



ΠΑΙΔΙΚΑ ΧΩΡΙΑ
SOS
ΕΛΛΑΔΟΣ

**Universal Periodic Review on Greece
39th session, October-November 2021**

Submission by SOS Children's Villages Greece

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I. INTRODUCTION

1. SOS Children's Villages Greece presents this submission concerning the rights of the child in Greece, for consideration by the UPR Working Group at its 39th session (October-November 2021).
2. SOS Children's Villages Greece is a leading actor in child protection nationally, with critical scientific know-how and extensive field expertise in alternative care, foster care, family strengthening, emergency programs, supported independent living, capacity building and educational programs for professionals. SOS CV Greece is working towards systemic change to child protection in Greece, supporting the State and public childcare and other institutions through a national Foster Care Program. Through its advocacy efforts, SOS CV Greece works in close partnership with bodies, the government and institutions and pushes for legislative change, builds social awareness, and engages in partnership with other leading childcare actors for the promotion of child rights in Greece. With vast experience in 136 countries and over 70 years of experience, SOS CV International is a leading child protection actor internationally, with particular emphasis in the rights of children without, or at risk of losing, parental care.
3. In a historic move on the 18th of December 2019, the United Nations General Assembly adopted a resolution (A/RES/74/133) specifically focussed on reinforcing the implementation of CRC and the Guidelines and the rights of children without, or at risk of losing, parental care.¹ The United Nations Guidelines for the Alternative Care of Children² (A/RES/64/142 - 2009) state that « every child and young person should live in a supportive, protective and caring environment that promotes his/her full potential. Children with inadequate or no parental care are at special risk of being denied such a nurturing environment ».
4. Family strengthening programs are proven to be critical in the prevention of family separation. In Europe, over 92% of cases of children without parental care are caused by abuse and neglect or social reasons – in all of those cases, appropriate multidisciplinary social care structures can and should play a critical role³. A vulnerable family is proven to run heightened risks of family separation and abuse. With over 1,747 children in over 82 state, private and church institutions⁴, an absence of a quality care framework or a national policy or community services for family strengthening, a Greek Church and a social network which, unaware of the negative effects of institutionalization, support institutional care for decades, Greece is in urgent need of further reform in childcare. Change is needed on an institutional and a social level, so that the protection of the most vulnerable children – those without, or at risk of losing, parental care - becomes a priority for institutions, policymakers, and society at large to ensure that vulnerable families can stay united.
5. The judicial review of child victims of abuse in Greece is a cause of great concern. Despite an existing legal framework for the creation of Child Advocacy Centers since 2017, these have not been rendered operational to date. Child victims of abuse are still interrogated in police stations by inexperienced and unqualified police officers, without the use of protocols or special training and are called to testify multiple times. These conditions lead to their

¹ 2019 Resolution on the Rights of the Child, adopted by the United Nations General Assembly on 18 December 2019

² <https://digitallibrary.un.org/record/673583/?ln=en>

³ Browne, *The Risk of Harm to Children in Institutional Care*, 2009.

⁴ [Interview of the Greek Deputy Minister of Social Solidarity](#)

further and significant psychological distress, as well as to the lack of credibility of the forensic interview itself, which is often the only testimony and evidence of the abuse. The severe delays in operating Child Advocacy Centers and the lack of child-friendly judicial review procedures have been recently raised as a matter of concern by the UN Committee on the Rights of the Child, which asked Greece to «Specify what progress has been made to integrate into domestic law European Union directive 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings, to implement electronic home monitoring and to establish “children’s houses”, to address child sexual abuse and child justice through a single multi-agency facility, and “juvenile care units” »⁵.

