



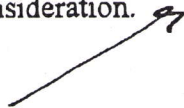
PERMANENT MISSION OF GREECE
GENEVA

Ref. No. 6171.3/18/AS 688

NOTE VERBALE

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and, with reference to the latter's Note Verbale bearing in mind the number GVA 0180, dated 18 February 2010, has the honour to forward the reply, provided by the Greek Government, on the study on challenges and best practices in the implementation of the international framework for the protection of the rights of the child in the context of migration.

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, March 30, 2010

To: **The Office of the High Commissioner for Human Rights**
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PERMANENT MISSION OF GREECE
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Reply of the Greek Government on the study on challenges and best practices in the implementation of the international framework for the protection of the child in the context of migration

by the Ministry of Interior, Decentralization and Electronic Governance”

The Greek immigration legislation covers the cases of unaccompanied minors. In particular, law 3386/05, art.1, quotation h, defines as “unaccompanied minors” the third country nationals or the stateless persons who are less than 18 years old, who enter the Greek Territory without being accompanied by an adult, responsible for their custody, in law or in equity, for as long as the aforementioned situation lasts, or who were found unaccompanied after their entry in Greek Territory. In case of unaccompanied minors who are victims of human trafficking, the competent prosecution and police authorities take all necessary measures to identify their particulars, their nationality and to confirm that they are, indeed, unaccompanied. Moreover, they do their utmost to find their family as soon as possible and they immediately take all necessary measures to ensure their legal representation and if necessary, their representation within any criminal proceedings that may have been initiated (Law 3386/05, art.47, para2). In addition, a discretion deadline for one month is also provided, which may be extended for one more month upon a decision of the competent prosecution authority and taking into consideration the minors’ interests. During that period the unaccompanied minors have access to health care and social benefits (Law 3386/05, art.48, para2 and art.49).

Minors have access to health care even if they do not have a passport, or any other travel document recognized by international conventions, an entry visa or a residence permit and, in general, even if it cannot be proven that they have legally entered and reside in Greece. According to art.84, par.1, of Law 3386/05, hospitals, nursing homes and clinics are obliged to offer their services even in the