenon does not allow for valid statistical data. The core principle is that, even a single substantiated complaint suffices to generate mobilisation, in order for the problem to be dealt accordingly. The last incident that shocked the whole Greece was the severe beating of a 16 year-old migrant which resulted in the rupture of his spleen. Such practices lead to the annulment of the relevant safeguards.

[...]

The poor quality of provisions for young delinquents often leads to violations of their basic rights. The number of NGOs for the social support and rehabilitation of young delinquents is increasing, exerting pressure for improvements in collaboration with the competent national Ministries.

[...]

According to the above mentioned research, from 287 juvenile detainees at Avlona Juvenile Detention Centre, 120 were awaiting trial (percentage 42%). A significant number of them (29) were awaiting trial for theft. However, according to the provisions of the Greek Criminal Procedure Code, juveniles offenders cannot be detained awaiting trial, unless they are accused of having committed crimes punishable with at least ten years imprisonment. There are therefore cases of unlawful juvenile detention which the Greek Government should stop and should provide appropriate reparation.

[...]

Greece does not suffer from a lack of legislation protecting the rights of the child. What Greece does suffer from is a lack of implementation and enforcement of these laws. This is evident in the area of education, where compulsory education laws exist but are not enforced, in the area of the juvenile justice system, where safeguards to protect minors during arrest are not followed, and in child labor, where 5,800 children between the ages of 2 and 15 work on the streets every day, despite laws prohibiting child labor.

[...]

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<sup>6</sup> The research was conducted by the Marangopoulos Foundation of Human Rights.