



Drawing made by a child supported by METAdrasi's safety net for unaccompanied children

UNCERTAIN FUTURES

A briefing note on the situation for unaccompanied and separated refugee children in Greece

Greece has served as the entry point to Europe for more than one million people since 2015.¹ A persistent characteristic of this crisis has been the significant number of unaccompanied and separated children (UASC)² arriving to Greece and travelling alone along the Western Balkan route. Today, 2,250 of these UASC³ are stranded in Greece, with limited access to safe shelters, services and support, facing significant risks and with uncertain futures.

The International Rescue Committee and METAdrasi have been on the ground responding to the needs of these children throughout the crisis and believe actors at all levels have a role to play in improving the response for these children.



INTRODUCTION

This briefing aims to bring attention to ongoing issues of concern and provide concrete recommendations for improving the response for this highly vulnerable group.

Despite progress made by the Greek Government and international and national nongovernmental organisations (NGO) to meet the unique needs of UASC, stakeholders at all levels must do much more to improve conditions and prospects for the children trapped in this protracted crisis. This is especially pertinent given the upcoming transition of UASC shelter and response management from NGOs which have been supported by the Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO) and the United Kingdom's Department for International Development, to the Greek Government which will be supported by the Directorate-General for Migration and Home Affairs (DG HOME).

Namely, to protect these children's rights and improve the response for them, all relevant stakeholders must:

- Address critical gaps in safe, age- and gender-appropriate care arrangements and services for UASC by defining regulations for key services and methods of delivery, aligned with existing core guiding principles;
- Establish a sustainable system to ensure that upon arrival every child is assigned a trained, vetted guardian;
- Cover existing gaps and reduce delays in the identification and processing of durable solutions by establishing standardised Best Interest Assessment (BIA) procedures, among other measures;
- Establish and promote alternative care arrangements, services and support for older UASC and those aging out of care; and
- Ensure plans and manage the existing resources for a seamless transition from NGO to government management of the response for these children in August 2017.

Situation at a Glance

Across Europe,

- More than **150,000 UASC** applied for international protection in 2015 and 2016 (Eurostat)
- **68% were Syrian, Iraqi or Afghan** (Eurostat)

In Greece,

- **7,217 UASC (93% boys, 7% girls)** were identified between 1 January 2016 and 20 June 2017 (E.K.K.A.)
- As of 20 June 2017, **2,250 UASC remain in Greece** in need of safe shelter and there are **just 1,270 safe shelter spaces available** (E.K.K.A.)

CURRENT OPERATIONAL CONTEXT

While people arriving in 2015 and early 2016 spent just a matter of days transiting through Greece, the border closures along the Western Balkan route and introduction of the EU–Turkey Statement in March 2016 largely ground onward movement to a halt. In early March 2016, the Greek Government and NGOs were tasked with adapting the response to a stationary population likely to remain in Greece for months or even years. This shift in context required the Government to quickly establish camps to safely accommodate people and systems to deliver basic services to meet the needs of now-stranded men, women and children, including a growing number of UASC. Even before this change in context, according to E.K.K.A., there was already a shortage of safe shelter places for UASC: only 347 spaces and a waiting list of 119 children as of 8 March 2016.⁴

Over the last 15 months, the Government, with support from national and international NGOs, has made significant strides in improving what were initially dangerously substandard living conditions in camps on mainland Greece and in some facilities on the islands. In recent months, there has also been a shift toward moving people out of camps into longer-term, more appropriate accommodation like hotels and apartments, which is a welcome development. Thanks to donors' and NGOs' active engagement, the number of safe shelter spaces and associated services available to UASC also significantly increased. 1,270 spaces are now available throughout Greece—a 366% increase since March 2016.

