

Greece : European Committee on Social Rights decision on « immediate measures » for migrant children requires urgent action

The International Commission of Jurists (ICJ), European Council on Refugees and Exiles (ECRE) and the Greek Council for Refugees (GCR) welcome the decision of the [European Committee on Social Rights](#) that Greece should take “immediate measures” to protect the rights of migrant children as required under the European Social Charter.

The Greek government should now take urgent steps to comply with the Committee’s decision, to prevent serious and irreparable injury or harm to the children concerned, including damage to their physical and mental health, and to their safety.

The Committee’s decision, issued on 23 May, requires the government to immediately provide migrant children with appropriate shelter, food, water, education and medical care; to remove unaccompanied migrant children from detention and from Reception and Identification Centers (RICs) at the borders, place them in suitable accommodation for their age and appoint effective guardians. The Committee noted that “immediate measures” were exceptional, but found that they were necessary in this case given the government’s failure to dispel serious concerns about the gravity and urgency of the situation of migrant children in Greece.

This decision is in response to a collective [complaint brought](#) before the Committee by ICJ, ECRE and GCR, alleging systemic violations of migrant children’s rights on mainland Greece and the North Eastern Aegean islands. The complaint catalogues the numerous ways in which Greece has failed to fulfill its obligations under [the European Social Charter](#) to protect the rights migrant children, leaving them in conditions of squalor, insecurity and violence.

In addition to indicating immediate measures, the Committee found the complaint itself admissible. The complaint now awaits examination and determination on the merits by the European Committee on Social Rights.

Background

The European Committee on Social Rights is an expert Committee of the Council of Europe charged with supervising the obligations of Council of Europe Member States under the European Social Charter through collective complaints and national reports by Contracting Parties. Collective complaints can be brought by non-governmental organisations and social partners, alleging violation of the rights of the Charter.

The collective complaint by International Commission of Jurists (ICJ) and European Council for Refugees and Exiles (ECRE) v. Greece (Complaint No. 173/2018) was lodged with the Committee in December 2018.

The complaint alleges systematic violations of the rights of migrant children guaranteed under the Charter. These include the systematic and ongoing absence of sufficient accommodation facilities and the lack of an effective guardianship system for unaccompanied children in Greece, exposing them to significant protection risks, including homelessness and placement in detention.

The complaint also notes that severe deficiencies in basic care facilities have serious knock-on effect on hygiene, sanitation and substantive physical and mental health care and treatment for children. In addition, mixed living arrangements, limited, if not non-existent security patrols and deficient guardianship systems have led to numerous reports of sexual abuse, violent assaults, harassment and humiliation of migrant children in camps on the Greek islands.

The consequences of the conditions listed in the complaint have been, in certain locations, children self-harming and even attempting suicide.

Read the statement on the complaint [here](#) and full complaint [here](#).