



# Convention on the Rights of the Child

Distr.: General  
24 June 2022

Original: English

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## Committee on the Rights of the Child

### Concluding observations on the combined fifth and sixth periodic reports of Cyprus\*

#### I. Introduction

1. The Committee considered the combined fifth and sixth periodic reports of Cyprus<sup>1</sup> at its 2602nd and 2603rd meetings, held on 16 and 17 May 2022,<sup>2</sup> and adopted the present concluding observations at its 2630th meeting, held on 3 June 2022.

2. The Committee welcomes the submission of the combined fifth and sixth periodic reports of the State party and the written replies to the list of issues,<sup>3</sup> which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the multisectoral delegation of the State party.

#### II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in various areas, including the ratification of the Optional Protocol to the Convention on a communications procedure, in 2017, and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, in 2017, and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, in 2015. It also welcomes other legislative, institutional and policy measures concerning children's rights, including establishing a child justice system and combating violence against children.

#### III. Factors and difficulties impeding the implementation of the Convention

4. While noting that the State party, as a consequence of the occupation of part of its territory since 1974, is not in a position to ensure the application of the Convention in areas outside its control, the Committee remains concerned about the absence of information on children in the occupied territories.

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\* Adopted by the Committee at its ninetieth session (3 May–3 June 2022).

<sup>1</sup> [CRC/C/CYP/5-6](#).

<sup>2</sup> See [CRC/C/SR.2602](#) and [CRC/C/SR.2603](#).

<sup>3</sup> [CRC/C/CYP/RQ/5-6](#).



## IV. Main areas of concern and recommendations

5. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: non-discrimination (para. 18); violence against children (para. 24); children deprived of a family environment (para. 28); children with disabilities (para. 31); and asylum-seeking, refugee and migrant children (para. 38).

6. **The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.**

### A. General measures of implementation (arts. 4, 42 and 44 (6))

#### Legislation

7. The Committee takes note of the explanation by the State party that the draft laws on the handling of children under the care of the director and the institution of foster care and on the protection and care of children will replace the Children's Law. Noting with concern that the draft laws have been pending adoption since 2008, the Committee urges the State party to accelerate their adoption and to ensure that they comprehensively address contemporary challenges in the area of child protection, are fully aligned with the provisions of the Convention and the Optional Protocols thereto and to allocate adequate resources and establish mechanisms to ensure their effective implementation and monitoring.

#### Comprehensive policy and strategy

8. While taking note of the existence of several strategies and action plans and the existence of the national action plan for the implementation of the Convention, 2015–2017, that relates to the work of the Commissioner for the Protection of the Rights of the Child, the Committee urges the State party to develop a comprehensive policy on children that encompasses all areas of the Convention and a strategy with the necessary elements for its application and adequate human, technical and financial resources and to update its action plan for the implementation of the Convention.

#### Coordination

9. While taking note of the creation of the ministerial monitoring committee for the implementation of the Convention, in 2012, which meets annually, the Committee reiterates its recommendation<sup>4</sup> that the State party establish and promote an effective mechanism with a clear mandate and sufficient authority to coordinate all activities related to the implementation of the Convention at the national, regional and local levels, and across sectors, and to allocate adequate resources for its effective operation.

#### Allocation of resources

10. The Committee takes note of the explanation by the State party of the difficulties and delays that it confronted in the implementation of budget reforms providing for allocations for children by 2021. In the light of its general comment No. 19 (2016) on

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<sup>4</sup> CRC/C/CYP/CO/3-4, para. 12.

public budgeting for the realization of children's rights, the Committee recommends that the State party take advantage of its new financial framework to:

- (a) Integrate a child rights-based perspective to budgeting by clearly specifying the amount and proportion of the State budget allocated for the implementation of children's rights;
- (b) Define budget lines for children in disadvantaged or vulnerable situations, including children with disabilities, children belonging to minority groups and asylum-seeking, refugee and migrant children, and make sure that those budgetary lines are protected even in situations of economic crisis, natural disasters or other emergencies;
- (c) Establish mechanisms to evaluate the adequacy, efficacy and equity of the distribution of resources allocated for the implementation of children's rights.

#### Data collection

11. In the light of its general comment No. 5 (2003) on general measures of implementation of the Convention, and recalling its previous recommendations,<sup>5</sup> the Committee urges the State party to establish a centralized comprehensive system for data collection on children's rights that covers all areas of the Convention and the Optional Protocols thereto, with data disaggregated by age, sex, disability status, geographical location, ethnic and national origin and socioeconomic background, and to strengthen data collection and analysis with regard to children with disabilities, asylum-seeking, refugee and migrant children, children who are victims of crime and in relation to access to social, welfare and health-care services.