While the Government, NGOs and donors have made substantial efforts and investments toward establishing a response that provides UASC in Greece with the protection they need, the same cannot be said for most other EU member states. The current response approach is largely based on the

assumption that EU member states would fulfil their commitments to prioritise the relocation or family reunification of the most vulnerable, including unaccompanied girls and boys. Despite sustained efforts by the European Commission and Parliament to press member states to meet these commitments, however, as of 13 June 2017, only 365 UASC have been relocated from Greece to other member states.⁵ This has resulted in children being placed in short-term care arrangements or worse, detention, for months or sometimes even more than a year. The absence of less-expensive and better alternative care options (e.g., foster care or semi-independent living for children 16 and older) necessitates an increased number of expensive, staff-heavy, temporary shelters throughout the country to meet the needs of a waiting list of often more than 1,000 girls and boys. Some of these children — who languish on the waiting list for months — go without access to needed services and are exposed to significant risks, likely suffering long-term detrimental effects.

ANALYSIS OF KEY ISSUES

INADEQUATE SAFE, AGE- AND GENDER-APPROPRIATE CARE ARRANGEMENTS, SERVICES AND SUPPORT

As of 20 June 2017, 2,250 children have been identified and registered with E.K.K.A. as in need of safe shelter, and there are just 1,270 places currently available to accommodate them. Some of these places are in the process of being filled, and 1,149 children remain on a waiting list for shelter.⁶ While waiting, 215 children are being accommodated in Reception and Identification Centers (RIC)⁷ at times characterised by detention-like conditions, 81 are in police stations (detention), 119 are in “safe zones”⁸ in camps, and 215 are living amongst the general population in the camps. The remaining 532 children are in squats, on the streets, or in other unknown locations.⁹

Children placed in shelters or other alternative care arrangements (e.g., the Foster Family pilot project implemented by METAdrasi) have access to psychosocial support and educational, health and legal services, while child protection actors work to identify and complete the process of achieving a durable solution in their best interests (i.e., relocation, family reunification elsewhere in the EU, or asylum in Greece). However, depending on the location of children outside these shelters and the alternative care system, some may have no access to the above services or protection while they wait. For instance, UASC waiting in safe zones in camps will receive support from child protection actors in those camps, while those without even a temporary shelter arrangement may not be reached by any child protection actor (including guardians) or have access to any assistance. METAdrasi, for instance, reports that children come to their office regularly to proactively seek a METAdrasi guardian or other services. Similarly, children in RICs and detention—when recognised as UASC and not erroneously registered as adults—also have far less access to services, and certainly do not benefit from the same individualised care and supervision provided in a shelter or other alternative care arrangement.

Despite efforts to provide safe shelter and comprehensive services for identified UASC, there remain major gaps in critical services. While in October 2016 the Government introduced reception classes in public schools for asylum-seeking children under 14, to date only 2,500 children on the mainland (roughly 12% of the 22,000 children targeted by this programme) are benefitting from these classes, and not all children have access to even non-formal education. Children on the islands and those over 14 are still without access to formal education.¹⁰ Asylum-seeking children, including UASC, have inadequate access to health services (e.g., vaccination) and continue to face issues with receiving social security numbers that facilitate their access to available care. Most are without access to specialised health care, especially on the islands.

Finally, as documented throughout this crisis, trauma endured in countries of origin and along the journey to Europe—combined with at times substandard, insecure living conditions and a drawn-out asylum process—has had a severe and detrimental effect on the mental health and well-being of children throughout Greece.¹¹ Despite the increasing need for mental health and psychosocial support services, there remain limited service providers and a complete absence of specialised

facilities for children suffering from mental health issues, and public hospitals cannot support serious psychiatric cases. For example, on Lesbos, the island hosting the largest number of asylum seekers, there is just one child psychiatrist available at the public hospital providing free services to both Greek and asylum-seeking children for three days every two months. There are also limited or no specialised facilities and services for children with disabilities, children with chronic diseases, survivors of sexual violence, victims of trafficking, or those suffering a drug addiction.

