



Παιδί με 2 Γονείς Αστική Μη Κερδοσκοπική Εταιρεία

A Child Needs 2 Parents AMKE

www.achildneeds2parents.gr

ΑΦΜ : 997038180

ΔΟΥ : Νίκαιας

ΓΕΜΗ : 163404007000

Piraeus, 9 July 2026

To:

Mr. Kyriakos Mitsotakis, Prime Minister of the Hellenic Republic

Mr. Georgios Floridis, Minister of Justice

Mr. Michael McGrath, European Commissioner for Democracy, Justice and Rule of Law

European Commission Representation in Greece

Greek National Commission for Human Rights (GNCHR)

Greek Ombudsman – Children's Ombudsman

Copy to:

European Institutions

European Union Agency for Fundamental Rights (FRA)

Council of Europe – Children's Rights Division

Eurochild

UNICEF Greece

National Civil Society Organisations

Synepimelia Association

GONIS Social Care Organization

Active Fathers for Children's Rights


Movement for Shared Parenting

For Our Children and Only

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Subject: Child-Friendly Justice in Greece: The Accountability Gap in Family Proceedings

Dear Sir/Madam,

The civil society organisation "A Child Needs 2 Parents", following its interventions of 5 June 2026 addressed to the European Commissioner for Democracy, Justice and Rule of Law, of 3 July 2026 concerning the institutional divergence between administrative practice and applicable law, and of 8 July 2026 concerning the refusal to provide substantive implementation data regarding Law 4800/2021, considers it necessary to raise a broader institutional and fundamental question:

To what extent does Greece genuinely implement the principles of Child-Friendly Justice in the field affecting the largest number of children, namely family disputes following parental separation?

This intervention is prompted by the announcement issued by the Ministry of Justice on 22 May 2026 and by the Final Conference of the Joint European Union – Council of Europe Programme on Child-Friendly Justice, during which Greece presented its contribution to the promotion of children's rights and the meaningful participation of children in proceedings affecting them.

The prominence given to these principles naturally raises the question of whether they are applied with equal consistency in family proceedings following parental separation.

1. Greece's International Commitments


Greece has incorporated into its domestic legal order the United Nations Convention on the Rights of the Child; the European Convention on the Exercise of Children's Rights; the European Convention on Human Rights; the European acquis on children's rights; the Council of Europe Guidelines on Child-Friendly Justice (2010).

These instruments establish a number of non-negotiable principles, including the best interests of the child; the child's right to maintain meaningful relationships with both parents; the child's right to be heard in proceedings affecting him or her; the obligation of States to monitor and assess the implementation of these rights; the use of interdisciplinary and child-centred decision-making mechanisms.

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2. The Public Image Presented by Greece

In recent months, Greece has internationally promoted important initiatives concerning Child-Friendly Justice.

On 27 May 2026, Athens hosted the Final Conference of the Joint European Union – Council of Europe Programme on Child-Friendly Justice. During this event, emphasis was placed on meaningful child participation; good practices in child-inclusive justice; the need to hear the child's voice; the principle that the quality of a democracy is reflected in how it treats children.

At the same time, the Ministry of Justice participates in the European JUST CLOSER project and the Joint Child-Friendly Justice Project of the European Commission and the Council of Europe, presenting these initiatives as examples of European progress and institutional modernisation.

3. The Reality in Family Proceedings

However, precisely in the area affecting the largest number of children—family disputes following parental separation—critical questions remain unanswered. The State does not possess, or at least does not publish, data regarding the number of children who continue to be substantially cared for by both parents following the adoption of Law 4800/2021; the practical implementation of shared parental responsibility; the frequency with which children are heard in relevant proceedings; the use of interdisciplinary assessments and expert evaluations; the actual outcomes of parental responsibility disputes; cases involving obstruction of parent-child contact; non-compliance with court decisions; other forms of disruption of the parent-child relationship.

This issue extends beyond the implementation of Law 4800/2021. It concerns Greece's position within the European area of justice.