#### Independent monitoring

12. The Committee welcomes the appointment of the Commissioner for the Protection of the Rights of the Child and the Law Commissioner, in 2019, and the creation of four posts and a separate budget line for the Commissioner for the Protection of Children's Rights. In the light of its general comment No. 2 on the role of independent national human rights institutions in the promotion and protection of the rights of the child (2002), the Committee recommends that the State party:

- (a) Ensure the independence of the Office of the Commissioner for the Protection of the Rights of the Child and the Office of the Law Commissioner, in full compliance with the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including regarding their funding, mandate and immunities;
- (b) Ensure that the Office has adequate human, financial and technical resources and the authority and mechanisms necessary to monitor children's rights, process complaints and enforce decisions.

#### Dissemination, awareness-raising and training

13. The Committee, while taking note of the awareness-raising efforts and training targeting professionals in various areas, recommends that the State party:

- (a) Strengthen its awareness-raising programmes to make the Convention and the Optional Protocols thereto known by the general public, including among parents and children themselves, and actively involve children in such activities;
- (b) Ensure that all relevant professionals receive mandatory training on the rights of the child and the rights of children requiring special protection, including children with disabilities, asylum-seeking, refugee and migrant children and children who are victims of crime;

<sup>5</sup> CRC/C/CYP/CO/3-4, para. 18.

(c) **Raise awareness of the Optional Protocol to the Convention on a communications procedure among all children and provide training thereon to relevant actors, including children human rights defenders.**

#### **Cooperation with civil society**

14. **The Committee welcomes the State party's support provided to civil society, including the grants-in-aid scheme, and recommends that the State party systematically involve all children's groups and non-governmental organizations working for children, including children with disabilities and asylum-seeking, refugee and migrant children, in the development, implementation, monitoring and evaluation of laws, policies and programmes related to children and in the preparation of reports under the Convention.**

#### **Children's rights and the business sector**

15. **Taking note of the significant contribution of travel and tourism to the gross domestic product, the Committee, recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, recommends that the State party:**

(a) **Establish and implement regulations to ensure that the business sector, including the tourism industry, complies with international human rights and children's rights standards;**

(b) **Ensure the effective monitoring of such regulations, appropriately sanction perpetrators and provide remedies when violations occur;**

(c) **Require companies to undertake assessments, consultations and full public disclosure of the environmental, health-related and children's rights impacts of their business activities and their plans to address such impacts;**

(d) **Undertake awareness-raising campaigns with the tourism service providers and the public at large on the prevention of the sexual exploitation of children in the context of travel and tourism.**

### **B. Definition of the child (art. 1)**

16. **The Committee recommends that the State party amend its legislation to remove all exceptions that allow marriage for those under 18 years of age.**

### **C. General principles (arts. 2–3, 6 and 12)**

#### **Non-discrimination**

17. **The Committee welcomes the adoption and implementation in schools of the Code of Conduct against Racism and the Guide for Managing and Recording Racist Incidents and the measures taken to improve access to education and health care for children in situations of vulnerability. However, it remains concerned about the lack of:**

(a) **Comprehensive anti-discrimination legislation, strategy and action plan;**

(b) **Reporting of cases of discrimination and racism against children in situations of vulnerability, including bullying in school, which hinders the accurate assessment of the phenomenon and the development of appropriate policies;**

(c) **Access to health care and social services for asylum-seeking, refugee and migrant children on account of the nationality, residence and legal status of their parents;**

(d) **Access to inclusive, mainstream and non-segregated education for children with disabilities, children belonging to minority groups, asylum-seeking, refugee and migrant children, children from socioeconomically disadvantaged families, children in alternative care, Roma children and other children in situations of vulnerability.**

18. Recalling targets 5.1 and 10.3 of the Sustainable Development Goals and the Committee's previous recommendations,<sup>6</sup> the Committee recommends that the State party:

(a) Adopt comprehensive anti-discrimination legislation prohibiting discrimination on all grounds, in line with article 2 (1) of the Convention, including on the basis of the origins and situation of the child's parent or legal guardian, and align its legislation accordingly;

(b) Encourage reporting of cases of discrimination through appropriate child-friendly channels among children, their caregivers and teachers and other professionals working with and for children and build the knowledge of such professionals on the non-discrimination principle and its application and on their accountability for reporting incidents and implementing relevant policies;

(c) Ensure that all cases of discrimination against children are investigated and prosecuted and that perpetrators, including teachers, are held accountable;

