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Master Thesis:

**“Ensuring formal education in Greece is inclusive of Refugee  
Children; a study in view of Covid-19 emergency”**

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Η έγκριση της διπλωματικής εργασίας από το Πάντειο Πανεπιστήμιο Κοινωνικών και Πολιτικών Επιστημών δεν δηλώνει αποδοχή των γνωμών της συγγραφέως.

*To my family,  
For their support and trust  
in every step of my way*

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## Abstract in Greek

Η παρούσα διπλωματική εργασία, επιδιώκει να αναδείξει το δικαίωμα στην εκπαίδευση, όπως αναφέρεται στα διεθνώς αποδεκτά νομικά κείμενα ως απαραίτητη διαδικασία την ανατροφής των παιδιών. Αρχικά καταγράφοντας και σχολιάζοντας τα κείμενα αυτά (τη Διακήρυξη για τα δικαιώματα του ανθρώπου, τη Σύμβαση για τα Δικαιώματα του Παιδιού κλπ) δημιουργεί τη βάση και αργότερα εξερευνά πώς αυτοί οι γενικά παραδεδεγμένοι κανόνες εφαρμόζονται στην Ελλάδα και κατά πόσο η εφαρμογή τους πλαισιώνει ποιοτικά τα πλέον ευάλωτα παιδιά που βρίσκονται στη χώρα, τα παιδιά προσφυγικών οικογενειών και εκείνα που είναι ασυνόδετα.

Ιδιαίτερη μνεία γίνεται στα τελευταία δύο χρόνια που η εκπαίδευση προσαρμόστηκε στις συνθήκες της πανδημίας Covid-19, καθώς οι ανισότητες οξύνθηκαν ιδιαίτερα. Η γεωγραφική μειονεκτική θέση των παιδιών προσφύγων που διαμένουν σε καταυλισμούς (Κέντρα Υποδοχής και Ταυτοποίησης) όπως αυτό της Λέσβου, η έλλειψη τεχνολογικών μέσων και πρόσβασης στο διαδίκτυο, η έλλειψη κοινωνικοποίησης και η αναβίωση περιορισμών μετακίνησης, είναι μερικές από τις επιπρόσθετες προκλήσεις που τα παιδιά πρόσφυγες κλήθηκαν -και καλούνται- να αντιμετωπίσουν.

Για να είναι επαρκής η προσπάθεια ανάδειξης του πλαισίου της τυπικής εκπαίδευσης για τα παιδιά πρόσφυγες στην Ελλάδα, ιδιαίτερα για τις δύο περασμένες σχολικές χρονιές, αναζητήθηκε και καταγράφηκε η εμπειρία των ίδιων των παιδιών, των επαγγελματιών εκπαίδευσης και προστασίας τους, των καθηγητών στις ΖΕΠ και τις ΔΥΕΠ, των κοινωνικών λειτουργών και φροντιστών τους στα διαμερίσματα ημιαυτόνομης διαβίωσης, εργαζομένων της UNICEF και της Ύπατης Αρμοστείας του ΟΗΕ για τους Πρόσφυγες στον τομέα της Εκπαίδευσης, αλλά των υπευθύνων χάραξης της πολιτικής από τη σκοπιά του Υπουργείου Εκπαίδευσης και του Υπουργείου Μετανάστευσης και Ασύλου -ειδικότερα, της Ειδικής Γραμματείας Προστασίας Ασυνόδετων Ανηλίκων.

Η μεθοδολογία συλλογής των πληροφοριών χωρίστηκε σε τρία επίπεδα, σε αντιστοιχία με τις τρεις κατηγορίες ανθρώπων από τους οποίους αντλήθηκαν πληροφορίες. Το πρώτο επίπεδο (micro-level) αφορούσε στα ασυνόδετα ανήλικα παιδιά και την εμπειρία τους από το Ελληνικό εκπαιδευτικό σύστημα, με έμφαση στην εξ αποστάσεως εκπαιδευτική διαδικασία.

Στο δεύτερο επίπεδο (meso-level) οργανώθηκαν δύο ομάδες εστιασμένης συζήτησης (Focus Group Discussion, FGD) σε Αθήνα και Λέσβο με κοινωνικούς λειτουργούς, φροντιστές και εκπαιδευτικούς και καθηγήτριες που είχαν διοριστεί σε τάξεις υποδοχής προσφύγων (ΔΥΕΠ). Στο τρίτο επίπεδο (macro-level) πραγματοποιήθηκαν ημι-δομημένες συζητήσεις με ανθρώπους μεγαλύτερης εξειδίκευσης και ευθύνης στο χώρο της εκπαίδευσης προσφύγων.

Τα συμπεράσματα και οι συστάσεις που καταγράφονται προς το τέλος της εργασίας, είναι η συνισταμένη των όσων τα νομικά κείμενα σε διεθνές και εσωτερικό δίκαιο ορίζουν και των απόψεων όσων συμμετείχαν στο ερευνητικό δείγμα, και της γράφουσας. Ο στόχος της εργασίας αλλά και οι τελικές συστάσεις, λαμβάνοντας υπόψη τυπικούς και ηθικούς περιορισμούς, είναι να προτρέψει σε ένα πιο συμπεριληπτικό αλλά παράλληλα ρεαλιστικό εκπαιδευτικό πλαίσιο, που σε μικρότερο χρονικό διάστημα από τα σημερινά δεδομένα τα παιδιά πρόσφυγες θα μπορούν να συμμετέχουν και να ενσωματώνονται στην τάξη.



*Υπερασπίσου το παιδί,  
γιατί αν γλιτώσει το παιδί  
υπάρχει ελπίδα*

## **Introduction**

Just before I start elaborating on the arguments on the topic of my thesis, I would like to highlight how grateful I am for my educational journey in Greek state run schools and universities from kindergarten to higher education: Receiving free, quality education, adequate for my age and abilities was and has been my right. As I grew older and studied human rights in a more structured way, I realized that my right to education is a common fundamental right of all children around the world, and must be practiced in a universal, indivisible, interdependent and interrelated way, as all other rights human beings are entitled to, just for being born in the human race.

While I was experiencing the above, and learning all these fascinating things in university, I got exposed to other cultures, educational systems, and opinions, and realized my access to the above-described educational process was influenced by another indispensable factor: LUCK. Geographical coordinates, political stability, and family environment have been out of my scope of influence, yet I was lucky enough, that I was born in Greece, where education has been free, in an era of democracy, stable institutions and in a family able and willing to provide their best for my education. This has been, in fact, a privilege.

It is undeniable that many groups of people, have consistently faced barriers to access education in Greece. Roma children, migrant children, children in special juvenile detention centers, to name a few. Refugee children in Greece have also, consistently faced barriers to access formal state-run education in Greece<sup>1</sup>. Barriers to education is likely to create longer term barriers to children's long-term integration in Greek communities, resulting in an entire disadvantaged and marginalized population within the country. COVID-19 has further

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<sup>1</sup> This paper shall go in detail on refugee children education opportunities. At this stage it is worth to mention that the Ministerial Decision on refugee children's access to greek schools was not published until 2017, put in practice even later [Νόμος 4547/2018 - ΦΕΚ 102/Α/12-6-2018 \(Κωδικοποιημένος\) - ΕΚΠΑΙΔΕΥΣΗ - ΠΑΙΔΕΙΑ](#)

exacerbated refugee children's access to school, as preexisting challenges have now increased resulting in the exclusion<sup>2</sup> of refugee children from the Greek educational system.

Access to education, and psychosocial support in school, not only facilitates the creation of children's and their families' social networks, these critical components on a child's life, also results in children being in a safe, secure environment, protected from exploitation and harassment, and further helps in supporting future young adults to settle well in their communities.

This thesis aims to provide a solid understanding of how and to what extent the Greek educational system has adapted in the unprecedented refugee flows of the past years and in specific within the recent -and ongoing- Covid-19 pandemic, which has shaken all aspects of human living to the roots. The topic can be wide, and the discussions never ending, therefore there has been effort to narrow the scope of this discussion to two main areas. On the first part, this paper focuses on providing a wide understanding on the people of concern, their legal status, and specific rights within also the Greek law system. The initial chapter, therefore, deals primarily with context and definitions of refugees, migrants, and unaccompanied children, and secondly with the notion of education and in specific education in emergencies. Details on the right to education as described in the international conventions, namely the International Declaration of Human Rights, the Convention of the Rights of the Child and other Covenants and United Nations Declarations and the role of Sustainable Development Goals (Agenda 2030), as well as how these are incorporated in the national law of Greece are given on the second chapter. This is an effort to have the importance and mandatory nature of education in the forefront of any action and every planning of refugee reception and integration.

On the second part of the thesis, qualitative research of three levels is being presented. Three levels of research have been chosen (micro-meso-macro) to cover a wider scope of opinions and inputs. As the goal is to get a deeper understanding of refugee children's experience in formal education in Greece as well as the main barriers related to access to formal education faced by refugee children in Athens and Lesbos, a questionnaire was given to unaccompanied refugee children living in Supported Independent Living apartments<sup>3</sup> in Athens. These children are registered in formal state run schools. Taking all measures of child

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<sup>2</sup> Remote educational modalities had consistently failed, as reported by public and private (NGOs) institutions interviewed under this paper's research.

<sup>3</sup> Supported independent living (SIL) apartments offer an alternative, non-institutional type of accommodation and provision of care to unaccompanied refugee children over 16 years old. The SIL's framework in Greece was established in 2018 and their standard operation procedures were agreed in 2020. (A chance for a better future Supported independent living and the protection of unaccompanied children in Greece, IRC Hellas, 2021, p.12)

safeguarding, it was crucial to include children's voices and their lived experiences in the thesis, in order to extract informed conclusions and make adequate recommendations, while keeping the protagonists in the driver's seat.

The meso level of the research, exists to highlight the backbone of all efforts of registering refugee children in schools and keeping them there; Two focus group discussions took place in Lesvos and Athens, with educators working in schools where refugee children go and with their caretakers and social workers that are responsible to register children to school and monitor their attendance and progress. With schools being the main site of integration - children learn the local language, socialize, and get the sense of a safe routine while making progress in life-, these focus group discussions have provided great insight, and were a starting point of fruitful conversations among colleagues on shared experiences.

The macro level of the research, took place to discuss European and Greek government policy on access to education, refugee rights, integration of refugee children in Greece as well as lessons learned on the provision of education to refugee children during the COVID-19 emergency in Greece with stakeholders of the Ministry of Education, Ministry of Migration and Asylum, as well as UN bodies (UNICEF and UNHCR) and a coordinator of refugee children non-formal education on Lesvos island, so as the research has a better perspective of the educational structure in the mainland and the first reception centers, as well as experience and choices children residing in the Reception and Identification Center (RIC) have.

The reader should expect the methodology to unfold on the third chapter of the thesis, along with the existing limitations and their justification. Some limitations are by nature, for example sample size can be considered small, and others by choice, children's sample consists only of adolescent boys, as these live in the SIL apartments of International Rescue Committee, the INGO, I work for the past years and unaccompanied boys constitute 92% of unaccompanied refugee children population in Greece<sup>4</sup>. Key recommendations are to be found in the concluding chapter, after a needed reality check.

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<sup>4</sup> Percentages according to EKKA's (National Center of Social Solidarity) bi-weekly reports.

## **Part I: Literature Review | All Children in Education, it is their right**

### **Chapter 1: Education of refugee children in Greece; Context and Definitions**

By the end of 2020, it was estimated that there were globally 82,4 forcibly displaced people, as a result of persecution, conflict, violence, human rights violations or events seriously disturbing public order<sup>5</sup>. It is noted that numbers of people on the move are reaching every year record highs, with many -approximately 48 million- being internally displaced (IDPs), 26,4 million are recognized refugees and 4,1 are currently asylum seekers. It is disturbing to see that 42% of these people, namely 35 million, are children, having not reached the 18th year of age, and to follow the trend that 68% of all IDPs worldwide originate from only 5 countries (Syrian Arab Republic, Venezuela, Afghanistan, South Sudan, and Myanmar).