The European Commission's EU Justice Scoreboard evaluates Member States based on the quality, efficiency, and availability of comparable judicial data. Yet, in Greece, publicly available data concerning family disputes and children's rights after parental separation remain largely absent.


The State asserts that it protects children's rights, but cannot demonstrate through measurable indicators whether those rights are effectively implemented in practice.

When a State does not record the actual situation of children affected by parental separation, those children effectively become invisible in public policy. The absence of data is not merely an

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administrative omission. It impedes the identification of problems, the assessment of policies, and the effective protection of children's rights. This issue concerns tens of thousands of children every year.

4. The Child's Right to Be Heard

Concern arises from the absence of organised monitoring mechanisms regarding the child's right to receive information, participate, and be heard in proceedings affecting him or her, as guaranteed by Article 12 of the Convention on the Rights of the Child.

No publicly available data exists concerning the number of children heard in family proceedings; the use of child psychologists or specialised experts; the involvement of multidisciplinary structures; indicators evaluating the implementation of participation rights.

5. The Contradiction Between Commitments and Practice

The National Action Plan for the Rights of the Child (2021) contains a dedicated pillar on Child-Friendly Justice. The Council of Europe Guidelines explicitly call upon States to bridge the gap between recognised rights and reality. Likewise, the Joint Child-Friendly Justice Project aims to identify gaps, collect data, assess practices and formulate policy recommendations.

As stated by the Minister of Justice during the Conference of 27 May 2026 "Justice must adapt to the needs of the child, not the child to the rigidities of the system." This position is entirely aligned with European and international standards.


However, the absence of data concerning children's participation in family proceedings and the practical implementation of shared parental responsibility makes it impossible to determine whether this principle is actually being applied.

Furthermore, while EU law—and in particular Directive (EU) 2019/1158, as corrected by the 2022 Corrigendum—promotes the concept of shared parental care and equal parental involvement, Greece currently lacks publicly available data enabling any assessment of whether these principles are implemented following parental separation.

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The State evaluates and monitors the rights of children involved in criminal proceedings, yet it does not systematically monitor the rights of the tens of thousands of children who experience parental separation every year.

6. A Rule of Law Issue

The inability of the State to collect and publish data concerning the implementation of children's rights is not merely a statistical or administrative matter. It concerns the very core of accountability and the rule of law. A State that does not monitor the implementation of children's rights in family life cannot know whether those rights are protected, violated, or simply remain ineffective in practice. Nor can it assess the effectiveness of its public policies.

This absence constitutes an institutional accountability gap that undermines meaningful scrutiny of compliance with the country's international obligations.

7. The Institutional Mechanism Already Exists

Since Presidential Decree 47/2022, Greece has established the Office for the Collection and Processing of Judicial Statistics (JustStat). According to Article 1 of Presidential Decree 47/2022, JustStat is responsible for the systematic collection of judicial statistics; the recording of the number, nature, and subject matter of cases; the evaluation of the effectiveness of justice and legislative interventions; cooperation with ELSTAT, the European Commission and CEPEJ; support for the EU Justice Scoreboard. Consequently, the issue is not the absence of an institutional framework, but rather the failure to utilise existing mechanisms to record and evaluate children's rights in family proceedings.

Furthermore, Article 146 of Law 5221/2025 strengthened the Judicial Statistics Supervisory Committee, reaffirming the importance of systematic judicial data collection and evaluation for public policy design and assessment.


8. Request

We respectfully request:

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(a) The inclusion of family disputes and the implementation of Law 4800/2021 within the national judicial statistics system (JustStat), through the development of specific indicators, collection of data concerning children's participation in proceedings affecting them, and the publication of annual evaluation reports.

(b) An assessment of the compliance of judicial and administrative practices with the principles of shared parental responsibility, child participation, and Child-Friendly Justice.

(c) The publication of the findings, reports, conclusions, and recommendations produced within the Child-Friendly Justice and JUST CLOSER programmes in which the Ministry of Justice participates.