(d) Collect data, disaggregated by age, sex, disability, geographical location, ethnic and national origin and socioeconomic background, to assess the magnitude of discrimination against children on various grounds;

(e) Based on those data, develop, adopt and implement a comprehensive anti-discrimination policy, strategy and action plan with specific indicators and measurable targets and goals to address discrimination in all areas of life, with particular attention given to children in situations of vulnerability;

(f) Intensify its measures to ensure that children with disabilities, children belonging to minority groups, asylum-seeking, refugee and migrant children, children from socioeconomically disadvantaged families, children in alternative care, Roma children and other children in situations of vulnerability have access to health care, social services and inclusive and mainstream education and ensure regular and systematic monitoring and impact assessments of the measures taken.

#### **Best interests of the child**

19. In the light of its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:

(a) Ensure that the right of the child to have his or her best interests taken as a primary consideration is appropriately integrated into, and consistently interpreted and applied in, all legislative, administrative and judicial proceedings and decisions, including in relation to asylum, as well as in all policies, programmes and projects that are relevant to, and have an impact on, children;

(b) Develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area and for giving it due weight as a primary consideration.

#### **Respect for the views of the child**

20. The Committee is concerned about the insufficient recognition of children as subjects of rights and that the views of children are rarely heard, in particular regarding migration and education matters. In the light of its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:

(a) Promote and ensure the recognition of children as subjects of rights;

(b) Abolish any age limit on the right of children to express their views and ensure that the right of the child to be heard in relevant legal proceedings, including those on asylum, is enshrined in legislation and effectively implemented, in particular

<sup>6</sup> Ibid., para. 22.

by establishing systems and/or procedures for courts and professionals working with and for children to comply with the principle and by building their capacity to use such systems and procedures;

(c) Ensure that the participatory structures, including the Children's Parliament, the central student councils, the Youth Advisory Committee and the Youth Board, represent children with distinct ethnic, religious, linguistic and cultural backgrounds, as well as children with disabilities, and are provided with adequate resources to fulfil their mandates;

(d) Tackle negative stereotypes and stigma affecting the participation of children in situations of vulnerability;

(e) Raise awareness among parents and relevant professionals about the right of children to be heard, promote the meaningful and empowered participation of all children within the family, communities and schools, hear their views and include them in decision-making on all matters affecting them.

#### **D. Civil rights and freedoms (arts. 7–8 and 13–17)**

##### **Birth registration and nationality**

21. Taking note target 16.9 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Establish legal safeguards, including legislation and procedures, including removal of fees for birth registration, to prevent statelessness;

(b) Facilitate the acquisition of nationality for children who would otherwise be stateless, regardless of their parents' citizenship, residence, legal or marital status, with particular attention given to children born to refugee, asylum-seeking, migrant or stateless parents, and regardless of the existence of the family link before the departure from the country of origin;

(c) Consider ratifying the Convention relating to the Status of Stateless Persons, the Convention on the Reduction of Statelessness and the European Convention on Nationality.

#### **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

##### **Corporal punishment**

22. While taking note of the amendment to article 54 of the Children's Law, to ban corporal punishment with regard to children under 16 years of age, the Committee, recalling its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, urges the State party to extend the ban on corporal punishment to all children under 18 years of age, revise the legislation accordingly and promote positive, non-violent and participatory forms of child-rearing and discipline.

##### **Violence against children, including abuse and neglect**

23. The Committee welcomes the adoption of the Law on Violence in the Family (Prevention and Protection of Victims) (No. L.119(I)/2000) and the Law on Preventing and Combating the Sexual Abuse and Sexual Exploitation of Children and Child Pornography (No. 91(I) of 2014), the establishment of the Children's House to provide multidisciplinary services to children who are victims of sexual abuse and the measures taken to counter bullying in schools. However, the Committee remains concerned about the following:

(a) The insufficient disaggregated data on cases of violence against children, in particular due to underreporting and a lack of coordination between competent authorities, which does not allow for an accurate assessment of the magnitude of the phenomenon or taking targeted action to address it;

(b) The low rates of intervention, investigation, prosecution and conviction in cases of violence against children;

(c) The insufficient professional capacity and lack of a multidisciplinary and child-sensitive approach to the provision of support to children who are victims of all forms of violence, including in the context of criminal proceedings;

(d) The requirement of parental consent for a child who is a victim of abuse to undergo a medical assessment and receive psychological and psychiatric support;

(e) The lack of legal foundation for, and insufficient transparency about, the operation and monitoring of the Children's House.