Another concern is the fact that age assessment procedures meant to identify UASC upon arrival are inconsistently applied, and together with some children claiming to be above 18, have resulted in children being erroneously registered as adults. While this is an issue throughout Greece, one recent example is 37 UASC identified in Moria RIC on Lesbos who had been registered as adults and have been living amongst the general camp population.¹² This failure to correctly identify children upon arrival has not only led to UASC being accommodated with unrelated adults (at times in detention facilities), but has also rendered them without the age-appropriate services they need. Moreover, as of 1 June 2017 the contracts for humanitarian actors supporting with conducting vulnerability assessments in the reception locations have ended, leaving behind an enormous gap in the identification procedure. As a result, children are exposed to significant risks, and some may even lose their opportunity for family reunification if their erroneous age assessment is not corrected before they turn 18.

While the focus of the response to date has largely been on increasing the number of shelter spaces available, this at times has been done without institutional coordination, and there remains no common minimum standard operating procedures (SOPs) for all shelters to ensure consistent quality of care. Despite their importance, the competent authorities have yet to communicate plans for establishing an enhanced guardianship network to ensure all children receive the individualised support they need from a trusted, vetted and trained guardian. Moreover, alternative care solutions such as foster care are needed as part of a more sustainable system.

Guardians are one of the most important features of a protection system for children who are deprived of a family environment or who cannot have their interests represented by their parents. Ensuring that every UASC is allocated a trained, vetted guardian upon arrival can make the difference between a child accessing services, shelter and a durable solution in a timely manner, or ending up on the streets, outside of the system and at heightened risk. To date, this remains a critical gap in the response for UASC in Greece, with just one NGO (METAdrasi) providing this enhanced guardianship role. The proposed establishment of an EU Guardianship Network by the end of 2017, as outlined in the Commission's recent Communication on Children in Migration is a hugely positive step in this respect, and should be implemented as a matter of priority.

DELAYS IN FACILITATING DURABLE SOLUTIONS

Unclear and delayed procedures on all sides of the asylum, relocation and family reunification processes have not only made it much more challenging for the Government and responding NGOs to meet the needs of the growing number of UASC in Greece, but these delays have also had a negative impact on the health, well-being and safety of these children when they need protection most. The combination of an overstretched Greek Asylum Service, delays in responses from destination EU member states on family reunification and relocation, and some member states' refusal to accept UASC in the relocation programme has had a negative knock-on effect for these children.

Children in transit shelters or safe zones are staying longer than initially envisaged due to delays in identifying a durable solution in their best interests and then going through the lengthy legal process to achieve this durable solution. This creates a longer waiting list and, in turn, longer wait times for safe accommodation. According to the Commission's 13 June 2017 report on relocation, there are currently 209 UASC in Greece eligible but with pending relocation cases.¹³ It is unclear how long these cases will remain pending and if EU member states will provide the remaining 24 relocation places in a timely fashion to help these children start a new life. Unblocking the bottlenecks preventing the relocation of UASC would also open up safe shelter space for other children.

For children on the waiting list, in particular those not receiving support from child protection actors, the prospect for identifying a durable solution in their best interests is worse, as some will only receive legal services and begin the asylum, relocation or family reunification processes once they are placed in a shelter. During their wait, some may even turn 18 and become ineligible to reunify with family elsewhere in the EU.

THE ABSENCE OF SERVICES AND SUPPORT FOR OLDER CHILDREN, THOSE AGING OUT OF SHELTERS OR TURNING 18 BEFORE PLACEMENT

Acknowledging the demographics of the UASC caseload in Greece (largely boys over 15), the above detailed delays, and the protracted nature of the crisis, many UASC have now been stranded in Greece for a year or more. These children, some of whom are currently in safe shelter arrangements, face the very real possibility of turning 18 before they can be relocated or reunified with family, if those are options available to them.