Conclusion

The true test of a democracy is not its participation in European programmes nor its public declarations in favour of children's rights. The true test is whether a child experiencing parental separation is heard, protected, cared for by both parents, and whether the State can demonstrate through measurable evidence that those rights are respected in practice.

Without measurable evaluation of the actual implementation of children's rights in family life, the notion of Child-Friendly Justice risks remaining an institutional declaration without tangible benefit for the children it is intended to protect.

Our request does not concern the creation of new rights.

It concerns the obligation of the Hellenic Republic—arising from the Convention on the Rights of the Child, the European Convention on the Exercise of Children's Rights, the Council of Europe Guidelines, the National Action Plan for the Rights of the Child, and the European programmes in which the Ministry of Justice participates—to monitor, assess and document the practical implementation of children's rights in family life and in judicial proceedings affecting them.


The issue is therefore not that Greece lacks a judicial statistics mechanism. The issue is that, despite the existence of such a mechanism, it does not currently produce or publish the data required to evaluate the actual implementation of children's rights in family proceedings.

We remain at your disposal for any further assistance or cooperation and look forward to your response.

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Yours faithfully,

Board of Directors

A Child Needs 2 Parents (Civil Non-Profit Organisation)

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References and Supporting Legal Sources

1. [Directive \(EU\) 2019/1158](#) – Work-Life Balance Directive. Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers, repealing Council Directive 2010/18/EU. The Directive uses the term “care” rather than “custody”, reflecting a modern understanding of parenthood based on parental care and involvement rather than exclusive parental authority. The Directive was transposed into Greek law through Law 4808/2021 and Presidential Decree 52/2023.
2. [Corrigendum \(2022\)](#) to Directive (EU) 2019/1158. The 2022 Corrigendum to Directive (EU) 2019/1158 replaced the Greek term “child custody” with “care of the child”. This amendment confirms that EU law approaches parental responsibility as a matter of shared parental care rather than an exclusive right vested in one parent.
3. European Commission – [Rule of Law Report 2022](#) (Greece). The 2022 Rule of Law Report on Greece highlights long-standing challenges affecting the Greek justice system, including delays in judicial

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proceedings and the need to improve the effectiveness and quality of justice. The Report underlines that the effectiveness of justice must be assessed not only in terms of legislation but also through institutional performance, transparency, data quality, and the State's ability to evaluate public policies.

4. [United Nations Convention on the Rights of the Child](#) (CRC). The Convention on the Rights of the Child (1989) constitutes the primary international instrument for the protection of children's rights. Particularly relevant are Articles 5, 9, 10, 12 and 18, which recognize the child's right to maintain relations with both parents and to be heard in matters affecting him or her. In its 2022 Concluding Observations on Greece, the [UN Committee on the Rights of the Child](#) recommended that Greece promote shared parental responsibilities in practice and strengthen the capacity of judicial authorities to assess the best interests of the child.

5. European Court of Human Rights (ECtHR) Case-Law – Article 8 ECHR. The jurisprudence of the European Court of Human Rights concerning Article 8 of the European Convention on Human Rights emphasizes the State's positive obligation to [safeguard family life](#) and preserve parent-child relationships. Indicative judgments involving Greece include: M.A. v. Greece (2013), Paparrigopoulos v. Greece (2018), Iosifidis v. Greece (2020). A [recurring principle](#) in this case-law is that public authorities must take effective measures to preserve and promote the relationship between children and both parents.

6. [Hellenic Statistical Authority \(ELSTAT\)](#) – Divorce Statistics. According to ELSTAT data, approximately 76,541 divorces were recorded in 2022. The available statistics indicate that 65.6% of minors affected by parental separation are directly impacted by judicial or administrative decisions concerning family life, while family disputes show increasing levels of litigation. These figures demonstrate the significant social impact of family justice policies.