In Europe, 280,000 people were granted protection by receiving asylum in 2020. 27% of these people are from Syria, and 15% are from Afghanistan<sup>6</sup>. Again, it is interesting to highlight that 141,000 people of the total of those seeking asylum in the EU, were under 18 years old – 13,500 were unaccompanied children (almost 10%). Most of unaccompanied children came from Afghanistan, Syria, and Pakistan. For Greece's process with handling the refugee flows, there are some main topics of concern; First, Greece has been a first reception country in Europe, receiving steadily much more than 100,000 people per year since 2015. The year before Covid-19 outbreak, 2019, the country hosted 190,900 people of concern, arriving either from the Eastern Mediterranean route, or from the Northern borders of Evros river. While these numbers are decreasing, with the first nine months of 2021, being just at 168,000<sup>7</sup> and the country gradually transitioning from the emergency to the integration stage, effort needs to be put to ensure all these people receive dignified, quality services.

With UNHCR stating that actual numbers must be globally higher, it is worth exploring a bit further, the definitions of refugee, migrant, unaccompanied child, people on the move and some other definitions such as transit country or country of first reception to better understand and evaluate the context. Then, in this part, Education as a fundamental right and education in

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<sup>5</sup> Data presented in this part, are extracted from UNHCR's refugee data and statistics. Real time estimations of which, are to be found here: <https://www.unhcr.org/refugee-statistics/>

<sup>6</sup> Data presented in this part, derive from Eurostat, 2020. Full reports on migration trends in the EU can be found here: [https://ec.europa.eu/info/strategy/priorities-2019-2024/promoting-our-european-way-life/statistics-migration-europe\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/promoting-our-european-way-life/statistics-migration-europe_en)

<sup>7</sup> Situation analysis provided by UNHCR on the fact sheet published on September 30th, 2021. available [here](#)

emergency as a safe haven for children will be analyzed, in order to have the bigger picture of what Greece and the EU must do, to oblige with the International legal framework and ensure the smooth implementation of the in-country planning. To the above equation, one more aspect should be taken into consideration; Numbers, as well as quality of documentation and access to relevant monitoring has drastically changed the past year of Covid-19 pandemic, humanitarian access to camps and other accommodation facilities was often prohibited, and people of concern found themselves in long term lockdown periods that according to major human rights monitoring mechanisms did not meet the lawful criteria<sup>8</sup>.

## 1.1 Refugees, Migrants & Unaccompanied Children

### i. Definition of Refugees

Refugees are protected under international law, with a very specific framework and provisions. In essence, refugees are those people, residing unwillingly outside of their country of origin, as there is a real danger of prosecution, violence, armed conflict and other incidents repeatedly threatening the life and wellbeing of theirs or their families. As better stated in article 1, paragraph 1 of the respective convention *“For the purposes of this Convention, the term “refugee” shall mean every person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”*

The special legal framework of refugee protection is called “international protection” and in the EU is regulated with the Directive of 2011/95/EU<sup>9</sup>. Special provisions are applied to children and especially unaccompanied children, taking into consideration the best interest of the child and International Convention of the Rights of the Child and by understanding the

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<sup>8</sup>Human Rights Watch respective article as of June 2020, can be accessed here:

<https://www.hrw.org/news/2020/06/12/greece-again-extends-covid-19-lockdown-refugee-camps>

<sup>9</sup> This Directive , amends the 2004/83/EU directive, taking into further consideration the new common policy on asylum applications and conclusions of the Tampere Committee and stating in art. 12 “The main objective of this Directive is, on the one hand, to ensure that Member States apply common criteria for the identification of persons genuinely in need of international protection, and, on the other hand, to ensure that a minimum level of benefits is available for those persons in all Member States”. available [here](#)

notion of a family in a wider sense, when it comes to refugee children travelling for family reunification, to meet second degree relatives for example<sup>10</sup>.

The insurmountable need of such groups of people to search for refuge in neighboring countries<sup>11</sup>, is the result of their living conditions, often times so unbearable and traumatizing that they are crossing borders in precarious conditions. Greece and Southern Europe are no strangers of this trend. Boats and dinghies leaving from Turkey, Libya and more recently Morocco and South Sahara, are a common practice of the past decade, that according to IOM's missing migrants project<sup>12</sup>, 22,842 people have gone missing in the Mediterranean Sea only, since 2014. People able to prove their refugee status, are those whose effort to arrive in Europe in these precarious conditions is less dangerous than being returned to their country of origin, where they would be subject to humiliating, degrading, or even deadly consequences.

Article 14 of the Universal Declaration of Human Rights supports everyone's right to seek and enjoy asylum<sup>13</sup>. At international level, this had not been the norm up until the International Convention and Protocol related to the status of the Refugees, entering into force in 1951. The Refugee Convention of 1951, along with other regional legal documents of high importance, such as the Organization's of African Unity (OAU) Convention Governing the specific aspects of Refugee problems in Africa, of 1969<sup>14</sup> are the steppingstone to all current decisions and action planning of the refugee status granted to asylum seekers. They set the universal rights and obligations of people on the move.

## ii. Definition of Migrants

Usually, the terms "migrant" and "migration" refer to a voluntary procedure of border crossing and an easy, organized search for a new home, work and educational opportunities, for the migrant to have better life for himself and his dependents. This does not apply to refugees, who cannot safely return to their country of origin and are protected under the previously mentioned legally binding conventions. In every effort to use the terms refugee and migrants interchangeably there is high chance, that the word "migrant" will disorient the

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<sup>10</sup> art. 18, 19, 28, 38 of Directive 2011/95/EU

<sup>11</sup> According to UNHCR 2020 year end reports, 73% of refugees worldwide are hosted in neighboring countries.

<sup>12</sup> IOM's missing migrants project is a real time database monitoring global people on the move trends. Available here: <https://missingmigrants.iom.int/region/mediterranean>

<sup>13</sup> Article 14: 1. Everyone has the right to seek and to enjoy in other countries asylum from persecution. 2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

<sup>14</sup> This Convention entered into force as of June 20th, 1974.

message receiver, and s/he shall not have in mind the legal framework that has been protecting refugees for decades. Refugees that are repeatedly called migrants, lose the sense of protection in the public's eye, are subject to unlawful pushbacks, relocation and lack of services and legal protection. With every use of the word illegal migrant, the sense of protection, necessity of movement, and universal respect fades out.<sup>15</sup>.

What is more, it needs to be clear that any time phrases such as “people on the move” or “international migration” are used, they do not embed any sort of legal gravity. These are phrases often used to describe a historical, cultural, or even current phenomenon, that is not of legal nature, but can have journalistic, philosophical, or socioeconomic importance. Of course, they can mean either refugees, migrants, or IDPs, or all these people at once, but cannot be put under the strict international legal framework.

### iii. Definition of Unaccompanied Children

By the definition provided in the Guidelines on Policies and Procedures in dealing with Unaccompanied Children Seeking Asylum, of the UNHCR, published February 1997 an unaccompanied child *“is a person who is under the age of eighteen, unless, under the law applicable to the child, majority is, attained earlier and who is “separated from both parents and is not being cared for by an adult who by law or custom has responsibility to do so”*. Unaccompanied children's status differs from refugee children, since they do not have a parental guardian with them while on the move, and are subject to further vulnerabilities, dangers, and harm. Therefore, effective protection and assistance should be delivered to unaccompanied children in a systematic, comprehensive, and integrated manner<sup>16</sup>.

UAC must be granted priority in all asylum procedures, be granted a legal guardian and be treated in an age-appropriate way. While the above can be considered common sense, in reality UAC especially boys that constitute 92% of UACs in Greece, have been treated as adults, been kept in detention centers for months or with adult men in camp facilities, not taking into consideration they are minors. Greece in particular, in order to combat these phenomena and in an effort to put further safeguarding policies, has established the Special Secretariat for the Protection of Unaccompanied Minors and monitors UACs quantitative variations bi-weekly through the National Center of Social Solidarity.

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<sup>15</sup> Πρόσφυγας, ή Μετανάστης, οι λέξεις έχουν σημασία, UNHCR factsheet, Representation in Cyprus, 2018

<sup>16</sup> As indicated in the general principle of the Guidelines on Policies and Procedures in dealing with Unaccompanied Children Seeking Asylum, 1997

A few interesting points for UAC in Greece is that over the past year emphasis has been put, for their relocation from RICs to the mainland and further to Europe for relocation and family reunification. This act was initiated also, following the devastating Moria fires on Lesbos camp, leaving 406 UAC helpless<sup>17</sup>. As of the end of September 2020, there were 4222 UAC in the country, while a year later, this number has dropped in half, currently counting 2148 UAC<sup>18</sup>.

## **1.2 Education, Non-Formal Education & Education in Emergencies**

*“Education is the most powerful weapon  
you can use to change the world”*

Education is one of the most important independent rights all people are entitled to. Especially for children, it constitutes an inseparable part of their development, while adult education and lifelong learning are becoming more and more a de facto process in Europe. Educational processes all around the world are a dynamic effort to create societies aware of global issues, scientific advancements, and ongoing crises.

Currently, all around the world, education has many forms and practices, but it can be roughly categorized as formal education, non-formal education, and informal education. Formal education is the one that is structured, provided equally to all residents of each country starts from primary or even kindergarten schools up to university and is usually defined in each country’s highest formal legal documents. In essence, education in Greece is described in the second part of the Greek Constitution, named “Individual and Social Rights” in article 16. Non-formal education is still structured learning process, that is however result of individual action, as each one of us must participate in lifelong learning seminars, Erasmus+ programs provided for EU and other participating countries or other projects that have pedagogical impact to their participants. The importance of this form of education is recognized, by the European Commission’s Recommendation (2018/C 189/01)<sup>19</sup>.

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<sup>17</sup> Ministry of Migration and Asylum issued the decision to transfer all UAC to the mainland and follow all best practices to keep them safe. This was supported by all INGOs working in the field as well as the UN bodies. Respective UNICEF announcement can be found [here](#).

<sup>18</sup> Statistics are provided bi-weekly by EKKA. Available [here](#).

<sup>19</sup> This Recommendation was adopted as of May 22nd, 2018 and among others it stated that “everyone has the right to quality and inclusive education, training and lifelong learning in order to maintain and acquire skills that allow full participation in society and successful transitions in the labour market.”



Lastly, informal education is the notion of learning through living and experiencing. It is a completely unstructured way of accepting information, since the day we are born and included crucial components of daily life such as our native language and social manners, as well as common sense. The Council of Europe defines informal education as *“a lifelong learning process, whereby each individual acquires attitudes, values, skills and knowledge from the educational influences and resources in his or her own environment and from daily experience.”*<sup>20</sup>

The above definitions have one thing in common; they imply that the person receiving the educational stimulations is on one hand ready, prepared and in a situation s/he has access to educational systems that work and on the other, when it comes to informal education, that the surrounding environment is appropriate for his physical as well as mental health and do not cause any further trauma.

To this end, the definitions of the types of education have been provided. What is more, is to highlight the way these educational types are reaching out to students, especially of refugee, and migrant background. The notion of transcultural education provides the tool package for all students in the classroom to be seen, heard, appreciated, with zero discrimination for their national or religious or social background. In essence, it can be defined as *“Any education which stands against, day to day pedagogical methods and practices that promote or tolerate further exacerbation of any type of discrimination, whether it is social, cultural, gender-based, language-based, of religious, or force any form of judgement”*<sup>21</sup>.

Overall, it is prominent, that for children to be educated, it is crucial not only to have the type of education that is adequate for them, but also to have it adapted to their specific needs. This is taken under serious consideration, especially in cases of emergency where the environment might be unstable due to natural disasters, or human made tragedies; Facilities might be ruined, schools might be short in resources and supplies and even understaffed, infrastructure for children to reach the school area might be inaccessible and the list of barriers is never-ending. So, what happens in these cases, that access to education is difficult? To combat, or at least mitigate these threats, there has been developed a protocol suitable for education in emergencies (EiE) and education of few resources. The Inter-agency network for EiE (INEE)<sup>22</sup> has set up minimum operational standards for educational institutions and

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<sup>20</sup> Detailed definitions for all three types of education can be found in COE website, as extracted by the Compass manual

<sup>21</sup> Α. Γιώτσα, *Ανθρώπινα Δικαιώματα και Εκπαίδευση*, Εκδ. Gutenberg, Αθήνα 2019. σελ 136

<sup>22</sup> The Inter-agency Network for Education in Emergencies (INEE) is an open, global network of members working together within a humanitarian and development framework to ensure that all

practitioners in cases of emergency in an effort to ensure safe, adequate, quality and relevant educational delivery to students. Namely, community participation in decision making process, sharing of resources between actors, coordination with stakeholders working to ensure access to and continuity of quality education, monitoring and evaluation of teachers, school environment, protection protocols and students' well-being.

