

**OPEN LETTER:**

**“ALL CHILDREN HAVE THE RIGHT TO GO TO SCHOOL. DO NOT TAKE THAT AWAY FROM THEM”.**

**TO:**

**The Prime Minister of the Hellenic Republic, Kyriakos Mitsotakis**

**The Minister of Education and Religious Affairs of the Hellenic Republic, Niki Kerameus**

**The President of the European Parliament, David Sassoli**

**The President of the European Commission, Ursula von der Leyen**

**The European Commissioner for Innovation, Research, Culture, Education and Youth, Mariya Gabriel**

**The European Commissioner for Justice and Consumers, Didier Reynders**

Athens, March 9, 2021 – The undersigned organisations express deep concern about the situation relating to asylum seeking and refugee children’s access to education in Greece over the past few years. Specifically, for the past six years it has not been possible to guarantee smooth and unimpeded access to education for asylum seeking children. As a result, the majority of these children have been deprived of one of their fundamental rights. These issues have become so intense over the last year that one can in fact refer to an extensive process of “deschooling”.

**In particular:**

On the islands where children stay in Reception and Identification Centres as well as in Pre-removal Detention Centres for Foreigners, access to schools in the local community is almost non-existent<sup>1</sup>. Moreover, serious delays and obstacles have been observed, resulting in a huge gap between the number of enrolled children and the children that actually attend school.

Nevertheless, the situation is equally worrying in the refugee camps on the mainland. In some places the issues observed have to do with inconsistent interpretation of COVID-19 related movement restriction policies by the Greek authorities, which ends up discriminating against children who, as a result, are not being allowed to leave these camps. At the same time, during the lockdowns, due to the lack of necessary technical infrastructure for online learning at the camps, refugee and asylum seeking children are further excluded from the education process. Moreover, other issues have been observed in quite a few locations nationwide. These include the lack of transportation to schools; understaffing and malfunctioning of reception classes; an insufficient number of spots available at schools and kindergartens; problems resulting from

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<sup>1</sup> According to the information provided by the Assistant Ombudsman for the Rights of the Child at a meeting of the Network for the Rights of Children on the Move, on 13/02/2021, based on a survey carried out by that Independent Authority.

unjustified behaviour by school administrations—but also by local communities— who are reacting against the prospect of refugee children attending public schools. All these issues are compounded by the worrying absence of any concern by authorities to include these children in the educational process.

Several of the undersigned organisations presented the above-mentioned issues to the competent ministries, via a private letter, on 3/2/2021. In response to this letter, co-signing organisations were invited to an online meeting with the relevant authorities on 26/2/2021. We acknowledge and welcome the willingness of the authorities to launch a dialogue process with civil society regarding the pressing issue of refugee education. Still, the current situation, with its critical shortcomings, requires that immediate action is taken by the authorities so that not one more school day is missed.

According to Greek and European law<sup>2</sup>, education is provided free of charge and is compulsory for children aged 4 to 15, including education intended for asylum seeking children. Articles 28 and 29 of the International Convention on the Rights of the Child, which has been transposed into national law by the Hellenic Republic (Law 2101/1992), foresee that all children, without any exceptions, have equal rights to primary and secondary education.

It is vital that these children attend school because it is their right, first and foremost. However, continuing education is also an essential element to counteract some of the uncertainty and stress the COVID-19 pandemic has meant for children and their families. Added to this most children have already missed precious time out of their education as a result of conflict, insecurity or other conditions in their country of origin or countries of transit during their often-arduous journeys to reach Greece. School access is a decisive factor in guaranteeing an organised daily routine and a safe environment in which to learn and grow; factors of vital importance for the mental health and personality development<sup>3</sup> of children but also for the smooth operation of society as a whole.

**For all the reasons outlined above, we call upon the Greek government to take immediate action to guarantee equal, substantive, and quality education to children of all ages and nationalities residing both on the islands and on the mainland. More specifically, we call upon the Greek authorities to guarantee that:**

- The decisions taken regarding children's access to education are clear and implemented, removing any obstacles that may arise and applying harmonised practices to prevent them from becoming empty words.
- Children have unobstructed access to education during their stay in the country, irrespective of the conditions under which they live, of their residence status or that of their parents or guardians. To that end, we propose that the option of issuing an attendance card for pupils on the move be considered.