7. [Greek National Commission for Human Rights](#) (GNCHR). The Greek National Commission for Human Rights has repeatedly examined issues concerning the protection of family life and children's rights. Its recommendations emphasize the importance of terminology that promotes parental cooperation and discourages conflict, encouraging the use of concepts associated with shared parental responsibility and care.


8. [Brussels IIb Regulation](#) (Regulation (EU) 2019/1111). The Brussels IIb Regulation governs matrimonial matters and matters of parental responsibility across EU Member States. The Regulation directly affects family proceedings involving parental responsibility, recognition and enforcement of

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judgments, jurisdictional issues, and international child abduction cases, shaping the legal framework within which Greek family courts operate.

9. [Law 5089/2024](#) – Marriage Equality and Parenthood. Law 5089/2024 introduced significant reforms to Greek family law by extending marriage to same-sex couples and regulating issues relating to parenthood and family status. The reform forms part of Greece's broader obligations regarding equality, non-discrimination, and the protection of family rights under European law.

10. Recommendation [CM/Rec\(2025\)4](#) of the Committee of Ministers of the Council of Europe. Recommendation CM/Rec(2025)4 on the protection of the rights and best interests of children in parental separation proceedings calls upon Member States to establish monitoring and evaluation mechanisms; guarantee children's meaningful participation in proceedings affecting them; ensure that decisions concerning parental separation are guided by the best interests of the child. The Recommendation is particularly relevant to the issues raised in the present intervention.

11. [Joint European Union – Council of Europe Child-Friendly Justice Project](#). The Joint Child-Friendly Justice Project seeks to strengthen the implementation of child-friendly justice standards throughout Europe. Its objectives include identifying institutional gaps, strengthening participation rights, collecting data, and evaluating public policies affecting children.

12. Council of Europe Guidelines on Child-Friendly Justice ([2010](#)). The Guidelines establish European standards regarding participation; information and assistance; protection of children in judicial proceedings; interdisciplinary approaches; monitoring and evaluation mechanisms. Part VI specifically addresses Monitoring and Evaluation of child-related policies and justice systems.

13. [Handbook on European Law Relating to the Rights of the Child](#) (FRA / Council of Europe, 2022). The Handbook provides a comprehensive overview of European legal standards concerning children's rights, combining the jurisprudence of the European Court of Human Rights, EU law, and Council of Europe standards.

14. [Law 2101/1992](#). Ratification by Greece of the United Nations Convention on the Rights of the Child.


15. [Law 2502/1997](#). Ratification by Greece of the European Convention on the Exercise of Children's Rights.

16. [National Action Plan for the Rights of the Child](#) (2021). The National Action Plan identifies Child-Friendly Justice as a national priority and explicitly includes the creation and maintenance of statistical

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databases among the actions assigned to the Ministry of Justice. This demonstrates that the collection of relevant data is already a declared governmental commitment.

17. Participation of the [Ministry of Justice in the JUST CLOSER Program](#). The Ministry of Justice participates in the transnational JUST CLOSER Programme supported by the European Commission, aimed at strengthening child participation and improving justice systems affecting children.

18. [JUST CLOSER Project](#). The project focuses on identifying institutional gaps, assessing needs, enhancing children's participation rights, and promoting evidence-based policy recommendations.

19. [EU Justice Scoreboard 2024](#). The EU Justice Scoreboard assesses Member States regarding efficiency; quality; independence of justice systems; availability and reliability of judicial data. Comparable judicial statistics constitute a fundamental component of the evaluation framework.

20. [EU Justice Scoreboard 2025](#). The 2025 Scoreboard continues to emphasize the importance of high-quality judicial data and evidence-based evaluation of justice systems across the European Union.

21. [Presidential Decree 47/2022](#). Established the Office for the Collection and Processing of Judicial Statistics (JustStat), responsible for the systematic collection, analysis and evaluation of judicial statistics in Greece.

22. [Article 146 of Law 5221/2025](#). Strengthened the institutional framework governing judicial statistics and reaffirmed the importance of systematic data collection and evaluation for justice policy planning and assessment.

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