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Piraeus, 24/11/2026

PETITION

On the effective protection of children's rights in family justice proceedings in Greece and the lack of systematic monitoring and evaluation mechanisms

To: European Parliament, Committee on Petitions (PETI)

Copy to: Hellenic Ministry of Justice

Petitioner: Civil Non-Profit Company "A Child Needs 2 Parents" ("Paidi me 2 Goneis"), Greece

1. About the petitioner

The Civil Non-Profit Company "A Child Needs 2 Parents" is a Greek non-profit civil society organization working to protect the rights of the child and family life, to promote the meaningful involvement of both parents in the upbringing of their children after the breakdown of the parents' cohabitation, and to improve family justice institutions in line with the European and international framework for the protection of children's rights and with national legislation.

The subject matter of this petition directly concerns the statutory and institutional purpose of the organization, as it relates to the protection of children's rights and to the assessment of how family justice operates in practice in Greece.

Over many years, the organization has carried out institutional work before national, European and international bodies concerning the application of family law, the protection of children's rights after parental separation, the collection of judicial data, the need for specialized family justice structures and the effective enforcement of court decisions.

2. Executive summary

This petition concerns the conditions under which the safeguards protecting children's rights in family justice proceedings in Greece following parental separation are applied, and can be assessed, in practice, irrespective of the legal form of the parents' cohabitation.

Despite the legislative reform introduced by Law 4800/2021 (the law that reformed the provisions of the Greek Civil Code on relations between parents and children after the dissolution of marriage), and despite national, European and international commitments to child-centred justice, there is today a significant gap in the assessment and evaluation of data on the actual application of the relevant provisions and on the protection of the rights concerned.

In its document No. 238/14.10.2026, the Ministry of Justice officially acknowledged that it is not currently possible to extract aggregated and disaggregated data that are critical for assessing the application of family law provisions, while confirming that 73,582 court decisions relating to purely family-law disputes were issued in the period 2021–2026 (without any further breakdown by level of jurisdiction, type of procedure, nature of the claims, etc.). This deficit is not merely a statistical matter. It limits the ability to assess objectively critical parameters of family justice, such as the length of proceedings, the practical enforcement of decisions, the hearing of the child and the institutional and interdisciplinary support available, particularly in view of the announced evaluation of Law 4800/2021.

The petition therefore requests a European institutional examination, not of the content of national legislation or of substantive family law, but of the practical effectiveness of the protection of children's rights, and of the capacity to assess it objectively, in the areas that fall within the activities and the applicable law of the European Union.

The absence of substantive and measurable data on the application of the legislative framework deprives the State of the ability to carry out meaningful reforms and corrective changes that would contribute to the protection of the above rights.

3. Admissibility and European dimension of the petition

This petition is submitted under Article 227 of the Treaty on the Functioning of the European Union and Article 44 of the Charter of Fundamental Rights of the European Union.

The right of petition is granted, among others, to legal persons having their registered office in a Member State, while the subject matter of a petition must come within the European Union's fields of activity and must affect the petitioner directly.

The petition does not claim that the European Union has general competence to determine substantive family law or the organisation of national courts. On the contrary, it raises issues connected with:

- the protection of children's rights within the scope of Union law;
- effective judicial protection;
- Union procedures for judicial cooperation in matters of parental responsibility;
- the recognition and enforcement of decisions in cross-border family cases;
- the quality and efficiency of justice systems;
- the capacity to produce reliable and comparable data; and
- the European Union's policies on the rights of the child and child-friendly justice.

The European dimension of the petition rests on the need for the applicable Union safeguards to be effective in practice and to be assessed objectively based on adequate and comparable data. This link is particularly direct in cross-border parental responsibility cases falling under Council Regulation (EU) 2019/1111 (Brussels IIb), where the effective application of the safeguards provided by Union law presupposes functioning procedures for the recognition and enforcement of the relevant decisions and genuine respect for the child's right to express his or her views. In this sense, the issues raised concern specific fields of activity of the European Union within the meaning of Article 227 of the Treaty on the Functioning of the European Union and warrant examination by the Committee on Petitions.