At present, not only do these children have no access to formal education or often even the structural provision of vocational and life skills training to support them with eventual independent living, but on account of the shortage of safe shelter spaces in Greece, they are also forced to leave the shelters upon their 18th birthday. Many shelters are unable to provide a transition period on account of the waiting list, and there is just one shelter with 30 spaces available for male youth and one NGO-led independent-style living facility currently accommodating 40 male youth aged 18 – 22. This means that highly vulnerable youth without a support network are thrust back into camps or onto the streets without the tools they need for survival.

Greek law is not clear on whether older children may live independently. Despite the fact that children over 15 can do some types of jobs in Greece, the law neither prohibits nor allows them to live without an adult caregiver. Members of the Child Protection Working Group in Greece are now exploring with the relevant Greek authorities possible efforts to allow children 16 and above to live semi-independently, with NGOs still providing necessary supervision and mentoring during the transition to adulthood. At present, there are few safe accommodation options for children who turn 18 and have had to leave the shelters. This remains a major gap.

Additionally, with the transition from in-kind to financial assistance for asylum seekers in Greece, there is general consensus amongst NGOs implementing this programming that UASC aged 14 and above should be provided with financial assistance via restricted prepaid cards, coupled with financial literacy trainings. Moreover, the Child Protection Working Group released a recommendation that UASC aged 14 and above that are not in shelters should receive financial assistance of the same value as any other individual (per the agreed Minimum Expenditure Basket), as they do not receive the comprehensive package of services available to UASC in shelters and not all camps receive the support of child protection actors due to capacity and financial constraints. Despite this recommendation and the fact that the Greek Law allows for children over 14 to receive financial assistance, the Greek Government has not approved the distribution of cards (either restricted or not) to any UASC.

THE TRANSITION FROM NGO TO GOVERNMENT MANAGEMENT OF SHELTERS AND THE RESPONSE FOR UASC

There is real potential for the Greek Government's greater involvement and adoption of a leadership role in the response for UASC to be a positive step. It is critical, however, that concrete plans are first established and shared in advance with all relevant agencies to explain how the needs of these children will continue to be met, how existing gaps will continue to be filled (e.g., the lack of specialised services and facilities for children with mental health issues or chronic illnesses), and the steps that will be taken to ensure a seamless transition of services and shelters from NGOs to the Government, where necessary. Any interruption to services or the timely placement of children in shelters will further impact their health and safety at a time when they are already incredibly vulnerable. At the time of writing, these plans had yet to be shared and more than three existing shelters are set to close, further limiting the number of safe shelters available.

As outlined above, it is critical that minimum standards are established for all shelters and that all actors working with UASC are coordinated in their response to ensure no duplication of efforts, but also that gaps can be filled to reach the most children. Public prosecutors need to work closely with NGOs running shelters and other forms of care to ensure that all children are placed in appropriate long-term accommodation—for example, safe zones in camps are only ever appropriate as a short-term alternative for children who have been placed in detention and who do not present severe signs of abuse and accordingly would then require higher-standard living conditions and specialized care. Considering the insecurity in the camps, these zones are not an appropriate form of long-term accommodation, and detention is never acceptable or in the best interests of the child, even as a last resort.

RECOMMENDATIONS

TO THE EUROPEAN COMMISSION:

- Introduce a Common Guardianship Strategy as a matter of priority, including the establishment of a European Guardianship Network by the end of 2017, as per the commitment outlined in the Commission Communication on ‘The Protection of Children in Migration’.
- Provide oversight and coordination support, via the Directors General for Migration and Home Affairs and ECHO, for the transition from NGO to Government management of the response for UASC, specifically to ensure existing shelters and alternative care arrangements remain open and operational and that no funding gaps emerge or delays in funding flows occur disrupting the provision of care and services for the children.
- Take all available measures to ensure EU member states meet their existing legal and political commitments regarding the transfer of UASC, such as relocation, family reunification and family unity through the Dublin system. The discretionary clause of the Dublin III Regulation (Article 17) should be used by member states in the best interests of the child, with parallel financial support for member states that are responding beyond their commitments.