The above standards and operational procedures, that either are applied in contexts far away from Greek educational reality or with in refugee children shelters and camps, all derive from some universally accepted legally binding conventions and protocols, the importance of which has been significant to justify the existence of educational provisions for all children and set it in the forefront of states and NGOs planning.

### **1.3 Covid-19 emergency, Understanding the context**

The spread of Covid-19 virus in late 2019 and globally in early 2020, has under no doubt been the most important event of the decade and most probably competes the 9/11 events in terms of collective trauma and PTSD for the current century. Comparing it to other major events is to understand the magnitude of its effect in our lives, but what is to mention, is that the place in time is different. Covid-19 pandemic is not the first event shared by the whole planet; Professors of collective trauma place it even next to the Great Depression and World War II, characterizing it as a collective stressor factor that is accompanied by traumatic experiences more or less also collective<sup>23</sup>. What changes is that one can now “feel” the grief of people out of our community and learn in real time the challenges every single country in the world is facing due to the spread of the virus or the mitigation measures taken by the governments to stop it.

It was very soon understood that this pandemic affects us all, but not equally. Marginalized populations, over-densely populated areas, communities with little to no access to medical facilities, or hygiene services and drinking water and of course people caught in between violence or are on the move have been the ones at higher risk of contracting the virus and not being treated adequately. In Greek refugee camps, for example, lockdown was being prolonged more than the nearby communities despite reports claiming these were

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individuals have the right to a quality, safe, relevant, and equitable education. <https://inee.org/about-inee>

<sup>23</sup> Medical School of Stanford, *COVID-19 Q&A: Dr. Debra Kaysen on Individual and Collective Stress & Grief*, available [here](#)

discriminatory ways to treat people already in distress<sup>24</sup>. What is more, once the vaccination plan starting rolling out, it was surprising to see that refugees and asylum seekers in Greece - along with other populations like Roma people- were not in the first ones to have access to the process, contrary to EU Commissions guidelines indicating “*priority groups to be vaccinated should first include inter alia persons whose state of health makes them particularly at risk, persons who cannot socially distance, and more disadvantaged socio-economic groups*”<sup>25</sup>.

Refugee children have been disproportionately affected by Covid-19 and its mitigation measures, in ways that have affected their mental health and psychosocial wellbeing and shall be discussed in detail in the second part of this paper. What is crucial however, in order to discuss what these children have gone through, and which of their rights have been violated, is to actually know what their rights are as children, as school aged individuals, as refugees and unaccompanied minors. These insights are provided in the following chapter.

## **Chapter 2: Legal Framework of Education through refugee children’s lens**

For all people around the world, education, of any of the above-mentioned types, is recognized as beneficial and crucial for their development from early childhood to lifelong learning as adults. This chapter is dedicated to the legal framework around education, analyzed in two levels; International level, namely core conventions and protocols and National, namely constitutional importance, as well as new laws and regulations trying to provide the framework to accommodate the specific needs of children that belong to the recent refugee flows.

### **2.1: Education as Humanitarian Imperative | International Level**

#### **2.1.1 Universal Declaration of Human Rights**

The Universal declaration of Human Rights is a milestone of the world as we know it. It is the first international document that opened the “education as a human right” conversation, making it an indivisible right in the post WWII era, being signed on December 10th, 1948. Article 26 goes through the right to education in a holistic manner, in its 3 paragraphs. In detail:  
*Article 26*

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<sup>24</sup> Human Rights Watch report on Greece, 2021, available [here](#)

<sup>25</sup> Statement as posted by ReliefWeb, on March 2nd 2021, available [here](#)

- 1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.*
- 2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.*
- 3. Parents have a prior right to choose the kind of education that shall be given to their children.*

Of course, the Declaration is not a legally binding document, but its importance is set high, as it is considered the guiding principle, and the moral handbook of “civilized nations” in an effort to build back the world that was destroyed by the war. Vocabulary used is quite impressive for the time it was written, as it refers to values; respect, equality, and accessibility, as well as personality traits that shall be cultivated through the educational process. The guiding spirits of writing this Declaration must have been the sense that all nations must work together to achieve better living conditions for all within a wider freedom, acceptance and social improvement, something easily seen already from its preamble, where it refers to everyone as the “global family”<sup>26</sup>.

### **2.1.2 Convention on the Rights of the Child, 1990<sup>27</sup>**

The first attempt to create the declaration on child rights was in 1924, and it has not a big success as it defined children only as subjects to be taken care off, without them being bearers of rights. In 1959, the second attempt for the convention took place and despite children were now subjects to international law but it was not binding. It was prominent that there was an actual need to create a legally binding document of international acceptance that sets state obligations in favor of its youngest citizens. The international Convention on the Rights of the Child as we know it today, embodies children with positive obligations that derive from parental or state duties. It has been ratified by the vast majority of nations, apart from USA and

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<sup>26</sup> Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world

<sup>27</sup> Convention adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 entry into force 2 September 1990, in accordance with article 49

Somalia, that have as well signed but not ratified it. This Convention entered into force on September 2nd, 1990, according to article 49, while Greece ratified it two years later, in December 2nd 1992 according to the law N.2101/1992 (Government Gazette A' 192). With the ratification the Convention lies above national law, according to Greek Constitutional provision of article 28, paragraph 1.

It is a cutting point to the history of International Law as it subjects children to being individual and political rights holders and not only subject to protection. Within the set of rights it mentions lies child protection under any circumstance, their right of participation under any circumstance and the main issue of the present this, their right to social services and provisions, including education and it harmoniously connects with the Declaration of the Rights of the Child stating that *"the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth"*.

While it is no news, it is worth mentioning right from the beginning that there is no set universal definition of the child, however, below is the view of the Convention that typically nations as well as education services adhere to.

*Article 1: For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.*

The main principles which at the same time are the backbone of the Convention and are part of Greek national law are:

*Article 2*

*1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.*

*2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.*

Crucial to highlight that according to this article minors of any nationality ought to be protected while in Greek territory - and practically any country that has ratified the convention-

even against the guardians of the child, if their opinions and practices are breaching the convention. Therefore, the best interest of the child is above any other law or decision<sup>28</sup>.

### *Article 3*

*1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.*

*2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.*

*3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.*

Other worth mentioning articles of the present Convention are article 13, regarding the freedom of expression, practice of which is crucial for reaching quality educational provision, as well as article 14, regarding freedom of thought, conscience, and religion, which again compliment the educational process, and especially facilitate the transcultural educational method that was mentioned in the first chapter. In essence:

### *Article 13*

*1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.*

*2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:*

*(a) For respect of the rights or reputations of others; or*

*(b) For the protection of national security or of public order (ordre public), or of public health*

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<sup>28</sup> As mentioned in the *Jeunesse v. Holland* case in the ECtHR, the best interest of the child notion, comes with a wide acceptance. It is not a unique factor that determines court decisions, but it lays above all. Μαρούδα Μαρία Ντανιέλλα, *Προσφυγικό Δίκαιο*, εκδ. Νομική Βιβλιοθήκη, Αθήνα, 2016, σελ. 102

*or morals.*

*Article 14:*

*1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.*

*2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.*

*3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.*

Then, Article 27 sets the frame of how children should be brought up, in adequate living conditions appropriate to their multi-level developmental needs. Article of importance also in correlation with the ones that follow and directly refer to education, as article 27 assist to proper educational provision. In essence:

*Article 27:*

*1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.*

*2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.*

*3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.*

*4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.*

Then, articles 28 and 29 directly create the frame of educational services for children.

#### *Article 28*

*1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:*

*(a) Make primary education compulsory and available free to all;*

*(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;*

*(c) Make higher education accessible to all on the basis of capacity by every appropriate means;*

*(d) Make educational and vocational information and guidance available and accessible to all children;*

*(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.*

*2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.*

*3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.*

#### *Article 29*

*1. States Parties agree that the education of the child shall be directed to:*

*(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;*



*(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;*

*(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;*

*(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;*

*(e) The development of respect for the natural environment.*

*2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.*

Last but not least, in order to understand the notions of education as well as protection of children, we should take into account that they should be practiced not only in times of peace and prosperity, but also during the times of war, while children are found amidst conflict. In detail:

*Article38:*

*1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.*

*2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.*

*3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.*

*4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.*

*Article 39*

*States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.*

### **2.1.3 International Covenant on Individual and Political Rights<sup>29</sup>**

The International Covenant on Individual and Political Rights assists and promotes the fundamental right to education with two main articles, namely:

*Article 24*

*1. Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.*

*2. Every child shall be registered immediately after birth and shall have a name.*

*3. Every child has the right to acquire a nationality.*

*Article 27*

*In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.*

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<sup>29</sup> International Covenant on Civil and Political Rights was adopted and opened for signature, ratification, and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 23 March 1976, in accordance with Article 49, source: ohchr.org

#### 2.1.4 International Covenant of Economic, Social and Cultural Rights<sup>30</sup>

This Covenant was adopted by the United Nations in New York, December 16th, 1966, and among other provisions, it set the steppingstone to the right to personality, freedom of thought and conscience, equality towards the laws and other important milestones. It succeeds to make a special mention to the right to education in articles 13, 14 and 15 providing multi-level lens to it. Consequently:

##### *Article 13*

*1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.*

*2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:*

*(a) Primary education shall be compulsory and available free to all;*

*(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;*

*(c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;*

*(d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;*

*(e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.*

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<sup>30</sup> The International Covenant on Economic, Social and Cultural Rights (ICESCR) is a multilateral treaty adopted by the United Nations General Assembly on 16 December 1966 through GA. Resolution 2200A (XXI), and came in force from 3 January 1976, source: un.org

3. *The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.*

4. *No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.*

#### *Article 14*

*Each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all.*

#### *Article 15*

1. *The States Parties to the present Covenant recognize the right of everyone:*

*(a) To take part in cultural life;*

*(b) To enjoy the benefits of scientific progress and its applications;*

*(c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.*

2. *The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.*

3. *The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity.*

4. *The States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.*

### **2.1.5 United Nations Declaration on Human Rights Education and Training**

One more UN Declaration that approaches the topic of education is worth the mention at this point. The United Nations Declaration on Human Rights Education and Training<sup>31</sup> does not refer to education per se, but to the importance to promote and encourage the promotion of fundamental human rights and freedoms through an educational and training process.

It is nice to observe the vocabulary used in this treaty; through education, human rights are “promoted”, “respected”, “becoming accessible” people are having “access to information” and are becoming more “aware” of the universal purposes of belonging to human race. Indirectly the process of receiving education, is set in the middle of interest for those that want citizens to be empowered, with knowledge and understanding of norms and principles of each society.

### **2.1.6 United Nations Millennium Declaration**

United Nations Declaration of the Millennium<sup>32</sup> was agreed upon the beginning of the new millennium in presence of 191 country leaders and set the main goals of the next thousand years. Commitment of all nations to the goals could mean the beginning of the most prosperous era of humankind. Below the list:

1. To eradicate extreme poverty and hunger
2. To achieve universal primary education
3. To promote gender equality and empower women
4. To reduce child mortality
5. To improve maternal health
6. To combat HIV/AIDS, malaria, and other diseases
7. To ensure environmental sustainability
8. To develop a global partnership for development

Common ground for all the eight targets is the mentality shift, the realization of the

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<sup>31</sup> Adopted by the General Assembly, Resolution 66/137, A/RES/66/137, 19 December 2011

<sup>32</sup> General Assembly resolution 55/2 of 8 September 2000

need to work together, and dissemination of good practices that all are achieved through the provision of education, in theory and in practice. World Leaders agreed that education and promotion of quality learning must be the steppingstone of the whole effort to globally improve the living conditions, in terms of health, education and poverty reduction.