**24. In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and targets 5.2, 16.1 and 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Ensure that laws on the sexual exploitation and abuse of children and on violence in the family are effectively enforced, jointly and interchangeably when appropriate, and that their implementation is regularly and systematically monitored and evaluated;**

(b) **Strengthen and centralize the collection and analysis of disaggregated data on children who are victims of all forms of violence, such as domestic violence, corporal punishment, bullying and sexual exploitation and abuse, including within the child's circle of trust and by religious personnel, with a view to assessing the magnitude of the phenomenon and formulating and implementing, with the participation of children, a comprehensive strategy for preventing and combating all forms of violence against children;**

(c) **Ensure and promote the mandatory reporting of cases of violence against children, in particular through legislative amendments, intensified awareness-raising about its forms and negative impacts among children, parents and professionals working with children, accessible, confidential and child-friendly helplines for children and effective access to legal aid;**

(d) **Ensure that all cases of violence against children are promptly investigated, applying a child-friendly and multisectoral approach in the Children's House, and ensure that audiovisual recordings are made of children's testimonies without delay and allowed as evidence-in-chief during court proceedings, followed by child-sensitive cross examination;**

(e) **Ensure that perpetrators are prosecuted, duly sanctioned and deterred from having contact with children and that reparations are provided to victims, as appropriate;**

(f) **Ensure that all cases of violence against children are addressed through a multidisciplinary approach and cooperation between relevant services, allocate adequate resources and strengthen the professional capacity to provide child-friendly, coordinated and comprehensive victim identification, needs assessment and support, including trauma-focused therapy, improve case-management and reduce processing times and strengthen the role of family advisers in protecting children against all forms of violence and abuse;**

(g) **Ensure, including by reviewing the Criminal Procedures Law and the Law on Legal Aid, that the rights of children who are victims are respected in the context of criminal proceedings, including the right to access to information, the right to have their views heard and the right to legal assistance and other necessary support, such as psychological support, translation and interpretation;**

(h) **Provide regular training for judges, lawyers, prosecutors, the police and other relevant professional groups on standardized, gender-sensitive and child-sensitive procedures for dealing with children who are victims;**

(i) **Reinforce the legal basis for the operation of the Children’s House with the aim of defining its services, including in the context of pretrial judicial procedures, the collaboration of the partner agencies and the monitoring of its activities.**

#### **Harmful practices**

25. **Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices and target 5.3 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Assess the prevalence of, and take all necessary measures to address, child marriage, in particular in relation to the Roma and migrant communities, and raise awareness about the harmful effects of child marriage on the physical and mental health and well-being of girls;**

(b) **Ensure that no child, including intersex children, is subjected to unnecessary medical or surgical treatment during childhood, in line with the rights of children to bodily integrity, autonomy and self-determination, and provide social, medical and psychological services, as well as adequate counselling, support and reparations, to intersex children and families with intersex children.**

### **F. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))**

#### **Family environment**

26. **The Committee recommends that the State party take advantage of its family law reform and the restructuring of the social welfare services to:**

(a) **Strengthen support for families to prevent separation, including through parenting support, prevention and early intervention programmes, programmes on positive parenting and communication skills and spaces for family leisure;**

(b) **Provide appropriate support and services, including social and psychological support, for children and parents in situations of conflict and separation;**

(c) **Ensure that the children of separated parents enjoy the right to maintain personal relations and direct contact with both parents on a regular basis, if not contrary to their best interests, in accordance with article 9 (3) of the Convention, and support the enforcement of court orders in that respect.**

#### **Children deprived of a family environment**

27. **The Committee is concerned about the following:**

(a) **The lack of a legal framework on child protection;**

(b) **The insufficient capacity of the social welfare services to address the needs of children in the context of family separation;**

(c) **The lack of data on children in alternative care;**

(d) **The possibility for parents to place their children in “private foster care” without proper assessment of the foster family by the social welfare services or the determination of the children’s best interests;**

(e) **The lack of regulation and monitoring of institutional and family-based childcare facilities;**

(f) **The insufficient support for foster families;**

(g) **The lack of support programmes for children in care, including for children with behavioural difficulties;**

(h) **The insufficient information on children leaving care.**



28. Drawing the State party's attention to the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:

(a) Develop and adopt without further delay the legal framework on child protection, which would, among other things, provide for the right of children and parents to support services and establish and regulate the competences of the social welfare services;

(b) Allocate adequate human, financial and technical resources to strengthen the capacity of the social welfare services, both at the national and local levels, to prevent and intervene in the context of family separation, and ensure child-friendly services and support based on the best interests of the child;