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<sup>2</sup> Including but not limited to: Article 14 of the Charter of Fundamental Rights of the European Union concerning the right to education, Article 14 of Directive 2013/33 / EU and Article 27 of Directive 2011/95 / EU on recognition. In Greek law, Articles 28 and 51 of Law 4636/2019 foresee the education and access to education of minor asylum seekers and beneficiaries of international protection and Article 60(h) of Law 4636/2019 foresees the access of unaccompanied minors to education. Furthermore, Article 21(7) and (8) of Law 4251/2014 and Article 40 of Law 2910/2001 foresee unimpeded access of third country minors to education. On the banning of discrimination see Article 21 of the Charter of Fundamental Rights and Article 14 of the European Convention on Human Rights read in conjunction with Article 2 of Protocol 1 of the ECHR, and in Greek law see Article 3(2)(c) Law 4443/2016.

<sup>3</sup> [https://ec.europa.eu/echo/what/humanitarian-aid/education-emergencies\\_en](https://ec.europa.eu/echo/what/humanitarian-aid/education-emergencies_en)

- Any policy of formal education being provided within closed-type or controlled hosting facilities is abandoned, as the creation of “ghetto schools” is essentially far removed from the idea of quality education and constitutes a violation of the law<sup>4</sup>.
- Mechanisms to monitor the situation in the field of refugee education are established and any problems are immediately tackled, doing so over a long horizon to guarantee equal educational opportunities for all pupils and to combat school dropout.
- Extensive and measurable awareness-raising actions are implemented for schools and local communities to ensure everyone is aware of the right of all children to attend school but also the mutual benefits arising from cultivating a multicultural society.
- Administrators and headmasters of schools do not only encourage school refugee pupils to attend school but also seek out the children residing in their area and see to their enrolment and attendance as foreseen by the relevant provisions on compulsory attendance, and do not in any way thwart the children’s enrolment and attendance.

We also call upon European leaders to ensure the implementation of European law in accordance with the Charter of Fundamental Rights of the European Union and the International Convention on the Rights of the Child, by which our country is also bound, and that no violation of EU law be tolerated especially if such violations put groups of people, such as children, at risk.

Children’s fundamental access to education is vital for the future of us all.

#### **THE SIGNATORY ORGANIZATIONS:**

ACTION FOR EDUCATION  
 ACTIONAID HELLAS  
 ARSIS – ASSOCIATION FOR THE SOCIAL SUPPORT OF YOUTH  
 BABEL DAY CENTER  
 CARITAS HELLAS  
 CHANGEMAKERS LAB  
 CHOOSE LOVE – HELP REFUGEES  
 DANISH REFUGEE COUNCIL  
 ECHO100PLUS  
 ELIX  
 EQUAL RIGHTS BEYOND BORDERS  
 EUROPE MUST ACT  
 GREEK ASSOCIATION OF PEOPLE LIVING WITH HIV "POSITIVE VOICE"  
 GREEK COUNCIL FOR REFUGEES  
 GREEK FORUM OF MIGRANTS (GFM)  
 HUMANRIGHTS360  
 INTERNATIONAL RESCUE COMMITTEE (IRC)  
 INTERSOS HELLAS  
 IRIDA WOMEN'S CENTER  
 LEGAL CENTRE LESVOS  
 LESVOS SOLIDARITY

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<sup>4</sup> Law 2101/1992 and 4251/2014 and the case A. Lavidia and Others v. Greece:  
<https://docs.google.com/viewerng/viewer?url=http://www.curia.gr/wp-content/uploads/2013/05/AFFAIRE-LAVIDA-ET-AUTRES-c.-GRECE.pdf>

MELISSA NETWORK  
METADRASI ACTION FOR MIGRATION AND DEVELOPMENT  
NETWORK FOR CHILDREN'S RIGHTS  
ODYSSEA  
REFUGEE LEGAL SUPPORT (RLS)  
REFUGEE RIGHTS EUROPE (RRE)  
REFUGEE SUPPORT AEGEAN (RSA)  
REFUGEES INTERNATIONAL  
SOLIDARITYNOW  
STILL I RISE  
TERRE DES HOMMES HELLAS  
ZEUXIS

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