4. European legal and institutional framework

A central point of reference is Article 24 of the Charter of Fundamental Rights of the European Union, according to which children have the right to such protection and care as is necessary for

their well-being; they may express their views freely; such views are to be taken into consideration on matters which concern them in accordance with their age and maturity; and, in all actions relating to children, the child's best interests must be a primary consideration.

Within the scope of Union law, Article 24 of the Charter is linked to other guarantees of the Charter. Article 7, which enshrines respect for private and family life, concerns the protection of family ties. Article 21 prohibits discrimination and requires, within the scope of Union law, equal protection of fundamental rights. Article 47 enshrines the right to an effective remedy and to effective judicial protection, which is particularly important in cases involving children, where the excessive length of proceedings or ineffective enforcement may render the protection afforded ineffective in practice.

In the same context, Recommendation CM/Rec(2025)4 of the Committee of Ministers of the Council of Europe on protecting the rights and best interests of the child in parental separation proceedings is of particular importance. The Recommendation brings together current European guidance on the substantive and procedural protection of children in such proceedings, including the primary consideration of the child's best interests, the right to be informed and heard, and the need for proceedings to be conducted in a timely manner. Although it is not an act of European Union law, it is a very recent European benchmark for assessing whether parental separation proceedings provide effective and child-friendly protection in practice.

Of particular importance for cross-border family disputes is Council Regulation (EU) 2019/1111 (Brussels IIb), which concerns, among other things, international jurisdiction and the recognition and enforcement of decisions in matters of parental responsibility, and includes specific safeguards connected with the child's right to express his or her views. Assessing how these safeguards operate in practice requires, among other things, adequate knowledge of the length of proceedings, the enforcement of decisions and the practical exercise of the child's right to express his or her views.

In this light, where Union law applies, the effectiveness of family justice is not exhausted by the existence of legislative rules. It requires timely and genuine protection, primary consideration of the child's best interests and the practical guarantee of the relevant procedural safeguards.

5. The need to evaluate the implementation of national Law 4800/2021

Law 4800/2021 amended important provisions of the Greek Civil Code governing relations between parents and children following the dissolution of the parents' marriage and/or irrespective of the existence of a legal bond between them. Among other things, Article 1511 of the Civil Code links the child's best interests to the meaningful involvement of both parents in the child's upbringing and care and to preventing the breakdown of the child's relationship with either of them, while Article 1513 of the Civil Code governs the exercise of parental responsibility after separation or divorce.

By placing the protection of the (best) interests of the minor child unequivocally at the centre of its provisions, this reform makes it particularly important to have reliable data on how the new framework is applied in practice and on its effects in family proceedings concerning children. This need is also linked to the national framework for better regulation and regulatory evaluation under Law 4622/2019, so that the assessment of a major legislative reform is based on appropriate data about its actual application.

6. The data and evaluation gap

Following repeated institutional interventions by the organisation and parliamentary scrutiny, the reply of the Ministry of Justice of 14 October 2026 gave the issue a new, objective dimension. The Ministry acknowledged that the collection and publication of aggregated and disaggregated data on decisions concerning parental responsibility, day-to-day care and contact, by year and by court, is not currently feasible. The information exists in the body of the decisions but is not recorded as structured fields.

This admission is of institutional significance, because the State holds data on the total volume of the relevant court caseload, but has no corresponding structured and aggregated picture of the substantive outcomes of the proceedings, as regards:

- the outcome of parental responsibility disputes;
- the allocation of day-to-day care;
- the actual extent of contact;
- the participation and hearing of children;

- the use of interdisciplinary assessments; and
- the effective enforcement of the relevant decisions.

This situation creates a substantial gap in knowledge, evaluation and accountability and hampers the announced evaluation of Law 4800/2021, particularly in distinguishing between problems inherent in the legislative framework and problems linked to its application by the courts or to its institutional support. For this reason, the systematic collection and periodic publication of fully anonymised and comparable family justice indicators is required, so that the application of the legislative framework can be assessed objectively and transparently before conclusions are drawn on the need for further substantive legislative changes.