(c) Collect data on children in alternative care, including "private foster care", disaggregated by age, sex, ethnicity, nationality, disability and form of care, on the basis of its assessment, develop a deinstitutionalization strategy and action plan, including systemic transformation of the childcare, welfare and protection systems, and allocate adequate resources for its implementation;

(d) Provide counselling and social support to parents wishing to place a child in "private foster care" to encourage and enable them to continue to care for the child and ensure that a child is only admitted into alternative care when such efforts have been exhausted and when there are acceptable and justified reasons for entry into care;

(e) Ensure that children are only separated from their family if it is in their best interests and only after a comprehensive assessment of their situation and that poverty, disability or ethnic origin are never the sole justification for family separation;

(f) Establish quality standards for all alternative care settings, ensure the regular, periodic and substantive review of the placement of children in institutional and family-based childcare facilities and monitor the quality of care therein;

(g) Further strengthen the support provided to foster parents and caregivers in institutions, including by providing regular and adequate training for them before and during the placement of children, with particular attention given to the special needs and vulnerabilities of children;

(h) Provide support programmes for children in care, including counselling, psychological support and psychotherapy;

(i) Ensure adequate support for children leaving care, develop community-based services to help them to start independent lives and take appropriate measures to ensure that children in alternative care are not stigmatized.

#### **Adoption**

29. While noting with concern that the amendments to the Adoption Law have been pending since 2013, the Committee urges the State party to accelerate the adoption of the revised Adoption Law and ensure its full compliance with the Convention and the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, including regarding the prohibition of private adoptions, and the paramount consideration of the best interests of the child in adoption procedures.

### **G. Children with disabilities (art. 23)**

30. The Committee is seriously concerned about the following:

(a) The medical approach to disability in legislation and in practice, including the New Assessment Procedures of Disability and Functionality, which leads to the exclusion of children with disabilities, including from mainstream education, and perpetuates stigma;

(b) The absence of a uniform definition of disability, which necessitates children's undergoing several assessments, with the attendant distress, and limits access to financial assistance;

- (c) The high rates of institutionalization among children with disabilities, while parents lack support to care for their children;
- (d) The lack of access to public health care, including early detection and rehabilitation, forcing parents to cover the costs of private health-care services;
- (e) The barriers to participation for children with disabilities and the absence of an organization representing them;
- (f) The insufficient data on children with disabilities, in order to assess their enjoyment of their rights under the Convention.

31. **In the light of its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and to:**

- (a) **Harmonize national legislation with the human rights model of disability and revise the assessment procedures of disability accordingly;**
- (b) **Adopt a uniform definition of disability in compliance with the Convention on the Rights of Persons with Disabilities;**
- (c) **Strengthen support for the parents of children with disabilities and ensure the right of those children to grow up in a family environment, including by increasing the availability of early care, home nursing and relief services, providing timely and adequate socioeconomic support to all children with disabilities, regardless of the type of disability, and improving outreach to parents about the services available;**
- (d) **Ensure access to affordable health care, provided in a timely manner, including by providing early detection, intervention and rehabilitation programmes, creating a network of community and outpatient health-care services and training and ensuring an adequate number of health-care personnel;**
- (e) **Ensure and promote opportunities for children with disabilities to express their views on matters affecting them, including at school, and to have their views taken into account, tackle stigma affecting the participation of children with disabilities and support the establishment of an organization representing them;**
- (f) **Organize the collection of data on children with disabilities, with a view to informing its policies and programmes and facilitating access for children with disabilities to services, including education and health, social protection and support services.**

## **H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)**

### **Health and health services**

32. **The Committee welcomes the adoption of the strategy on the rights of children in health, 2017–2025, the fact that children participate in the monitoring of the strategy, and the efforts made by the State party to promote breastfeeding. In the light of its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and targets 2.2 and 3.8 of the Sustainable Development Goals, the Committee recommends that the State party:**

- (a) **Ensure that all children and pregnant women have access to high-quality health care, regardless of their legal status, including by effectively implementing circular of the Ministry of Health No. 11.11.09(4), 2/12/2011, and expanding the coverage of the national health-care system;**
- (b) **Strengthen its legislation regulating the marketing of breast milk substitutes and further promote and support breastfeeding for at least the first six months of an infant's life, including by addressing negative attitudes against breastfeeding in public places, adopting and implementing breastfeeding policies and**

workplace accommodation for nursing mothers and providing flexible working arrangements to parents in the public and private sectors;

(c) Systematically collect data on food security and nutrition for children, including data relevant to breastfeeding, overweight, obesity and micronutrient deficiencies, with a view to informing its policies and strategies.