### **2.1.7 Outcome Document of the World Summit, 2005**

The Outcome Document of the World Summit of the United Nations in 2005 sets out the parameters with which states have to work with to achieve global goals, such as poverty reduction, human rights respect and an overall safer planet. Regarding education, Articles 43, 44, 45 are useful source of reflection regarding formal and non-formal education, especially because of the usage of the term “non-formal” as it is also officially understood today. In more detail:

Article 43: *“We emphasize the critical role of both formal and informal education in the achievement of poverty eradication and other development goals as envisaged in the Millennium Declaration, in particular basic education and training for eradicating illiteracy, and strive for expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, the creation of human resources and infrastructure capabilities and the empowerment of those living in poverty. In this context, we reaffirm the Dakar Framework for Action adopted at the World Education Forum in 2009 and recognize the importance of the United Nations Educational, Scientific and Cultural Organization strategy for the eradication of poverty, especially extreme poverty, in supporting the Education for All programmes as a tool to achieve the millennium development goal of universal primary education by 2015.”*

Article 44: *“We reaffirm our commitment to support developing country efforts to ensure that all children have access to and complete free and compulsory primary education of good quality, to eliminate gender inequality and imbalance and to renew efforts to improve girls’ education. We also commit ourselves to continuing to support the efforts of developing countries in the implementation of the Education for All initiative, including with enhanced resources of all types through the Education for All fast-track initiative in support of country-led national education plans.”*

Article 45: *“We commit ourselves to promoting education for peace and human development.”*

States binding under the universal importance of education for all people, with an emphasis on girls was expressed also after them agreeing to the initiative “Education for All”. By designing and implementing the future society, states were imagining education as a tool useful for development in all aspects of human living.

### **2.1.8 European Convention on Human Rights and Fundamental Freedoms**

The idea of creating a widely accepted norm regarding Human Rights in Europe was born through the European Movement (Mouvement Européen) in Hague’s respective conference in 1948<sup>33</sup>. The European Convention for the Protection of Human Rights and Fundamental Freedoms was finally signed in Rome, November 4, 1950. and went into force as of September 1970. Greece ratified the Convention with the law N.Δ. 53/1974- Government Gazette 256/A’. Since then, ECHR, is an undivided part of national law, in accordance with any other international legally binding law.

Under the ECHR articles as well as its additional protocols fundamental rights are enhanced and protected such as the right to life (art. 2) the right to personal freedom and security (art. 5) freedom of expression and opinion (art. 10). Whereas article 2 of the Additional Protocol 1 refers to education and how parent can choose their children’s educational pathways, in respect with their religious and cultural background<sup>34</sup>. In essence:

*Article 2: Right to education - No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.*

Overall, ECHR protects people residing in the continent by providing them positive rights and by protecting them from state or other actors’ abuse. Whereas social rights are mentioned indirectly and without special reference, the above presented article 2 regarding education cannot be standing by itself as an argument and it works in as supportive legal assistance to other articles of conventions directly targeting either social rights in general, or education itself. Nevertheless, the ECHR still is, the main legally binding point of reference for all 47 EU member states up to date.

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<sup>33</sup> Στ. Περράκης, Διαστάσεις Διεθνούς Προστασίας των Δικαιωμάτων του Ανθρώπου, εκδ. Σιδερης, Αθήνα, 2013 σελ, 141

<sup>34</sup> Στ. Περράκης, Διαστάσεις Διεθνούς Προστασίας των Δικαιωμάτων του Ανθρώπου, εκδ. Σιδερης, Αθήνα, 2013 σελ, 149-152

## 2.1.9 Charter of Fundamental Human Rights of the European Union

The EU Charter on Human Rights, came into the forefront of discussions since Nice's European conference of December 7th, 2000, in an effort for states to highlight that their constitutional traditions remain or are now in accordance with the common EU values, especially in the field of defending human rights and fundamental freedoms, as well as that they work in accordance to the Council of Europe, EU Court and EU Court of Human Rights mandates to provide transparency, freedom and legal security<sup>35</sup>.

Including social rights in the EU Charter has been a result of multi-level negotiations during the summit conference of EU Heads of States in Nice. In the end, social rights, among which the right to education were included in the final documents. The right to education (article 14) is included in Chapter 2 of the Charters, under the title "Freedoms", along with the right to Financial Freedom, the Right to Labor, and the Right to establish income generating activities, such as an enterprise. In detail:

*Article 14 Right to education (The Charter of Fundamental Rights of the European Union) 1. Everyone has the right to education and to have access to vocational and continuing training. 2. This right includes the possibility to receive free compulsory education. 3. The freedom to found educational establishments with due respect for democratic principles and the right of parents to ensure the education and teaching of their children in conformity with their religious, philosophical and pedagogical convictions shall be respected, in accordance with the national laws governing the exercise of such freedom and right.*

The ECHR and the EU Charter alike do recognize education's importance in people's lives, but do not place it in the "list" of fundamental rights, indivisible to the right to life, or the individual rights in general. Therefore, when discussion around education is ongoing in cases of emergency it is crucial not to focus on the main legally binding documents only, but to have a wider lens perspective taking into account other conventions and regulations that refer to education, some of which are mentioned and highlighted in this paper.

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<sup>35</sup>Preamble of the Charter: Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice."



### 2.1.10 UNESCO Convention against Discrimination in Education

Among the Conventions that provide input and give to the notion of Education special importance is the UNESCO Convention Against Discrimination in Education. This Convention was approved by the General UNESCO Committee on December 14th, 1960 and is the first, legally binding document produced by this UN office in an effort to promote and enhance access to educational services for all, and inclusion during the process. The Convention is based on the fundamental principles of the Universal Declaration of Human Rights and it is seen that common working is used throughout its pages.

In articles 1, 2 and 3 the Convention against Discrimination in Education recognizes the different types of discrimination that can potentially harm the educational process by being traumatizing or disastrous, or by lacking to prevent potential risks and holds the ratifying states accountable for every action or the lack of it. It is worth mentioning, however, that Greece is not part of the Convention against Discrimination in Education, as the way it treats, or better stated, the lack of proper provision of access to education for specific ethnic groups and minorities within the borders, are against of what the Convention's overall mandate is. Below the main articles of the Convention:

*Article 1 1. For the purposes of this Convention, the term 'discrimination' includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education and in particular: (a) Of depriving any person or group of persons of access to education of any type or at any level; (b) Of limiting any person or group of persons to education of an inferior standard; (c) Subject to the provisions of Article 2 of this Convention, of establishing or maintaining separate educational systems or institutions for persons or groups of persons; or (d) Of inflicting on any person or group of persons conditions which are incompatible with the dignity of man. 2. For the purposes of this Convention, the term 'education' refers to all types and levels of education, and includes access to education, the standard and quality of education, and the conditions under which it is given.*

*Article 2 When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of Article 1 of this Convention: (a) The establishment or maintenance of separate educational systems or institutions for pupils of the two sexes, if these systems or institutions offer equivalent access to education, provide a*

*teaching staff with qualifications of the same standard as well as school premises and equipment of the same quality, and afford the opportunity to take the same or equivalent courses of study; (b) The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for education of the same level; (c) The establishment or maintenance of private educational institutions, if the object of the institutions is not to secure the exclusion of any group but to provide educational facilities in addition to those provided by the public authorities, if the institutions are conducted in accordance with that object, Convention against Discrimination in Education I.A.1 4 and if the education provided conforms with such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.*

*Article 3 In order to eliminate and prevent discrimination within the meaning of this Convention, the States Parties thereto undertake: (a) To abrogate any statutory provisions and any administrative instructions and to discontinue any administrative practices which involve discrimination in education; (b) To ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions; (c) Not to allow any differences of treatment by the public authorities between nationals, except on the basis of merit or need, in the matter of school fees and the grant of scholarships or other forms of assistance to pupils and necessary permits and facilities for the pursuit of studies in foreign countries; (d) Not to allow, in any form of assistance granted by the public authorities to educational institutions, any restrictions or preference based solely on the ground that pupils belong to a particular group; (e) To give foreign nationals resident within their territory the same access to education as that given to their own nationals.*

*Article 4 The States Parties to this Convention undertake furthermore to formulate, develop and apply a national policy which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education and in particular: (a) To make primary education free and compulsory; make secondary education in its different forms generally available and accessible to all; make higher education equally accessible to all on the basis of individual capacity; assure compliance by all with the obligation to attend school prescribed by law; (b) To ensure that the standards of education are equivalent in all public educational institutions of the same*

level, and that the conditions relating to the quality of the education provided are also equivalent; (c) To encourage and intensify by appropriate methods the education of persons who have not received any primary education or who have not completed the entire primary education course and the continuation of their education on the basis of individual capacity; (d) To provide training for the teaching profession without discrimination.

Article 5 1. The States Parties to this Convention agree that: (a) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms; it shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace; (b) It is essential to respect the liberty of parents and, where applicable, of legal guardians, firstly to choose for their children institutions other than those maintained by the public authorities but conforming to such minimum educational standards as may be laid down or approved by the competent authorities and, secondly, to ensure in a manner consistent with the procedures followed in the State for the application of its legislation, the religious and moral education of the children in conformity with their own convictions; and no person or group of persons should be compelled to receive religious instruction inconsistent with his or their convictions; (c) It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use or the teaching of their own language, provided however: (i) That this right is not exercised in a manner which prevents the members of these minorities from understanding the culture and language of the community as a whole and from participating in its activities, or which prejudices national sovereignty; (ii) That the standard of education is not lower than the general standard laid down or approved by the competent authorities; and (iii) That attendance at such schools is optional. 2. The States Parties to this Convention undertake to take all necessary measures to ensure the application of the principles enunciated in paragraph 1 of this Article.

### **2.1.11 United Nations Sustainable Development Goals | Agenda 2030**

*“Everything we do during and after this crisis [COVID-19] must be with a strong focus on building more equal, inclusive and sustainable economies and societies that are more*

*resilient in the face of pandemics, climate change, and the many other global challenges we face”.*

António Guterres

*Secretary-General, United Nations, 2020*<sup>36</sup>

*“The Sustainable Development Goals are more important now than ever. Now is the time to secure the well-being of people, economies, societies and our planet”.*

António Guterres

*Secretary-General, United Nations, 2021*<sup>37</sup>

In 2015, the International Community decided to act and establish a new path to end poverty, and promote peace, opportunities, and prosperity for everyone. The SDG, or alternatively Agenda 2030, gathered very quickly a lot of attention and gained ground in public discussion, due to its urgency, and the fact that it promoted a “triple bottom line” between economic development, environmental sustainability, and social inclusion<sup>38</sup>. Briefly, the Agenda 2030, includes suggestions and metrics to eradicate poverty (SDG 1), provisions for food security and nutrition (SDG 2), good health and well-being (SDG 3), Quality education (SDG 4), gender equality (SDG 5), clean water and sanitation (SDG 6), affordable and renewable energy (SDG 7), decent work and economic growth (SDG 8), industry, innovation and infrastructure (SDG 9), reduced inequalities (SDG 10), sustainable cities and communities (SDG 11), responsible consumption and production (SDG 12) actions to combat climate change (SDG 13), protection of marine resources, oceans and seas (SDG 14), protection of land resources (SDG 15), peace justice and strong institutions (SDG 16) and finally promotion of partnerships for the goals (SDG 17).

Even though all recent reports indicate that globally we are running behind the goals, it is worth looking into SDG 4 “Quality Education”, as it is the general guideline for all local, regional or international educational initiatives in any context around the world: Goal 4 Quality Education, exists to “*ensure inclusive and equitable quality education and promote lifelong learning opportunities for all*”<sup>39</sup>. The impact of the COVID-19 pandemic on the school systems

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<sup>36</sup> The Sustainable Development Goals, Project Report, 2020, available [here](#).

<sup>37</sup> The Sustainable Development Goals, Project Report, 2021, available [here](#).

<sup>38</sup> Jeffrey D Sachs, *From Millennium Development Goals to Sustainable Development Goals*, p. 2026, Earth Institute, Columbia University, New York, NY, USA vol 379.

<sup>39</sup> Full description and indicators are available here: <https://sdgs.un.org/goals/goal4>

everywhere has been considered as a “generational catastrophe”<sup>40</sup>. Even before the spread of the virus, progress and results were insufficient and the aim to achieve the education targets in the Goals was becoming harder. Shutting down the schools everywhere due to the pandemic has had enormous consequences for children’s overall development. *“Hundreds of millions of children and young people are falling behind in their learning, which will have long-term impacts. One year into the COVID-19 crisis, two thirds of students worldwide are still affected by full or partial school closures. The most vulnerable children and those unable to access remote learning are at increased risk of never returning to school and of being forced into child marriage or child labour”*<sup>41</sup>.