TO EU MEMBER STATES:

- In collaboration with the Greek Asylum Service, prioritize UASC in relocation and family reunification procedures by providing clear guidance on the procedure for each state and taking steps to eliminate unnecessary delays on both sides to accelerate the process.
- Open relocation scheme eligibility to all UASC in need of international protection, regardless of nationality.
- Provide alternative pathways beyond relocation and family reunification, such as greater use of the discretionary clause under Article 17 of the Dublin III Regulation to transfer children without relocation or family reunification possibilities out of Greece.¹⁴
- Redouble efforts to implement and facilitate existing legislation to ensure safe, legal and effective routes into Europe for those in need of international protection, including through expedited family reunification, resettlement, humanitarian visas or private sponsorships, prioritising and including all children with no discrimination.
- Implement common age assessment interdisciplinary methods.

TO THE GREEK GOVERNMENT:

- End the detention of children, including for immigration purposes. Detention negatively impacts cognitive and emotional development and carries long-term effects. It is never in the best interests of the child.
- Accelerate the processes for issuing the minimum standards for shelters, with support from child protection actors, to ensure all accommodation is in line with Child Protection Minimum Standards and appropriate for long-term stays.
- Scale up the existing guardianship network to ensure that every UASC is assigned a trained, vetted guardian upon arrival to support them in immediately beginning the asylum procedure and accessing the individualised support and services they need. This can also contribute to reducing duplication of services and support with ensuring all facilities and service providers adhere to common standards.

- Ensure that every UASC is referred to a child protection agency in order to expedite BIA procedures and other measures. It is critical that BIA procedures are standardized and that all decisions made for children throughout their time in Greece are based on their best interests.
- Invest in establishing and strengthening short- and long-term foster care systems to provide children with alternative care which is in their best interests. This is particularly critical for those who will remain in Greece.
- Create accommodation facilities with specialized personnel for children with health or psychiatric issues.
- Establish legal provisions to allow semi-independent living for children 16 and above with the support and services of government and child protection actors.
- With the support of the Commission and other donors, establish temporary shelter arrangements, services and support for children aging out of care or who turn 18 on the waiting list for shelter to ensure they do not fall through the cracks.
- Extend educational opportunities, life skills and livelihood support to older children to support their transition to independent living. This should be organized through the establishment of an outreach taskforce to ensure the response is appropriately coordinated and this particularly vulnerable group's unique needs are met.
- Allow unaccompanied children aged 14 and above outside of shelters to receive financial assistance at the same value as any other individual across all camps in Greece providing there is a child protection actor present in the camp that offers basic budgeting and other life skills training, and can monitor spending.
- Provide a detailed plan to all actors providing shelter or services for UASC in Greece outlining how the transition will be implemented to ensure no children are affected and gaps continue to be addressed to improve the response. This plan should include providing safe accommodation on the mainland for children currently on the islands to ensure shelter capacity on the islands is available for continued arrivals.

TO THE EUROPEAN COMMISSION, EU MEMBER STATES, UNHCR, UNICEF AND CHILD PROTECTION ACTORS:

- Strengthen cooperation around specialised protection services for UASC across Europe.
- Ensure the unique needs of adolescents and youth aging out of care are addressed in all response efforts.