#### Adolescent health

33. The Committee welcomes the adoption of the strategy on sexual and reproductive health and rights of youth, 2018–2025. In the light of its general comment No. 4 (2003) on adolescent health and development in the context of the Convention, general comment No. 20 (2016) on the implementation of the rights of the child during adolescence and general comment No. 3 (2003) on HIV/AIDS and the rights of the child and targets 3.3, 3.5, 3.7 and 5.6 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Ensure that all children have access to confidential health services and abolish the legal requirement that the consent of both parents be needed to provide health services to a child;

(b) Ensure that children and adults have access to mental health services, in particular with regard to the impact of the coronavirus disease (COVID-19) pandemic on adolescents;

(c) Ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescent girls and boys;

(d) Ensure that adolescents have access to confidential HIV testing and counselling services without the need for parental consent, that professionals providing such services fully respect the rights of adolescents to privacy and non-discrimination and that all children, regardless of their nationality or legal status, have access to antiretroviral therapy;

(e) Pursue its efforts to prevent and address adolescent substance abuse, including by conducting awareness-raising campaigns, developing specialized and youth-friendly drug-dependence treatment and harm reduction services and establishing the centre for children and adolescents affected by substance abuse.

#### Standard of living

34. The Committee notes with concern the increased child poverty levels and risks of poverty and social exclusion among children as a result of the economic crisis of 2013 and its lasting effects. Recalling targets 1.1 to 1.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Adopt targeted measures, including a poverty reduction strategy, to eradicate child poverty and prevent the risks of social exclusion among children;

(b) Ensure that children in situations of vulnerability and their families receive adequate financial support and free, accessible services without discrimination, with particular attention given to children with disabilities, refugee, asylum-seeking and migrant children and single-parent families, and review its legislation, including the Guaranteed Minimum Income Law, and social and welfare policies and support accordingly;

(c) Empower children to handle challenging life situations, such as the economic crisis, by enriching school curriculum, enabling discussions with peers and adults, in particular teachers, and providing psychological support.

#### Environmental health

35. The Committee recommends that the State party ensure that measures are taken to progressively shift from carbon-based industries to sustainable and renewable energy sources, in compliance with international obligations.

## I. Education, leisure and cultural activities (arts. 28–31)

### Education, including vocational training

36. The Committee welcomes the efforts undertaken to strengthen the quality of, and access to, education for all children and to promote tolerance and respect for diversity, including the strategic plan for the inclusion of children of a migrant origin and the national strategy for preventing and addressing school violence, 2018–2022. Recalling targets 4.1 to 4.5 and 4.a of the Sustainable Development Goals and the Committee's previous recommendations,<sup>7</sup> the Committee recommends that the State party:

(a) Undertake efforts to address the shortcomings in learning outcomes that have resulted from the COVID-19 pandemic;

(b) Continue to ensure access to high-quality, holistic and non-segregated education at all levels for all children in situations of vulnerability, including children with disabilities, Roma children, children belonging to ethnic minority groups, asylum-seeking, refugee and migrant children, children from socioeconomically disadvantaged families and children in alternative care;

(c) Collect and analyse data on school dropout and children out of school, disaggregated by age, sex, ethnicity, nationality, disability, geographical location and socioeconomic situation, with a view to informing its policies and strategies;

(d) Ensure that all children with disabilities have access to inclusive education in mainstream schools, including by aligning legislation with the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities and enshrining the right to education for children with disabilities in legislation, adopting a targeted and adequately funded action plan, providing pre-service and in-service training to teachers and ensuring reasonable accommodation in terms of infrastructure, teaching support, materials, methods and individualized education plans;

(e) Ensure, including through legislative revisions, that certificates from special schools and units and those received through the apprenticeship system are recognized and ensure open access to gainful employment on the labour market and through unemployment schemes;

(f) Promote the value of and strengthen the system of apprentice learning, *Sistema Mathitias*, its curriculum and teacher training and effectively address discrimination against students attending courses through the system;

(g) Ensure accessible options for children to opt out of religious classes and acquire access to appropriate alternative to such classes, in accordance with the needs of children of minority faith or non-faith backgrounds, and that children who opt out of religious classes are not stigmatized;

(h) Monitor and evaluate its educational reforms, on a regular basis and with the participation of children, ensure that children's views are heard and taken into account in accordance with their age, level of maturity and development and provide other meaningful opportunities for children to participate in matters relating to education, including disciplinary and complaint procedures, with particular attention given to children with disabilities and refugee, asylum-seeking and migrant children;

(i) Intensify efforts to promote a culture of peace, living together and respect for diversity through education, with emphasis on teacher training and school curricula that should be able to address racism, xenophobia and discrimination, and ensure safety and security at school;

(j) Ensure the right of all children to rest and leisure and to engage in recreational activities, including sports.