## **2.2 Provisions regarding special groups of people**

### **2.2.1 Convention Relating to the Status of Refugees<sup>42</sup>**

Despite the existence of all the previously mentioned Conventions and legally binding documents international community ought to comply with in all aspects of human living - including education, there are specific groups of people that need more focused attention and special provisions in order their access to education services to be ensured. This is often caused because laws are not indicative of day-to-day life, especially in times of emergency and they do not reach - in a protective, or preventive way all people residing inside the states these laws apply to. What is more, racism, xenophobia, global rise of right-wing political parties and on top of that a global health crisis of the past two years, Covid-19, exacerbate the gap between the law documents and their implementation. The article 22 of the Convention relating to the status of Refugees highlights exactly this. Students regardless of their legal status shall benefit from basic education in the same manner as nationals. The article is better understood if read along with article 20, of the same Chapter Four named “Welfare” and therefore, both are provided below:

*Article 20. - Rationing: Where a rationing system exists, which applies to the population at large and regulates the general distribution of products in short supply, refugees shall be accorded the same treatment as nationals.*

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<sup>40</sup> *ibid.*

<sup>41</sup> *ibid.*

<sup>42</sup> Convention relating to the Status of Refugees was adopted on 28 July 1951 by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429 (V) of 14 December 1950 Entry into force: 22 April 1954, in accordance with article 43

*Article 22. - Public education 1. The Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education. 2. The Contracting States shall accord to refugees treatment as favourable as possible, and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, with respect to education other than elementary education and, in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and charges and the award of scholarships.*

Overall, the Convention contributes to the effort that contracting states must ensure refugee children have access to education within a wider spectrum of services and social goods they must enjoy while in their border, ensuring social movement, equal opportunities and equity in support on administrative assistance (Chapter 5 of the Convention), Information (Chapter 7) and so on.

### **2.2.2 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities<sup>43</sup>**

This Declaration, as stated in its preamble exists to verify that the UN's purpose is to promote dignity, respect, and human rights protection for all regardless of any characteristic that makes them stand out of the norm. Within its articles education is in vital position, recognized for its importance to promote inclusion and respect and to defend those people belonging in national, ethnic, religious, and linguistic minorities to benefit from the educational services of the country they reside in. More specifically:

*Article 2: 1. Persons belonging to national or ethnic, religious, and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.*

*2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.*

*and Article 4: 1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental*

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<sup>43</sup> The Declaration was adopted by General Assembly resolution 47/135 of 18 December 1992.

*freedoms without any discrimination and in full equality before the law.*

*2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.*

*3. States should take appropriate measures so that, wherever possible, persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.*

*4. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.*

### **2.2.3 Declaration of the Rights of the Child, 1959**

The Universal Declaration of the Rights of the Child was adopted by the General Assembly of the UN in 1959<sup>44</sup>, marking the first time in history the International Community agreed with consensus that the child is subject to protection. Of course, as mentioned above, the Declaration lacked content and soon faced shortcomings that required further examination of its content and resulted to other legally binding documents. Despite that, it is worth highlighting the indirect mention to education in article 30, where it was stated that minority groups, must enjoy their cultural heritage, which goes hand in hand with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

*Article 30, In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.*

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<sup>44</sup> On 20 November 1959, the Declaration of the Rights of the Child was adopted unanimously by all 78 Member States of the United Nations General Assembly in Resolution 1386 (XIV).

## **2.2.4 UNHCR Guidelines on Policies and Procedures in dealing with Unaccompanied Children Seeking Asylum February 1997**

Unaccompanied Children are among those people belonging to the refugee and migrant populations that need to be taken special care of, as they are lacking a protective family environment and they are therefore more vulnerable and exposed to further dangers while on the move or in Greece. According to the UNHCR Guidelines on Policies and Procedures in dealing with UACs seeking asylum these children ought to be protected on many different levels and being provided with education is among those services that supposedly are keeping them safe while building for their future autonomy.

Characteristically provision of education, is mentioned in chapter 7 of the guidelines document under the title *“Interim Care and Protection of Children seeking asylum”*. The chapter starts with the general statement *“7.1 Children seeking asylum, particularly if they are unaccompanied, are entitled to special care and protection”* and builds upon it, referring to different aspects of childcare and protection including accommodation, prohibition of detention<sup>45</sup>, and health care. The paragraphs referring to education are as following:

*7.12 Every child, regardless of status, should have full access to education in the asylum country. The child should be registered with appropriate school authorities as soon as possible.*

*7.13 All children seeking asylum should have the right to maintain their cultural identity and values, including the maintenance and further development of their mother tongue.*

*7.14 All juveniles should be allowed to enroll in vocational/professional training or education which would improve their prospects, especially when returning to their country of origin.*

## **2.3 Education as State Obligation | National Level**

The third part of the chapter is dedicated to the national laws and regulations around education of refugee children in Greece. With this part in our backpack, the reader shall be able to identify, whether there is a gap between national policy and actual implementation and practice of laws and regulations regarding refugee children’s education in Greece and form his/her own opinion before reaching the final remarks of this paper. To begin with, it is worth

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<sup>45</sup> Provision of prohibition of detention of UACs in Greece was established quite recently with the MoMA decision of November 2020, that has been highly accepted and applauded by the INGOs and UN Offices (UNICEF / UNHCR) operating in the field, available [here](#).



going, very briefly, through the existing educational system, and later assess whether the given changes, work towards an inclusive education that provides equal opportunities, transculturally.

### **2.3.1 Overview of the Greek Educational System**

The educational system in Greece is designed and run by the Ministry of Education, Research and Religious Affairs (MoE, in brief) and put into practice by regional directorates for primary and secondary education spread across country's municipalities. The main academic body, that supports MoE, and often times schools directly, by providing technical guidance is called Institute of Educational Policy (IEP). It is the one that drafts the guideline for extra curriculum activities and provided NGOs and Civil Society entities with a special license to operate inside the schools<sup>46</sup>.

School structure is as follows<sup>47</sup>: Compulsory education, runs from ages 4 to 15, and includes 2 years of kindergarten, 6 years of primary school, (ages 6 to 12), and three years of junior high school which at the same time is the compulsory secondary education (ages 12 to 15). In these years, children are taught general knowledge subjects, such as language, math, geography, music, history, and physical education. By the end of junior high school, students must pass final exams to receive the junior high school graduation certificate, with which they shall be able to proceed onto three more years of secondary education, which is not compulsory. Namely, high school can be either general education Lyceum, or vocational technical education Lyceum. From both Lyceum directions, students qualify to take nationwide exams to enter Universities and Technical Institutions on the last year.

According to the national Constitution, that was mentioned at the very beginning of the paper all citizens and people residing within Greek borders have the right to free, quality education. In order for this to apply to all children, regardless of their religious, ethnic, cultural or other background and without any discrimination of disability and mental capacity, there is a provision for special schools of all grades for students with disabilities, schools of “second chance” that take place in the afternoon, as well as special provisions for children belonging to

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<sup>46</sup> All IEP's technical offices and therefore support schemes to MoE and schools can be found here: <http://iep.edu.gr/el/epistimonika-grafeia>

<sup>47</sup> Full details of the Greek School system are available in the European Commission's National Policies website, here: [Secondary and Post-Secondary Non-Tertiary Education | Eurydice](#)

ethnic minorities, or that have been residing outside of Greece for the years before the last high school grade to enter university.

### 2.3.2 Including Refugee Children in the Greek state run schools

As already mentioned at the provided legal framework, the Greek Government is bound by its own laws and the Convention on the Rights of the Child to provide education to all children in Greece. What is more, according to the Council of the European Union, “*children seeking asylum are eligible for education until an expulsion measure is enforced against them or their parents. Council Directive 2003/9/EC stipulates they must be enrolled in public school within three months of applying for asylum, or up to one year if they are receiving language training to facilitate their transition to public school Greece’s education system has a history of integrating migrant students that predates the 2015 refugee crisis*”<sup>48</sup> back to the influx of Albanians that now constitute a great example of organic inclusion in all aspects of Greek society.

Currently, 26 Intercultural schools operate in Greece<sup>49</sup>. This type of schooling began as schools for repatriated Greek children of the 1980s and under the law 2413/1996 were reframed to support refugee students in the Greek education system<sup>50</sup>. Basic subjects were kept the same, however, effort was put to accommodate the special needs of the children and specifically to train educators to better include all children in the learning process, by teaching Greek as a foreign language, and create more private-like classes to cater special learning needs and levels<sup>51</sup>. Furthermore, according to article 72<sup>52</sup> Law 3386/2005<sup>53</sup>, migrants living in Greece have the same right to public education as Greek nationals.

Another law that came into force in 2010 (3879/2010) established the Zones of Educational Priority (ZEP), all around the country, in an effort to support children that should

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<sup>48</sup>M. Jalbout, *Finding solutions to Greece’s refugee education crisis*, TheirWorld Report, 2020, p.37

<sup>49</sup> Full list of intercultural schools available [here](#)

<sup>50</sup> M. Jalbout, *Finding solutions to Greece’s refugee education crisis*, TheirWorld Report, 2020, p.39

<sup>51</sup> Αριθ. Φ10/20/Γ1/708/7-9-1999 Διαπολιτισμική Εκπαίδευση - Ίδρυση και λειτουργία Τάξεων Υποδοχής και Φροντιστηριακών Τμημάτων Σχετ. Αριθμ. Φ2/37/Γ1/1124/8.12.94 (ΦΕΚ 930/14.12.94 τ.Β) απόφαση Υπουργού Παιδείας

<sup>52</sup> Άρθρο 72: Πρόσβαση των ανήλικων υπηκόων τρίτων χωρών στην εκπαίδευση

1.Ανήλικοι υπήκοοι τρίτων χωρών, που διαμένουν στην Ελληνική Επικράτεια, υπάγονται στην υποχρεωτική σχολική φοίτηση, όπως και οι ημεδαποί [...] 5.Υπήκοοι τρίτων χωρών, που έχουν αποφοιτήσει από τη δευτεροβάθμια εκπαίδευση στην Ελλάδα, έχουν πρόσβαση στην πανεπιστημιακή εκπαίδευση, υπό τους αυτούς όρους και προϋποθέσεις, όπως και οι ημεδαποί.

<sup>53</sup> Νόμος 3386/2005 - ΦΕΚ Α-212/23-8-2005 (Κωδικοποιημένος) Νόμος 3386/2005 : Είσοδος, διαμονή και κοινωνική ένταξη υπηκόων τρίτων χωρών στην Ελληνική Επικράτεια.

be enrolled in school, to achieve as soon as possible good command of the Greek language and participate in mainstream classes efficiently. Target groups were refugee children, but also Roma children, and repatriated children. Worth mentioning is the fact that up to date there had not been any effort to include in the above provisions the kindergarten schooling years, most probably because pre-primary school is not compulsory in Greece. ZEP teaching form was initially practiced in a pilot level in 2016 and at the secondary and more official level in 2017 amidst the refugee pick. *“ZEP and its reception classes are a key mechanism for well-scaffolded refugee participation in the formal education system. ZEP benefits from more meaningful integration than two-shift systems for refugee education”*<sup>54</sup>.

To better navigate the process of providing to all refugee children a place in state run Greek schools, there was established one new form of schooling taking place in the afternoon where only refugee children participate. An additional reception class approach for refugee children named DYEP (ΔΥΕΠ, Δομές Υποδοχής και Εκπαίδευσης Προσφυγοπαίδων) also began in a more pilot formation during the 2016-2017 academic year and since 2018 has been in practice and under Greek law formalized. Each year, there is a ministerial decision stating which schools shall host refugee children, according to capacity, geographical region and of course, population needs. For the current school year of 2021-2022, the respective Greek law is the Φ1/101893/Δ1/2021<sup>55</sup>. Curricula for all grades are set by IEP, and the past years there is also a book distributed to refugee children that contains all material they are supposed to learn during their participation in the DYEP. For each camp, RIC, or city that hosts refugees there is one Refugee Education Coordinator (REC) identified by the MoE to register children in schools, arrange their transportation, access to services regarding their enrollment and to be the focal point for teachers, school directors and refugee families.