INTERNATIONAL RESCUE COMMITTEE

The International Rescue Committee is a humanitarian aid organisation working in 40 countries across the world, and committed to helping people whose lives and livelihoods are shattered by conflict and disaster to survive, recover, and gain control of their future. More information about the IRC's response in Greece at this link: <https://www.rescue.org/country/greece>

METADRASI

METAdrasi is a Greek NGO, founded in 2010, with the aim of filling the long standing gaps in the reception, integration and protection of refugees and migrants in Greece, by providing interpretation services, legal aid, educational programmes, certification of torture victims, and a safety net of innovative actions for the support of unaccompanied children in Greece, including escorting missions, transit accommodation facilities, a guardianship network and foster care. More information about METAdrasi's work at this link: www.metadrasi.org

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NOTES

- ¹UNHCR, Refugee & Migrant Sea Arrivals in Europe 2017. [Accessed 8 May 2017] <https://data2.unhcr.org/en/documents/download/53447>.
- ²The term unaccompanied and separated children is used throughout the document as it captures the different dimensions of children who do not benefit from the support of their family or primary caregiver. The UN Committee on the Rights of the Child, in its General Comment number 6 on “*the treatment of unaccompanied and separated children outside of their country of origin*”, defined: “[7]. Unaccompanied children (also called unaccompanied minors) are children...who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so. [8]. Separated children are children...who have been separated from both parents, or from their previous legal or customary primary care-giver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members”. <http://www2.ohchr.org/english/bodies/crc/docs/GC6.pdf>
- ³E.K.K.A., “Situation Update: Unaccompanied Children in Greece,” 20 June 2017. <http://www.ekka.org.gr/files/aglika20617.pdf>
- ⁴ Amnesty International, “Trapped in Greece: An avoidable refugee crisis”, April 2016, p31. <https://doc.es.amnesty.org/cgi-bin/ai/BRSCGI.exe/EUR2537782016ENGLISH?CMD=VEROBJ&MLKOB=35137324545>. Upon the completion of the pre-registration exercise on the Greek mainland just a few months later, 1,225 UASC were identified as per the Greek Asylum Service’ data. This number only includes UASC identified in sites on the mainland and did not include the islands.
- ⁵Out of 574 eligible. European Commission, “Thirteenth Report on Relocation and Resettlement,” 13 June 2017 https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170613_thirteenth_report_on_relocation_and_resettlement_en.pdf
- ⁶E.K.K.A., “Situation Update: Unaccompanied Children in Greece,” 20 June 2017. <http://www.ekka.org.gr/files/aglika20617.pdf>
- ⁷RICs were formerly called hotspots.
- ⁸Safe zones were established to provide temporary accommodation to support the immediate removal of children from detention. They are containers dedicated for UASC in camps and managed like shelters, with staff supervision and services to support UASC while they wait for appropriate, longer-term shelter spaces to become available.
- ⁹E.K.K.A., “Situation Update: Unaccompanied Children in Greece,” 20 June 2017. <http://www.ekka.org.gr/files/aglika20617.pdf>
- ¹⁰The access of refugee children to the Greek public education system is formalised by the Law Amendment 2412/Φ.951/360/431347/17-1-1984 of 23 September 2016. <http://i2.aftocdn.gr/mediafiles/2016/09/%CE%A6%CE%95%CE%9A-%CF%80%CF%81.pdf>. As of 31 March 2017, only 2,500 children are enrolled in the reception classes.
- ¹¹Save the Children, “A Tide of Self Harm and Depression: The EU-Turkey Deals Devastating Impact on Child Refugees and Migrants,” March 2017. https://www.savethechildren.net/sites/default/files/FINAL%20Report_EU%20Turkey%20deal_%20A%20tide%20of%20self-harm%20and%20depression_March%202017%5B1%5D.pdf
- ¹² Lesvos Child Protection Sub-Working Group Meeting Minutes, 8 May 2017.
- ¹³European Commission, “Thirteenth Report on Relocation and Resettlement,” 13 June 2017. https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170613_thirteenth_report_on_relocation_and_resettlement_en.pdf. According to the report, there is a need for 24 more places for these cases. It is unclear if the 209 cases are accepted by member states but pending transfer, or if the cases are pending acceptance.
- ¹⁴For example, METAdrasi recently supported the transfer of five UASC from Greece to Portugal in collaboration with the Portuguese authorities and organisations.