<sup>7</sup> *Ibid.*, paras. 39 and 45.

## J. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)

### Asylum-seeking, refugee and migrant children

37. The Committee welcomes the legislative amendments providing for the mandatory representation of unaccompanied migrant children before the courts by the Commissioner for Children's Rights and the semi-independent living programmes for such children implemented with the International Organization for Migration and takes note of the efforts undertaken to receive and support children from Ukraine. However, the Committee is concerned about the following:

- (a) Forced returns, or pushbacks, resulting in cases of refoulement and family separation;
- (b) The extensive use of medical procedures for age assessment and a lack of access to appeal mechanisms;
- (c) The lack of legal representation for unaccompanied and separated children throughout the asylum procedure and the delays in processing their claims for international protection and family reunification, with the best interests of the child rarely being taken into account;
- (d) Substandard living conditions, both in the overcrowded reception centres, such as Pournara and Kofinou, and shelters, with insufficient access to health care, education and leisure, and the incidents of physical and sexual violence, which were exacerbated in the context of the COVID-19 pandemic;
- (e) The lack of early identification and referral to specialized services for children in situations of vulnerability and with specific needs;
- (f) The exclusion of asylum-seeking children from access to child benefits and disability schemes and the five-year residence requirement for beneficiaries of international protection;
- (g) The insufficient support for unaccompanied children transitioning into adulthood;
- (h) The lack of an integration strategy and action plan concerning the migrant population, including children.

38. **Recalling joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration and its general comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin, the Committee recommends that the State party:**

- (a) End the practice of forced returns, or pushbacks, of families and children, uphold the principle of non-refoulement in border management, ensure that children receive appropriate protection, access to asylum procedures and legal and humanitarian assistance, in accordance with articles 6, 22 and 37 of the Convention, investigate pushback incidents and hold accountable those responsible;**
- (b) Ensure that the age-determination procedure is multidisciplinary and scientifically based, respectful of children's rights and harmonized across the implementing authorities, give the benefit of the doubt to the individual being assessed, take into consideration documentary or other forms of evidence available and ensure access to effective appeal mechanisms, including by providing the reasoned decision to the applicants;**
- (c) Ensure that separated and unaccompanied children benefit from representation by competent lawyers throughout asylum procedures, reduce delays in processing asylum claims and family reunification and ensure that the best interests of**

the child are a primary consideration in all decisions relating to asylum-seeking children, including by introducing a formal best interests determination procedure;

(d) Provide all refugee, asylum-seeking and unaccompanied children with sustainable, open and high-quality accommodation and shelter with adequate living space, access to health care, psychosocial services, education and leisure and appropriately trained staff to work with children, investigate the reports of violence and prosecute and bring to justice the perpetrators;

(e) Establish a formal and comprehensive procedure for identifying, assessing and addressing, including through follow-up, the specific needs of asylum-seeking children and providing durable solutions;

(f) Ensure the early identification and referral of unaccompanied and separated children and refugee and asylum-seeking children with specific needs to specialized rehabilitation services and psychosocial care, in particular children who are victims of human trafficking, children with serious illnesses, children with disabilities and children who are victims of violence, including female genital mutilation or forced recruitment;

(g) Provide support to unaccompanied migrant children transitioning to adulthood, including by expanding independent living programmes and introducing tailored reintegration plans;

(h) Adopt an integration strategy and action plan, with a view to facilitating the integration of refugee, asylum-seeking and migrant children into society.

#### Sale, trafficking and abduction

39. The Committee welcomes the adoption of the Law on Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims, as amended in 2019, to increase the penalties for human trafficking, including involving children who are victims thereof, the establishment of the national referral mechanism and a permanent screening system for newly arrived asylum-seekers, as well as the adoption of the national anti-trafficking action plan, 2019–2021. Noting with concern that unaccompanied children and children of migrant, Roma and asylum-seeking parents are particularly vulnerable to sex trafficking and forced labour, the Committee, recalling target 8.7 of the Sustainable Development Goals and the Committee's previous recommendations,<sup>8</sup> recommends that the State party:

(a) Align the anti-trafficking and asylum legislation to ensure interconnection and access to rights, including the right of residence, and procedural safeguards for migrant children who are victims of human trafficking;