Last but not least, what is interesting to mention is the fact that for the first time, there has been provision for the youngest 3–5-year-old children to participate in a kindergarten that shall be organized within the accommodation facilities. Despite seeing in a formal manner this holistic approach, it is also prominent that the process of recruiting teachers for these classes faces challenges and there are gaps of personnel, or community pushbacks into accepting these children in the neighborhood schools. As it will be analyzed in the last chapter,

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<sup>54</sup> M. Jalbout, *Finding solutions to Greece’s refugee education crisis*, TheirWorld Report, 2020, p.39

<sup>55</sup> Υπουργική Απόφαση Αριθμ. Φ1/101893/Δ1/2021 ΦΕΚ 4077/Β/6-9-2021 Ίδρυση Δομών Υποδοχής για την Εκπαίδευση των Προσφυγοπαίδων (ΔΥΕΠ). Καθορισμός των σχολικών μονάδων για το σχολικό έτος 2021-2022, εντός των οποίων θα λειτουργούν οι Δομές Υποδοχής για την Εκπαίδευση των Προσφυγοπαίδων (ΔΥΕΠ).available [here](#)

DYEP despite being the only provision for refugee children's education, itself is facing a lot of problems that are recognized in all levels of the process.

## **Part II: How refugee children experience Greek educational system?**

### **Chapter 3: Research Methodology**

#### **3.1 The research's three level approach**

As stated in the introduction, this paper is a combination of desk research and active qualitative research. Part one is dedicated to the first component so as the reader is aware of the International legal framework, the European legal framework, the National legal framework, most prominent policy papers and guidelines written on access to education for refugees in Greece. The paper could stand alone, only by the first part, maybe in a more expanded way, presenting and explaining the notion of education, as a human rights imperative and showcasing what is being done in order for refugee children to access formal state run schools, while residing in Greece. However, this would have been, according to the student, problematic in two ways; The major event that took place in the past 6 years of the major refugee flows in the country, the global pandemic -Covid-19, is not depicted in the national laws and provisions and secondly, by narrowing the paper's content only to the technocratic and legislative points of view, one might miss important facts and implementation of laws.

Right at the beginning of deciding on the topic of the research, it was clear the subjects of the thesis should be placed in the driver's seat, and to be listened to, so that their experiences and their opinions would be equally as important as of those creating the legally binding papers that regulate their lives. To achieve the maximum of objectiveness a three-level approach was chosen, split among a macro, a meso and a micro level<sup>56</sup>.

In detail, between the period of 26th of October to 16th of December, 6 Key Informant Interviews took place, with the participants being stakeholders of the special secretariat for the protection of unaccompanied minors, country wide employee of UNICEF responsible for

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<sup>56</sup> This three-level approach is inspired by the Horizon2020 project "IMMERSE" and specifically of the Report on intercultural competences and multilingualism of refugee and migrant children, 2020. IMMERSE is a Horizon2020 funded project, aiming at mapping the integration of refugee and migrant children in Europe. As part of the project development, some publications, working papers and reports are open sourced, following the EU's guidelines regarding accessibility of information and can be found on the official website: <https://www.immerse-h2020.eu/publications/>

education, education focal point of UNHCR, Refugee Education Coordinator in Lesvos, Education Coordinator of a major non-formal education NGO actor, the EU Education Focal Point seconded to the Camp management of Lesvos RIC. The discussion evolved around their specific field of work regarding refugee education European and Greek government policy on access to education, refugee rights, integration of refugee children in Greece as well as lessons learned on the provision of education to refugee children during the COVID-19 emergency in Greece. This was considered as the macro level of the research, as these people have a wide portfolio of responsibilities and can provide a broad lens approach to the topic.

The meso level consisted of 2 rounds of Focus Group Discussions (FGDs), one took place in Lesvos, on the 25th of November, and one took place online with child protection staff in Athens on the 7th of December. The aim was to create two FGDs that would on one hand target education practitioners that were hired to work with refugee children in the DYEP education modality, before and during the Covid-19 pandemic, so as their opinions on how the law was put in practice are heard, recognize areas of improvement, and highlight the positive aspects of it. The other FGD was conducted with IRC staff that work for the Supported Independent Living apartments that host unaccompanied minors in Athens. The group consisted of one Educator, that supports children with languages' learning and homework, two Social Workers that are responsible of registering children in school, liaising with the schools' directors and other relevant services and currently are also responsible of monitoring the registration of children's self- testing weekly process and two caretakers that are responsible for the children's overall safety and well-being and are making sure the UACs are taking their self-tests, attend school and are confident and happy with the school environment. This approach of two different FGDs was to cover all aspects of the process refugee children have to go through, in order to go to school, while they are there and the aftermath of how they feel and what they learn.

The micro level consisted of questionnaires distributed to 10 unaccompanied refugee children that live in IRC Supported Independent Living apartments and are above 15 years old and can provide their informed consent<sup>57</sup> to participate in the process. Questionnaires were handed out by their caretakers and social workers, all of which are IRC Child protection staff,

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<sup>57</sup> "An informed consent form is a statement that participants sign before they participate in research. This form should state that you will guarantee them certain rights, and that when they sign the form, they are agreeing to be involved in the study and acknowledge the protection of their rights." J. Creswell, *Educational Research - Planning, Conducting and Evaluating Quantitative and Qualitative Research*, Pearsons Publications, 2011, p.149

and could handle any possible disclosure, as well as in the presence of interpreters, in the case children were not fluent in English. For the questionnaires to take place, there was a thorough review of IRC Child safeguarding policy and handling disclosures of children procedures to caregivers, and relevant reporting channels, on a date prior to the questionnaire hand out, to minimize the risk of UAC feeling distress. However, the day of the questionnaires' handout, the children received and were read to a child friendly text explaining to them the process, stating that is completely voluntary, there would not be any consequences if they decide not to participate and that they can pull out and stop the process any time they decide so.

Moreover, the whole idea and SOPs structure of SIL accommodation modality is to prepare UACs for adult life and therefore, to make them decision makers, accountable for their life and empowered to set boundaries. Within this framework, it was easier to make sure that children participate in the questionnaire in their own will, without a single doubt that this shall not influence the services in the SIL apartments -whether in a positive or a negative manner- whilst they are well-aware and trust the people that take care of them -their social worker and caretaker-. Whereas, if children residing in Lesvos RIC would be approached to participate in the questionnaire, the above would not be guaranteed. In such a scenario, children would either be participating in NFE activities of other NGOs, and therefore the student would not have a saying to their safeguarding and child protection protocols while conducting the questionnaire. Or, would be the children that benefit from IRC's child protection programs, and this was a bit more complicated, as the service provision on the island consisted of case management (ie. children found in a very vulnerable situation) and child friendly spaces for preschool age children, that of course cannot provide in any case informed consent and would not belong to the sample.

The idea of the above-mentioned sampling strategy is easily comprehensible. Moving from the general overview of laws and guidelines (ie. KIIs with experts), to the practical implementation of them (ie. FGDs with child protection and education staff of NGOs and teachers of DYEP in state run schools) and ending to the actual beneficiary of all this service planning, the children (ie. Questionnaires distribution). Special effort was put for the questionnaire hand out to be positive experience for the children. Therefore, since planning the research methodology it was decided that only unaccompanied children that are hosted in the IRC SIL apartments should be eligible to participate as they are under the IRC Protection and Safeguarding policy the student is well-aware of, and a follow up with them would be easy in case they have second thoughts about their participation. Also, the framework they live in,

despite the setbacks, is relatively standard, safe and works towards their actual well-being and taking into consideration their best interest as children, especially in comparison to children residing the Lesvos RIC, living in precarious conditions. Consequently, some categories of children were excluded. Of course their opinions are valid and important, but mitigating the risk of them needing further attention in case they make a disclosure or find themselves in distress later on could not be guaranteed.

On all three research levels there was followed a similar process to receive consent and to guarantee to the participants that they speak in a safe space, are able to tell their truth and their unique and personal experience and that their answers shall be transferred and presented to this paper in an anonymous manner. Prior to the day of the KIIs, FGDs or questionnaires handout, there was an info session, where participants were explained the topic, hypothesis, research questions and the process they would be about to go through. Prior to the actual meeting for the KII, FGD, or questionnaire, the participants signed an informed consent form, that contained all information regarding the process, their rights and how their data shall be treated. All processes -questions and discussions alike- contained minimal risk to the participants and especially for the UAC were expressed in a positive manner ( eg. School in Greece meets my needs / School in Greece is inclusive / School in Greece respects my background and experience etc). All participants knew that they were able to skip any question they did not wish to answer.

Last but not least, questionnaires were handed out to UAC in order to extract their behavioral observations, namely, to see on a scale of 1-5 how they perceive the educational process and how it has impacted them, good or bad. Open questions to UAC were limited to positive observations so as they are not traumatizing (ie. a child has been left out of school for extended periods, has been kept in detention etc). Also, since some of the UAC aged 15-18 years old, got registered and started school just during the Covid-19 pandemic and the remote classes modality, they could not make any comparison between the “before” and “after”, so it was chosen for them not to elaborate but to use multiple choice or a scale instead.

However, KIIs were open discussions with experts. In most cases, the experts were only guided in the briefing about the thesis topic and provided by themselves their input according to their field of specialization, so as the research can have a qualitative metric, that is unbiased by the student’s expectations for each of the experts talking. When it came to the FGDs, a semi-structured discussion process was followed, in order to extract information about the children as well as feedback for the laws’ implementation and support teachers working for DYEP have

been receiving. Discussions about the period of Covid-19 lockdown have been fruitful in both KIIs and FGDs, as it was a real-time case study for all professionals. For the analysis of both KIIs and FGDs effort was put to compare the transcripts and look for patterns in opinions, key words, and phrases.

### **3.2 Limitations of Study and Ethical Considerations**

The present study by itself undergoes some limitations that occur due to the research sample, and due to ethical considerations, that need to take place while reaching out to the participants. Below the list of limitations and their respective explanation, to the extent possible:

1. The questionnaires are distributed to a specific age group of refugee children (15-18 years old) and of specific legal status - all are unaccompanied. Other age groups can possibly have a different experience regarding formal education in Greece. However, in order to put the actual beneficiaries of the educational provision to the driving seat and have their opinions in the forefront of recommendation making, later on, informed consent should be obtained and therefore children are better if they are 15 years old and above.

2. The under-review population can experience other challenges at the same time, that also affect their access to formal education. These could be health issues (and especially mental health related issues), complication with their asylum application, or on a brighter note, planned reunification that leaves them moving to another country in the middle of a school year.

3. Participating children are all boys, as these are supported in SIL apartments of IRC, that the student was an employee of, at the time of writing the paper. Gender could be a factor that would possibly alter the perception of schooling experience, as moving around our society as girls and women, always carries more challenges and vulnerabilities, however currently the unaccompanied children in Greece are in the vast majority boys, and therefore the overall experience extracted by them answering the questionnaires can be considered valid.

3. Sample size could be considered small. There were conducted 6 KIIs, 2 FGDs with a total of 6 participants, and 10 questionnaires were distributed. Time restrictions considered, effort was put to cover a wide range of experts, and a wide range of professionals in the education and Child Protection and Safeguarding sectors, so as input is multi-level and not one-sided.



Important to be highlight that among the people interviewed some have national responsibility over their programs (eg UNICEF & METAdrasi), or are in general responsible for the educational agenda for refugee children (SSUAM & UNHCR). What is more, children in SIL apartments, experience more or less the same life routine as drafted in the accommodation modality's Standard Operational Procedures (SOPs).

4. One setback that occurred during the data collection period of the study and that directly relates to the topic is Covid-19 restrictions. Positive Covid-19 cases were occurring the SIL apartments that were preventing the Child Protection staff to visit, children had to isolate and collecting the questionnaires required more time.

5. Since the student has been working from the island of Lesbos, geographical distance, required some of the KIIs and one of the two FGDs to be conducted online. Though participants were comfortable with this way of interaction, it might have potentially compromised the spontaneity of discussion. To tackle that, effort was put before the start of the actual discussion to talk, get to know one another, and only proceed with the topic of the thesis, once everyone was feeling ready.

Overall, in all levels of research, the Grounded Theory's<sup>58</sup> criteria were taken into consideration; In essence, *credibility* -participants are experts in their field and responsible of an important portfolio, able to influence the educational processes of refugee children in Greece, *originality* -the topics of discussion were to a great extend around Covid-19, an ongoing health crisis of global magnitude, that affects severely<sup>59</sup> people residing in camps and are of refugee status, *resonance* - the three level approach of research made sense to all participants of the KIIs and the FGDs when they were introduced to it and the collection of input from MoE, MoMA, INGOs representatives and staff and UN office provide a wide lens perspective, *usefulness* - the present thesis is a spark for further research, expanded sample of all three levels and can possibly create new knowledge through the provided

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<sup>58</sup> As described in the P. Yansay Martin & B.A. Turner "Grounded Theory and Organizational Research" The Journal of Applied Behavioral Science Volume 22, Number 2, 1986 p. 142 "the discovery of theory from data" is an approach often used in qualitative research, in the cases well structured research guidelines are not relevant or not mandatory. In these cases, the researcher can "create" the research scheme according to his/hers research hypothesis. All in all, the grounded theory "is firmly based or grounded in the data collected".

