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WATCH

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Greece: Migrant Children in Police Cells

Dreadful Conditions; Transfer Them to Open Facilities

(Athens) – Greek authorities regularly detain asylum-seeking and other migrant children traveling on their own in small, crowded, and unsanitary police station cells, Human Rights Watch said today. They are held there for weeks and months, waiting for space in shelter facilities.

Greece should immediately end this practice and find space for unaccompanied children in open facilities with decent living conditions where they can receive care, counseling, legal aid, and other basic services.



Two asylum-seeking children detained in a VIAL detention facility on Chios island, Greece.

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“Police cells are no place for children who have fled their countries, endured perilous journeys, and are all alone in Greece,” said Rebecca Riddell, Europe fellow at Human Rights Watch. “Locking vulnerable children in cramped and dirty cells for weeks or months is never an acceptable alternative for kids who need and deserve care and protection.”

Although detaining children in police stations was originally intended as a short-term protection measure, a lack of shelters and other alternatives has led to arbitrary prolonged detention in places unfit for children, Human Rights Watch said. According to National Center for Social Solidarity (EKKA), as of July 18 an estimated 18 children were locked in police stations awaiting transfer, while hundreds of other unaccompanied children were held in large detention centers, including on the Greek islands, where they were not free to leave.

On visits to two police stations between June 26 and July 1, 2016, Human Rights Watch spoke with 11

children, some as young as 14, who had been detained for up to two months. Human Rights Watch was not allowed to look at the cells.

The children described unsanitary, overcrowded cells, including dirty blankets and bugs, and lack of access to information or services such as counseling and legal aid. At a police station in northeast Greece, children said a broken shower drain was causing water to flood their cell and that they used their clothes to block the water. The station commander said that as many as 23 children had recently been in a cell with a capacity of 10.

“Babrak K.,” a 16-year-old boy from Afghanistan, said that before being transferred to the station in northwest Greece where Human Rights Watch spoke to him, he spent five days in a nearby police station in a windowless, vermin-infested basement cell. He said that four people shared three mattresses on the floor, and that the toilet had no door. He said that food was thrown into the cell through a small slot in the door and that because detainees were not provided with cups, he drank water from a discarded food container.

At both police stations, children said they were not allowed to leave their small cells. Some said their meeting with Human Rights Watch was the first time in weeks that they had left their cells.

Records at one police station showed that the eight children held there had been in police custody for an average of one month. “Javed S.” a 16-year-old boy from Afghanistan who had been in police custody for 52 days, said: “The situation is very bad...I feel alone here, far from my family, from my friends...I need to get out of this hell.”

Senior police officers interviewed acknowledged that the arrangement was undesirable. The head of the Aliens Police Division in Thessaloniki, Brigadier Pantelakis Georgios, said, “This is not what we want. These children are not detainees.” The Thesprotia police director, Ntontis Ilias, said, “Apart from being police officers, we are also parents.... Of course we agree children should not be handled by us, but for now it’s the best available option.”

Human Rights Watch saw children who appeared to be experiencing psychological distress and spoke with two who had attempted to harm themselves. One had used a razor to make small cuts on his arm and another had stopped eating and contemplated suicide. A psychologist at a shelter for unaccompanied children, Fivos Kolovos, stressed that the lack of access to support in detention can be particularly harmful: “Being in detention and having psychological issues is the worst combination. No one can take care of you, not even your friends who are in the cell with you.” There was no routine access to psychological care at the police stations visited.

Many of the children interviewed said they had not received information about their rights or about the process for seeking asylum. None had an opportunity to speak with the police with the help of an interpreter. “Houmam B.,” a 17-year-old who said he was from Syria and had been in police custody for 10 days, said he had not been able to communicate with the police at all: “I’ve never spoken to an interpreter, I ask for help from my friends.”

Children said they had fled violence, child recruitment, or crushing poverty. Babrak K. said he stopped going to school in Afghanistan when the Taliban executed two of his classmates: “It happened in an instant. The Taliban came and cut off the heads of two boys.” He said he finally left Afghanistan after the Taliban sent a written threat to his family.

The detention of unaccompanied children due to a shortage of sufficient and adequate accommodation is a chronic problem in Greece. According to the National Center for Social Solidarity (EKKA), the government authority responsible for managing the placement of unaccompanied children in shelters, Greece has only 661 shelter spaces for unaccompanied children. As of July 18, all facilities were full, and 1,394 requests for placement were pending. EKKA received more than twice the number of requests for transfers of unaccompanied children to shelters in the first quarter of 2016 than in the first quarter of 2015. According to UNHCR, the United Nations refugee agency, more than 60,300 children have reached Greece by sea since the beginning of 2016, 38 percent of total sea arrivals. There are no reliable statistics on how many of these children are unaccompanied.

Applicable Greek law, as amended in April, says that detention of children should be avoided and that unaccompanied children should not be detained as a rule, but only in very exceptional cases as a last resort. However, the law still foresees the possibility of detaining unaccompanied children for up to 25 days pending referral to a dedicated reception facility, and an extension of 20 days if the child cannot be transferred due to exceptional circumstances, such as the arrival of a large number of unaccompanied children. According to police records at a station Human Rights Watch visited at the end of June, five children had been in police custody in excess of 25 days and two had been in custody more than 45 days.

The law also calls for all children in detention to be “given the possibility to occupy themselves with activities, including games and recreational activities appropriate for their age.” But Human Rights Watch found no evidence that the children in police cells had any such opportunities. While this law improves upon the previous framework, which provided no clear time limit, it falls short of providing adequate protection to prevent prolonged detention of children, or securing appropriate conditions in the child’s best interest, if detention occurs.

The Convention on the Rights of the Child, to which Greece is a party, says that children can only be detained as a last resort and for the shortest appropriate period. The UN Committee on the Rights of the Child, which oversees states’ compliance with the convention, has concluded that “[d]etention cannot be justified solely on the basis of the child being unaccompanied or separated, or on their migratory or residence status, or lack thereof.” International standards and the 2010 EU Action Plan on Unaccompanied Minors specify that, in the exceptional cases when unaccompanied children are detained, their best interests must be taken into account. Children in detention have a right to recreation and to education, and should have access to basic necessities, appropriate medical and psychological care, and legal assistance.

Greek authorities should avoid detaining unaccompanied children and should adapt Greek law and practice to ensure that children are detained only in exceptional circumstances and for the shortest appropriate period, Human Rights Watch said. Even before any change in law or the establishment of sufficient dedicated

shelters, authorities should not detain children in police cells when facilities with better conditions are available. Authorities should transfer children to transitional facilities, including designated safe spaces in refugee camps and other open facilities.

The Greek government should make it a priority to establish open, dedicated shelters with sufficient capacity, where unaccompanied children can get the care and support they need and to which they are entitled under national and international law. The European Union should provide the necessary resources to support such facilities.

“Children who have fled violence and poverty and encountered danger along the way shouldn’t face prolonged detention and neglect when they arrive in Greece,” Riddell said. “Greece’s goal may well be to try to protect these children, but it can’t do that by locking them in dirty, crowded police cells, and making police play caretakers.”

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