6. This report is based on the evaluation of the commitments made by the Government of Greece to implement recommendations accepted during its previous UPR, as well as on the evaluation of further needs to be addressed under the UPR for the protection of vulnerable children in Greece, including children without or at risk of losing parental care, and child abuse victims. The data and information obtained for this submission comes from various sources, including first-hand information from our field work in childcare and from our extensive advocacy work. Beyond its own programs nationwide, SOS CV Greece works closely with the Greek public sector in capacity building programs since 2017, supporting public sector institutions nationwide, using our expertise and experience to promote foster care in 11 public sector childcare institutions and across 6 prefectures in Greece. SOS CV Greece is one of the main counterparties to the Greek Government, UNICEF, the Ombudsman and leading civil society actors involved in childcare and in defending the rights of children.
7. The report addresses the following issues of concern: (1) The protection of children without, or at risk of losing, parental care, (2) Child-friendly justice system for child victims of abuse.

II. PROTECTION OF CHILDREN WITHOUT, OR AT RISK OF LOSING, PARENTAL CARE

A. Second-cycle UPR Recommendations

8. During its previous review by the UPR Working Group, Greece pledged to work towards de-institutionalisation by adopting a national action plan which includes the end of institutional care and a move towards alternative and family-based care models of care, in line with the Guidelines for the Alternative Care of Children.

B. Legal and Institutional Framework

9. A very important legal framework for children in institutions was put in place in 2018 (Foster Care Law 4538/2018), which covers several important axes: (1) the mapping of institutions, children and prospective foster and adoptive parents, and their inclusion in a National Registry; (2) the promotion of family rehabilitation for all children by pushing institutions to declare them as ready for rehabilitation. Institutions must explain in detail why a child is not ready for family rehabilitation and will be checked on their decision; (3) the National Registry automatically matches children with prospective adoptive and foster parents; (4) prospective foster and adoptive parents follow mandatory training sessions (5) professionals (social workers) in public institutions responsible for family rehabilitation - childcare institutions and prefectures - are also trained; (6) the availability of foster care subsidies (300-1000 EUR monthly) for children with severe disability or mental health issues.

⁵ CRC/C/GRC/Q 4-6, List of issues in relation to the combined fourth to sixth periodic reports of Greece, p.3, para.12, accessible at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=1351

10. The implementation of the law began in the third quarter of 2020, with training sessions for parents and professionals and with the inauguration of the National Registry. According to unofficial data sources 795 (out of 1,590 – 50%) children registered by institutions for family reunification. Several areas for improvement in implementation of the law are mentioned in the following section.
11. On the legislative front, there is no legal provision for the operational requirements for childcare institutions, including provision for quality care standards and the level of qualified staffing. Additionally, there is no legal provision for the implementation and development of Family Strengthening Programs in the community – a critical aspect of de-institutionalization. Furthermore, the existing legal framework still lacks the provision of professional foster care, emergency foster care and respite foster care.

C. Existing Needs for the Protection of Rights of Children without, or at the risk of losing, Parental Care

12. Given these developments and based on its field experience and practice, SOS CV Greece highlights several areas for improvement for the protection of children without, or at risk of losing, parental care.
13. **Foster care** placements are still less prevalent than expected. The Registry still needs improvement in foster parent – child matchings, particularly with regards to geographical locations and the placement of siblings. Foster care parent applications are very low, and subsidized professional foster parenting is only provided, so far, for cases of mental health concerns and severe disability. The existing foster parent evaluation process, matching of parents with children, as well as the monitoring mechanism pose opportunities for improvement as implementation progresses.
14. **Understaffing** of qualified professionals: Through its close collaboration with public and church childcare institutions since 2017, SOS CV Greece knows well that institutions are heavily understaffed, with over 80% ⁶of staff working in administration or assigned to other supportive duties. A 2014 survey⁷ reports a lack of qualified staff in 75% of all institutions, and a 2021 survey conducted by SOS CV Greece and the National Center for research, which is not yet completed, points to very similar data in this regard. Moreover, leaders and professionals in childcare institutions are largely unsupported, uninformed, untrained, burned out and fearful of change in operations or care models.
15. Lack of **Family Strengthening Programs** in the community: The importance of biological families and the primary emphasis on family reunification is misunderstood and underpracticed as family strengthening programs are not implemented in the community. In their recent report⁸, the Ombudsman reports severe lack of capacity to effectively support families in distress in over 20 municipalities, including the municipality of Athens. SOS CV Greece is one of the very few actors with an extensive and active Family Strengthening Programs in 10 locations across Greece.