<sup>59</sup> According to IMMERSE policy brief report written by E. Bajo Marcos / E. Rodríguez-Ventosa Herrera, Y. Molinero Gerbeau "Protecting migrant and refugee children from the social effects of the COVID-19 crisis", Horizon2020 Migrant children are a population [...] one of the most vulnerable groups facing the COVID-19 pandemic.

recommendations<sup>60</sup>. Many of the participants have never participated in a KII or FGD before, and therefore it is the first time their opinions and expertise are monitored and put into paper.

## **Chapter 4: Discussion on Data and Recommendations**

On this fourth and final chapter of the paper the data collected from the KIIs, FGDs and the questionnaire handout are presented. All discussions that took place will be commented upon, under three main categories, laws in comparison to what is actually happening in the DYEP classrooms and the preparation to schools -this is *4.1 Reality Check*, the identified current challenges faced by all categories of participants in the sample, -i.e. experts and policy makers, teachers / caretakers / social workers and unaccompanied refugee students alike in *4.2 Identifying current challenges* and the recommendations provided shall be in *4.3 The way forward*, as having those people been heard and with the knowledge obtained by the desk research and literature review, key suggestions could provide a new way of thinking or at least a fresh point of view.

### **4.1 Reality Check**

The so far knowledge states that there is a law enforced provision for school age refugee children in Greece to attend school. Especially, since the DYEP law (Ministerial Decision 208018/ΓΔ4/2016 Government Gazette 3954/B/9-12-2016) was established, there is also the respective framework to welcome this population to state run schools. To what extent has this been successful and how has it worked so far? How have NGOs supported the state in this direction, and how has non-formal education prepared the children that have been for years out of the classroom to re-adjust to the place they fit best - their school? These are some questions that have been posed to experts and education and child protection professionals, in order to see beyond the ministerial decisions.

During the interview with the Education Coordinator of the main NFE actor on Lesbos Island, it was prominent that children have been out of the school framework more than they should. Apparently, 8 out of the 10 children that completed the questionnaire mention that since leaving their home countries they had not attended school, up to the point they reached Greece

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<sup>60</sup> K. Charmaz, *Constructing Grounded Theory, A practical guide through qualitative analysis*, SAGE Publications, 2006, p.183

and were settled in UAC shelters or SIL apartments. These children have residing in middle eastern countries and especially Turkey for a few years until they manage to cross to European borders.

NFE services on Lesbos have not been stable to one organization but have been handed over since 2016 from Save the Children to METAdrasi and to some extent to a local NGO, named Iliaktida. Educational services were more easily planned for the municipal camp “Kara Tepe”, in comparison to Moria, that was an “out of control” camp, as stated by the interviewee, where despite the efforts to locate children and bring them to NFE services, these were never well organized and drop out was significant. However, in the mainland, and particularly in Athens, NFE service provision and other extracurricular activities are a common practice. All children in SIL apartments have been participating to “*NFE activities, soft skills training, job readiness workshops*” and this standard only changed during the months of the lockdown, at which only half of them managed to attend anything else, other than remote classes.

However, since the Moria fires of September 2020<sup>61</sup><sup>62</sup>, the number of children present on Lesbos, has decreased, and the NFE provision is more standardized and organized in a way that gives children a sense of normality. As the Education Coordinator states “*Children take the bus every morning to attend classes in our school. Here, they learn languages, attend science courses and have the chance to do past time activities, they can watch a movie and do arts*”, however he states, “*this is not the case for all children that are now residing the RIC Lesbos, as there is not enough capacity for all of them*”. What is counter implemented is that children that are new to the camp are registered to the same organization’s activities inside the camp. “*This is not what we are in favor of, he highlights, as children do not have the chance to get out of the camp daily, and this has an impact on their mental health. As soon as there is an empty place in the NFE school this is immediately covered by a child attending NFE activities in the camp*”<sup>63</sup>. The positive side of implementing services inside the RICs and shelters is pointed out by the UNICEF representative answering a similar question, stating that in case of a new lockdown due to Covid-19, the service inside in the RICs is already established and operates, and therefore children shall not lose this aspect of their routine.

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<sup>61</sup>The fire that broke out in Moria refugee camp in September 9th 2020, resulted to complete destruction of the residing area, the hygiene facilities and many NGOs premises. As a consequence all UAC were planned to leave the island to be relocated to the greek mainland of other European countries and therefore the total numbers of refugee children on the island drastically decreased <https://www.bbc.com/news/world-europe-54082201>

<sup>62</sup> [UNICEF statement on children affected by the Moria camp fire on Lesbos Island, Greece](#) transfer of 406 UAC

<sup>63</sup> To implement this process, children that attend the NFE school are picked according to their Police Number (O5). Priority list is created starting from the oldest O5, to the newest

Despite that Lesvos NFE is a project running since 2018, the Education Coordinator mentions that *“Our role should not exist, at the end of the day, our vision is that all refugee children attend state run schools. We are covering a gap, but we do not want to be here forever, we just want to prepare children for school”*. He continues by saying *“We are trying to prepare children to be ready to go to DYEP and to ZEP, we have seen that happening and this is our final goal, to be able to liaise with the MoE Refugee Education Coordinator, to facilitate the registration of children to Greek schools”*. However truth is, that humanitarian aid organizations exist to provide quicker response to the Greek refugee crisis, it is also true that they plan in a more flexible manner and often have better expertise than the relevant ministries. As depicted in the UACs questionnaires, children find the NFE activities 25-50% more relevant to their needs, believe that the skills they improve while attending NFE activities are more important than school subjects and the provided material are again, closer to what they find interesting and useful.

What has been the greatest challenge so far is of course Covid-19. *“We have established a standard way of functioning that follows the rules and regulations of the formal state run schools. For example, if junior high schools in Mytilene ought to be closed due to increased Covid-19 cases we as well seize the operation of these classes for the same number of weeks, this is a measure suggested by the camp management that we follow”*. This, he states, is the first time that happens in this school year, whereas in the first lockdown period, all education activities had stopped, and children residing in the camp did not have any access to education. Also, he does not believe that the alternatives NGOs could provide for refugee children’s remote learning were sufficient or even relevant to their living conditions. *“A camp without running water, not to mention WiFi cannot be a hub for remote education activities”*. Children in SIL apartments second the above, stating that even if all of them were registered to school, they had the opportunity to attend the classes only by their smartphones, as there was no WiFi in the apartments yet. Of course, this educational reality found them less engaged (75% of them were *not focused at all*, 50% of them believed that they were less included than during the in person classes, and 75% of the asked children marked their confidence to participate in the remote classes as 2/5.)

The latter, comes in contrary to UNICEF’s representative that stated that throughout Greece the creative ideas to keep children focused to their learning goals during the pandemic, were plentiful and served to some extent their purpose. What however she clarifies, is that *“for children to have access to education, one should take into account the whole family’s well-*

*being. Whether children live in Lesvos RIC or in an apartment in Mytilene gravely impacts their stance towards education. It is a fundamental right, but basic human needs such as food and shelter should be covered, first. Hygiene is also important, especially during Covid-19”.*

UNICEF is currently operating a three year long program named “All Children in Education (ACE)” funding NFE actors and promoting formal school support services. As stated by the UNICEF representative *“The role of support school services all around Greece and especially in shelters and camps like RIC Lesvos, is crucial, as the social workers support children’s access to school due to the pandemic. They support and explain vaccination processes and self-tests procedures along with the REC, while educators help children with homework”.*

One other aspect of inequality that has been highlighted during the FGDs with Child Protection staff of IRC that work with UAC hosted in SIL apartments is that there is no provision for refugee children that are not fluent in Greek language to participate in the national exams to enter university. Staff member clearly mentioned that *“there should be an exemption for these children to have a chance to enter university just like expatriates, Roma or Pomak children or even Greek families with more than four children, that can enter university with lower grades”.*

Concerning the reality check, it is very important to highlight that DYEP classes since their establishment have never started along with the general schools in mid-September, nor have been running in full capacity of teaching staff, among other issues that are highlighted by DYEP teachers participating in the FGD. As they specifically state, *“The school year of 2019-2020, we were hired and distributed to schools in early February of 2020, a month before the first lockdown. Once the lockdown was over, in late May, many of the families had already left the camp, or children, knowing they will be in school for only a few weeks, chose not to participate at all”* and they continue by saying *“Refugee children came across a school environment, especially in small communities like Lesvos where there is prominent solidarity fatigue, that made them feel unwelcome”.*

What was also mentioned by the UNHCR’s interviewee is that all NGOs that provide educational services, participate in a bi-weekly working group discussion. This is a great opportunity *“to receive data and input from all programs that work for refugee education, NFE, school support and informal education, it is such a useful tool that we do not take enough advantage of.”* and she continues *“if these meetings get more interactive, especially after*

*Covid-19 and we are able to do them in person, I believe it shall be a hub that will move education for refugees in Greece forward”.*

## **4.2 Identifying current challenges**

To move forward from the present situation, that refugee education is in a tipping point, to an era that it is the given that all children are attending public schools, it is important to identify what has already been done, where we are, and what challenges the respective Ministries and NGOs should overcome. As mentioned by the RIC Lesvos EU vulnerability focal point responsible for Education liaison, *“Prior to the MD regarding DYEP, there was nothing refugee children could do to access education -pointing out especially those children residing in camps. There is only one example of a child living in Moria that managed to get registered to school and this is a great exemption”.* This academic year a total of 150 children are expected to attend DYEP classes in Lesvos, starting from the first week of November *“If there are no challenges from local communities for refugee children not to attend school”* as the Refugee Education Coordinator underlined during our interview that took place just a week before the official opening of DYEP classes<sup>64</sup>.

A commonly identified challenge by the Refugee Education Coordinator and the VFP on Education Liaison of RIC Lesvos, is the fact that DYEP classes take place in the afternoon. This means that students must be transferred to school, especially in winter months, while it is dark and many of them, especially girls feel unsafe. This feeling, that causes schools dropout rates to increase, is also caused by communities’ hostile attitude towards the children, with the well-known case of Ippeios<sup>65</sup> high school in Lesvos coming first. This incident has been mentioned by all interviewees and FGD participants residing in Lesvos, as the most prominent and concerning act of hate towards refugee children on the island.

To combat racist behavior from communities and to strengthen school resilience against future violent actions towards refugee school children, UNHCR has been implementing info sessions to school directors, teachers and school children of regular morning classes to provide a better understanding of what will be like to accept refugee children in their schools. As stated by the UNHCR interviewee *“Since the beginning of the refugee flows, we have established this program, to support and empower local communities and help them understand that refugees*

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<sup>64</sup> Indeed, classes started with no people opposing to it.

<sup>65</sup> Incident details available [here](#).

*are no threat. Now, they reach out to us to train and inform them before the beginning of the school year”.*

Another challenging factor is the family state of the student, namely their legal status, the place they are residing, and their future plans, whether they want to stay in Greece or they consider it a transit country. As it is stated by the representative of the Special Secretary for the Protection of UAC, in Greece, *“children that reside in camps are the least fortunate when it comes to education opportunities, and most of them are out of the system for years”*. While effort is put by establishing site support management that conduct info sessions regarding school services, often times it is not a priority for families, *“now that we have a structure and a methodology, providing kindergarten services to 3-5 year olds inside the RICs and transport to schools for older children, we believe that families will send their children to school”*.

Geography, slightly linked with the above-mentioned challenge, is a problem by itself. According to the SSPUAM representative, the luckiest UAC are those that live in the mainland. Since none of them is any longer in detention, and most live in shelters, or SIL accommodation modalities, can receive personalized services and attend school. In a total percentage 85-90% of UACs nationwide are registered and attend school classes one way or another (DYEP, ZEP, or even typical morning classes). Lesbos is the only place that causes this percentage to drop, as there are currently 125 UAC on the island and there are not enough high school places for them. Children in shelters and SIL apartments are registered to nearby schools and soon after registration they bond with their neighborhood and community, they walk every day to school. *“However, the children in RIC Lesbos, in Malakasa or Ritsona camps, need a bus to pick them up and to drop them off, the whole idea of integration is vanished”*, she mentions. The other thing is, she continues, that *‘during Covid-19 the restrictions for children in shelters or SIL apartments were as tough as to other children of greek families, but for those living in RICs the impact to all aspects of their life was severe’*.