(b) Adopt a specific national action plan for children who are victims of trafficking and ensure its coordinated implementation between competent authorities;

(c) Strengthen mechanisms and professional training to ensure the early identification, assessment and referral of victims of human trafficking, with particular attention given to unaccompanied children, children of migrant, Roma and asylum-seeking parents and other children in vulnerable situations;

(d) Establish a hotline for victims of trafficking, allocate resources for its effective functioning, train staff to provide child-sensitive and child-friendly assistance and promote awareness among children on how to access it;

(e) Ensure access to specialized services, including shelter, health care and financial support, and to compensation for children who are victims and provide support to non-governmental organizations providing assistance to victims;

(f) Allocate adequate resources to the police anti-trafficking unit to effectively investigate and prosecute cases of trafficking of children and ensure

<sup>8</sup> Ibid., para. 49.

appropriate convictions for perpetrators, including for official complicity, while reducing procedural delays;

(g) Ensure that victim and witness protection provisions are implemented and that prosecutions are victim-centred, child-friendly and gender-sensitive and provide training to judges, prosecutors and law-enforcement officials in that regard;

(h) Conduct a study on the economic exploitation of children;

(i) Conduct awareness-raising activities to make parents and children aware of the dangers of trafficking.

#### Administration of child justice

40. In the light of its general comment No. 24 (2019) on children's rights in the child justice system, the United Nations Global Study on Children Deprived of Liberty and the Committee's previous recommendations,<sup>9</sup> the Committee welcomes the adoption of the Law on Children in Conflict with the Law, in 2021, and urges the State party to:

(a) Implement the law establishing a child justice system, including specialized child court facilities and procedures with adequate human, technical and financial resources, and designate and train specialized judges for the child justice system;

(b) Adopt a prevention approach in dealing with children in conflict with the law;

(c) Ensure that detention is used as a measure of last resort and for the shortest possible period of time and is reviewed on a regular basis, with a view to its withdrawal, and that children are not detained together with adults;

(d) Promote diversion, mediation and counselling for children accused of criminal offences and, wherever possible, the use of non-custodial sentences, such as probation or community service;

(e) Ensure that children are not subject to the adult justice system.

#### Children who are victims and witnesses of crimes

41. The Committee reiterates that the State party should ensure that all children who are victims and witnesses of crimes are provided with protection in line with the Convention and ensure the implementation of the Law on Minimum Standards on the Rights, Support and Protection of Victims of Crime.

### **K. Follow-up to the Committee's previous concluding observations and recommendations concerning the implementation of the Optional Protocols to the Convention**

#### Optional Protocol on the involvement of children in armed conflict

42. The Committee regrets the lack of information on the implementation of its concluding observations<sup>10</sup> on the report of the State party submitted under article 8 (1) of the Optional Protocol and urges the State party to:

(a) End the compulsory recruitment of children under 18 years of age by the armed forces and the use of children in hostilities, including by amending the National Guard Law;

(b) Establish extraterritorial jurisdiction over acts prohibited under the Optional Protocol and eliminate the dual criminality requirement;

<sup>9</sup> Ibid., para. 55.

<sup>10</sup> CRC/C/OPAC/CYP/CO/1.

(c) Establish mechanisms for the early identification of asylum-seeking children from conflict areas, collect disaggregated data on such children and strengthen the physical and psychological support provided to them;

(d) Provide training on the Optional Protocol and children's rights to children, their families and all professionals working with or for children.

## **L. Ratification of international human rights instruments**

43. The Committee recommends that the State party consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

44. The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the sale of children, child prostitution and child pornography, given that the related report has been overdue since 6 May 2018.

## **M. Cooperation with regional bodies**

45. The Committee recommends that the State party continue to cooperate with the Council of Europe on the implementation of the Convention and other human rights instruments, both in the State party and in other States members of the Council of Europe.

## **V. Implementation and reporting**

### **A. Follow-up and dissemination**

46. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including the ones in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

### **B. Next report**

47. The Committee invites the State party to submit its combined seventh and eighth periodic reports by 8 March 2027 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines<sup>11</sup> and should not exceed 21,200 words.<sup>12</sup> In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

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<sup>11</sup> [CRC/C/58/Rev.3](#).

<sup>12</sup> General Assembly resolution 68/268, para. 16.



48. **The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents<sup>13</sup> and paragraph 16 of General Assembly resolution 68/268.**

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<sup>13</sup> [HRI/GEN/2/Rev.6](#), chap. I.