⁶ SOS Children's Villages field data, 2017-2020

⁷ [Roots Research Center NGO, "Mapping institutional care for children and children with disabilities in Greece during 2014", 2014](#)

⁸ [Greek Ombudsman, "From institutions to community-based Care: Alternative Care for the protection of vulnerable children and Community Support", Athens, August 2020, pages 12-22](#)

16. **After Care:** The development of Small Group Homes has a long way to go. After care structures for young adults with or without disability are significantly underdeveloped.

D. Recommendations

17. SOS CV Greece strongly recommends the Greek Government to:

- Create and uphold a national **legal and institutional framework for quality care** in all care settings, which guarantees the protection of the rights of children and effectively promotes family placements for all children. More specifically to ensure that adequate quality standards are upheld - including the number of qualified staff, the existence of an operational framework based on pedagogical standards, volunteer management, building capacity standards, as well as the promotion of family placements for all children. We suggest the alignment of law, policy and practice with the Guidelines and the UNGA Resolution and quality standards as a prerequisite for certification.
- Create and enhance **Family Strengthening** prevention programs, which are proven to be critical in the prevention of family separation.
- Amend the **Foster Care Law** with important improvements such as expanding public-private initiatives and collaborations with experienced and qualified organizations; adopting a multidisciplinary approach in the social research process for prospective parents and the support and training of foster care parents; and expanding professional foster care for all children.
- Create semi-autonomous **Leaving Care** programs for children on their way to adulthood and independence; Establish a care network to support young persons reaching adulthood and setup individual personalized support plans for life after 18.

III. CHILD-FRIENDLY JUSTICE SYSTEM AND PROTECTION FOR CHILD VICTIMS OF ABUSE

A. Institutional and Legal Framework

18. Contrary to most issues related to childcare and the protection of child rights, the legal framework in the case of forensic interview procedures for minor victims of abuse is well established and complete. Law 4478/2017 predicts the creation of five Child Advocacy Centers in five major cities in Greece. The subsequent law 4640/2019 predicts their autonomy, while the Ministerial Action 7320/2019 specifies all operational and staffing issues and protocols based on international best practice and further to the training of the leading team at the US National Advocacy Center. The framework sets the specifics for all stages of the forensic interview process as well as the exact contribution of the public prosecutors, district attorneys and other judicial authorities.

B. Existing Needs of Child Victims of Abuse

19. The legal framework created four years ago is yet to be implemented, despite pressure from the Ombudsman⁹ who called for their immediate operation and praised the institutional framework and protocols, which are based on best practice. More recently, in March 2020, SOS CV Greece, together with two leading child rights CSOs, addressed the issue to the

⁹ [Greek Ombudsman, "Delays in the implementation of Child Advocacy Centers", September 2020](#)

government and the media, calling for the immediate operation of the centers. It is important to note that locations for the Centers have been selected, buildings have been rented and professionals have been hired and trained at the US Child Advocacy Center; nevertheless, all of the above remain obsolete to date.

20. Specifically, the handling of child abuse victims remains anachronistic, as children are called to testify and describe the acts of abuse against them on multiple occasions, on many stages of the forensic process, in inappropriate settings (police stations) and conditions, to professionals who have not been selected or trained for this purpose. Additionally, sensitive information regarding the victim and the case are often leaked to the media, without care for proper safeguarding principles that need to be upheld. SOS CV Greece, having cared for many such cases of child victims in its programs, underlines that the procedure is extremely harmful to the children. At the same time, grave concerns have been raised with regards to the validity of the testimonies and their use in the judicial process. Unfortunately, data related to child abuse is not recorded and is thus not publicly available.

C. Recommendations

21. SOS CV Greece urges the Greek Government to:

- Effectively implement the legal framework concerning the judicial review process and protocols for child victims of abuse as stated in Law 4478/2017, 4640/2019 and the Ministerial Action 7320/2019.
- Take immediate steps to inaugurate the five Advocacy centers, equip them with professionals trained for this purpose, and make them operational without further delay.