Another interesting outcome of the questionnaires completion, regarding formal education of UAC, related to the above statement of the SSPUAM interviewee, is that despite children feeling that state run schools are less helpful regarding what they learn and the proximity of learning material to their needs (especially language wise, all mention that Greek is a barrier) they highlight that their network and socialization gets better (by 25%) when they go to school, in comparison with NFE and afternoon classes that consist mainly by peers of the same refugee background and are organized by NGOs and other civil society contributors.

All participants of the research sample agree, and they cannot stretch enough that Covid-19 emergency further exacerbated the challenges and inequalities refugee children and their families have been facing. Remote learning is tough for all school age children, however *migrant children need wider protection to mitigate the risks in health, safety, poverty and education*<sup>66</sup>. At the same time that a Greek household did not have frequent contact with the teacher, or had to share a laptop in shifts to accommodate all children's learning in the household<sup>67</sup>, unaccompanied children spending their winter in SIL apartments in Athens did not have WiFi connection or a computer and used their mobile data and phone screen, and children in RIC Lesvos, more often than not did not have electricity to use for heating, not to mention to charge their phones. This is highlighted by everyone, and UNICEF representatives stated that the problem was to such extent that children would gather to NGOs containers to charge phones and therefore social distancing would not be easy.

Education for children, equals integration for families, this is a fact. But does it happen? Most of the interviewees, as well as the teachers participating in the FGD have been wondering and worrying that in the refugee crisis in Greece this is not the case, providing examples such as, the cash assistance that is stopping as soon as families are receiving their asylum papers and are in the process to leave a camp and start building their lives, or the poor hygiene and nutrition they receive inside RICs in Lesvos but also nationwide. Doubting the camp accommodation modality, one of the interviewees makes an interesting comparison *“Albanians coming in Greece 30-40 years ago managed to get organically included in Greek societies within half of a generation. Did they face racism? Of course, they did, but they did not live in a camp, they had a house within the host community, they were visible, children went to school and parents to a work they were good at. They soon became useful and appreciated. Personally, this is the only solution.”* Another interviewee, chooses to use an interesting phrase to say the same *“Camps enhance a reality that is based in an Out of Sight, Out of Mind mentality”*.

One would wonder, what would be the way forward? What should a plan for the integration phase of refugees look like during a global pandemic, while the country is moving from the emergency to the settlement of those people? And of course, how education shall be in the center of all human rights provisions and to what extent can it support an organic inclusion of refugees in Greek society? These questions are turned into recommendations in

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<sup>66</sup> IMMERSE policy brief report written by E. Bajo Marcos / E. Rodríguez-Ventosa Herrera, Y. Molinero Gerbeau *“Protecting migrant and refugee children from the social effects of the COVID-19 crisis”*

<sup>67</sup> According to the eurochild.org research on Covid-19 impact to greek children, available [here](#)



the final part of the last chapter, with the support of the research participants and the guidance and knowledge provided by the literature review and key legally binding documents.

### **4.3 The way forward**

In order to make recommendations for refugee children's education opportunities, in a way that they would facilitate, if not ensure their access to formal schools in Greece, one should understand in depth their current situation, from living conditions to mental health. On the second chapter the Sustainable development goals have been discussed with a focus on SDG 4 -Quality Education, however how can a refugee child benefit from SDG 4 if the needs of SDG 10 -Reduced Inequalities are not met? How is it possible for a child to do well in school and absorb all knowledge and sparks, if every morning it leaves from a place like RIC Lesvos to attend his class, or has had his asylum application or family reunification declined twice? To this argument the REC of RIC Lesvos adds that all children residing to inappropriate conditions need additional assistance, so as they do not feel institutionalized anymore. *"However, the actual step towards inclusion in society would be to have them in schools, or school like environment since their arrival, and in the youngest possible age"*. Or, as differently stated by IRC Staff *"These adolescents are eager to learn and attend classes, but they go, they do not understand anything in Greek, and they soon get disappointed. How can you persuade a child that has been through all of this [meaning unaccompanied travel, detention, homelessness...] that school is here to help him?"* In any case this fact comes in contrast to the general provision that access to education for refugee children and UAC should be facilitated by national authorities and countries of origin as well, and children should be enrolled to school no longer than 3 months following their arrival. This law MD 4540/2018 (article 13) was not mentioned by any of the interviewees that are undoubtedly aware of the legal framework. It is a strong indication that this is quite far from reality.

One of the things that is getting better as the schooling system matures along with the idea of having refugee children in formal education, is its human power. Even though all teachers are hired every year through the standard procedure of publishing the boards - ie, randomly, more and more teachers are familiar with the DYEP and ZEP modality, have been trained again and again and are willing to start working as soon as possible to welcome refugee children earlier in the school year to schools. To this, the support of NFE activities provided by NGOs is crucial, so as it prepares children during summer to be ready for the school year.

The Education Coordinator of main NFE actor on Lesbos for example, has recognized that because of Covid-19 emergency, the field teams have become more solution oriented and more flexible, and they would be willing to further support children's access to school in whatever way they are asked to do. He does not miss to underline though, that they will always be in favor of in person classes, even if remote NFE modalities for children that attend in person formal school has been discussed with donors, as a supportive option. The main point from this, would be to manage, already from the next school year to have refugee children in school from the first day.

On another note, what needs to change is the attitude within the school system. The parents' and guardians' associations have often created problems and have often not allowed refugee children to enter school buildings. This pressure has led school directors to also be reluctant to accept refugee children and the DYEP and ZEP modality, fearing the association's reaction. This, commonly stated by many among the research sample, needs to be regulated. Parents of refugee families should also have the opportunity to participate in the association and the schools in a micro-level should encourage events of cultural exchange and parents' meetings. Undeniably though, with the current school year having started, there have not been any incidents of racist behavior and the REC of RIC Lesbos believes this is because *“all parents have realized the impact education has to their children now that they have been two years without it”*.

UNHCR, has been rolling out a program of equipping public school that are about to host refugee children with technical equipment -such as laptops, computers and projectors- as well as physical education and other free play equipment available for all children to use. This practice, of providing material to schools, helps parents and school directors to understand that along with an initial challenge to shift and expand the school schedule, come benefits beyond what MoE would provide.

What is more, as the REC of RIC Lesbos has stated *“DYEP in general have a bad reputation. Some consider, especially those examining it from a human right based approach that it further disaggregates children. They are not wrong, and we want their advocating spirit. However, in first reception conditions where islands often have 5000 children to host, school classrooms are not enough and such afternoon classes is the last resort”* To this, the SSPUAM representative strongly agrees and she states that *“Not only more children go to school this way, but it has been a good exercise for host communities to get comfortable and realize that refugee families are not that threatening after all”*. To the same topic the UNHCR interviewee

states that *“What each student carries as opinions and beliefs in their minds and hearts cannot be regulated and it is possible that refugee children to be victims of bullying and therefore DYEP classes to some extent protect them, until they are aware of the school modality, boost their confidence, learn the Greek language and feel more empowered to get in the morning class”*.

Last but not least, the SSPUAM representative mentions a good practice and a case study for future implementation, especially now that we are shifting from emergency to integration context. The initiative of some school’s directors in Epirus; Their schools are spacious and they gradually incorporating the DYEP classrooms to the morning schedule. That way, Greek and refugee children co-exist, socialize and both benefit the most from their learning experience. If to this practice, we manage to incorporate day trips and schools’ trips that as mentioned by the REC of RIC Lesvos and the DYEP teachers *“have been among the best things we have ever offered to refugee children before the Covid-19 emergency”*, then we are not too far from an ideal, yet realistic system that works for all.

Moreover, what could, if changed, to be helpful and is suggested again by the SSPUAM interviewee, is that refugees in Greece are not equally distributed in the country. *“What the government is aiming for within the EU border, should first be implemented within our own. Why should Peloponnese be empty of refugees, while Thessaly or Central Greece accommodate so many refugees?”* It is prominent therefore, that a more equitable distribution of refugee population would result to better integration and would solve the issue of lack of schooling capacity as it is now in Lesvos or some neighborhoods in Athens.

Last but not least, the SSPUAM representative as well as other of the research sample, note that inclusive education for refugee children requires above all, political and institutional initiatives. In 2016, says the REC of RIC Lesvos, the otherwise innovative DYEP framework, was only applied to 10 to 15 schools in the mainland that offered spaces for refugees. The idea was there, but the spark and the willingness to take the risk was missing. In 2017, in Lesvos, DYEP were operational only for 2 weeks, whereas, in 2018, that it functioned from October to May, one could realize that children were benefitting and many managed to jump to morning regular classes. Therefore, it is prominent, that it requires time and effort on a macro-level to implement big integration projects with quality and it is certain that one way or another, professionals and the society will accept it and adapt quicker than expected. Individuals from any position are those that make the small changes, it does not matter whether it is a school

director or a REC, these are the people that need to be supported and constantly empowered by the central governments, says the SSPUAM interviewee.

As a final remark, what is crucial and worth ending the last chapter of the paper with, is that the Ministry of Education should as soon as possible take more initiatives when it comes to refugee children's education. As long as the education of this population is managed by the Ministry of Migration and Asylum, we shall not be in position to talk about inclusion of this population in Greek schools and societies. MoMA should be there to assist the process collaborate with UN Offices and provide expertise and build MoE's technical capacity, but MoE should be the main actor and focal point of families so as they feel that their children as treated as any other child -including migrant children from non "refugee countries"- and are not always labeled as refugees if the term has negative sense.

## Conclusion

This paper that is now coming to an end, has been the result of my six years in Panteion University of Social and Political Sciences. Valuable knowledge and experience and the freedom to expand my area of research according to my interests have led me to choose the topic of my thesis to be around Education, and refugees. Taking into consideration facts, literature review and above all the opinions of the main actors involved in the education of refugee children this paper tried to provide a good understanding of the present context with a main focus in Lesvos and Athens.

It is an undeniable fact that without migration and refugees, the EU would have its population decreased by half a million in 2019, *given that 4.2 million children were born, and 4.7 million people died in the EU. In 2020, according to provisional data, EU population shrunk by about 300 thousand people (from 447.3 million on 1 January 2020 to 447.0 million on 1 January 2021), due to a combination of less births, more deaths and less net migration*<sup>68</sup>.

And while, it might be early for everyone to recognize the refugees and migrants' contributions to society - not one generation has passed and as stated earlier the success story of Albanians in Greece required at least half a generation, societies and especially first reception countries should be supportive and protective of refugee rights, education included.

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<sup>68</sup> Eurostat, Overall Figures of immigrants in European Society source: [here](#)

Unfortunately, the harsh truth is that Human Rights Watch indicates that the European Committee of Social Rights and the Greek Ombudsman on children's rights have found that *Greece has violated refugee children's right to quality education without discrimination*<sup>69</sup>.

Work needs to be done, in a multi-level and multi-disciplinary approach. It needs to be understood that traditionally refugee aid offices like UNHCR, UNICEF, IOM and INGOs have the capacity and means to assist in protracted refugee crises, while the MoMA, MoE and other involved ministries such as the Ministry of Interior, or the Ministry of Digital Policy are learning by doing and need further support. For this it is always mandatory to have in mind the legal boundaries provided by internationally respected documents like the Declaration of Human Rights and all those mentioned in Chapter two of the present thesis.

Realistic approaches are also mandatory, as Greek educational system is problematic in many ways; Schools are not accessible to people with disabilities, are not well equipped with digital appliances, some are understaffed. So, when it comes to refugee education, when we highlight with ease all the downsides and the areas of improvement, we should also bear in mind the steps forward that have already taken place. Finally, those responsible for planning ahead should continue in an honest direction with ambitious, but feasible goals, without forgetting that the *"remarkable gap between de jure access to education and de facto access to education"*<sup>70</sup> is a reality that needs to be bridged.

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<sup>69</sup> Full report available [here](#)

<sup>70</sup> IMMERSE Horizon2020 project, Report on *"Psychosocial support and well-being of refugee and migrant children"*, November 2021, p. 16

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