7. Case-law and empirical indications of recurring operational problems

The lack of official aggregated data does not mean that there are no case-law and empirical indications warranting systematic investigation. The organisation's background study "The ECHR and the Protection of Family Life" examines the relevant case-law of the European Court of Human Rights (ECtHR) and identifies as settled principles that the protection of family life must be practical and timely, that court decisions must be effectively enforced and that, in cases concerning children, the passage of time may create irreversible faits accomplish. It also underlines the importance of genuinely hearing the child, of an individualised assessment of the child's best interests, of adequate interdisciplinary support and of procedural safeguards.

Focusing specifically on the Greek cases, which span more than two decades, the study identifies recurring issues relating to the length of proceedings, inadequate or delayed enforcement of decisions, the protection of contact and family ties, procedural safeguards and the completion or supervision of expert reports and assessments. The cases are not identical and include both violation and non-violation judgments. Nevertheless, the recurrence of these issues over time and their thematic convergence justify investigating possible recurring operational weaknesses.

This case-law picture is complemented by three distinct sources of empirical evidence: the primary analysis of 431 decisions of the Athens Single-Member Court of First Instance by Thomas-Christos Efstathiou, which records indications of a gap between the reform introduced by Law 4800/2021 and court practice as regards shared parenting; the organisation's study of family-law decisions of the Piraeus Court of First Instance, which shows limited application of joint custody and frequent

setting of contact time below the statutory presumption; and the master's thesis of Victoria Frizi in the Postgraduate Programme in Forensic Psychiatry of the National and Kapodistrian University of Athens (NKUA), which records the psychological and legal experiences of separated parents after Law 4800/2021 and raises issues concerning the specialisation of the judicial and psychosocial professionals involved.

These sources have different methodologies and limitations and are not presented as nationally representative evidence or as proof of a generalised violation. However, their convergence with the case-law of the ECtHR and with the established lack of official structured data reinforces the need for an objective, nationwide and systematic evaluation of family justice, in particular as regards the length of proceedings, the hearing of the child, interdisciplinary assessments and the actual enforcement of court decisions.

8. The child's right to be heard

The child's right to participate in proceedings affecting him or her is grounded not only in Article 24 of the Charter of Fundamental Rights of the European Union and Article 12 of the United Nations Convention on the Rights of the Child, but also in the European Convention on the Exercise of Children's Rights, ratified by Greece by Law 2502/1997. The Convention aims to strengthen children's procedural rights and their participation in judicial proceedings affecting them, in particular family proceedings concerning the exercise of parental responsibilities.

In this light, assessing the practical application of the child's right to express his or her views requires the ability to record how often and in what manner the child is heard, how the child's age and maturity are taken into account, whether appropriately trained professionals provide assistance, and how the child's views are weighed in the decision. The practical application of the right to be heard should therefore be a distinct parameter of any systematic evaluation of family justice.

9. Speed and actual effectiveness of judicial protection

In family cases concerning children, time is an essential element of the effectiveness of judicial protection. Prolonged pendency of proceedings or delayed enforcement of a decision may

consolidate de facto situations and substantially affect the possibility of maintaining or restoring the child's personal relationship with a parent, especially where the time that has elapsed cannot be made up afterwards.

The European Commission's 2026 Rule of Law Report, in its chapter on Greece, notes that delays in civil justice remain a significant challenge and points to issues concerning the enforcement of final court decisions. These horizontal findings take on particular significance in family disputes concerning children, where effective judicial protection requires not only the issuing but also the timely enforcement of decisions. (Similar findings were stated on European Commission, 2022 Rule of Law Report, Country Chapter on the rule of law situation in Greece).

Consequently, the length of proceedings and the actual enforcement of decisions must be assessed through distinct and measurable indicators, so that it can be established whether the judicial protection of children is not only formally available but also timely and effective in practice.

10. The need for specialised and interdisciplinary family justice

The evaluation of family justice cannot be limited to the length of proceedings and to data collection. It must also cover the institutional and interdisciplinary support available in cases concerning children.

The need for institutional specialisation of family justice is not a new issue in the Greek legal order. Law 2447/1996 already provided for specialised family-law divisions and social services at the Courts of First Instance, with the aim of supporting the administration of family justice by specialised judges and appropriate professionals. The fact that specialised family justice structures have been provided for by law since 1996 makes it necessary to assess systematically the extent to which they have actually been implemented and operate in practice, as well as the factors that have affected the degree to which the envisaged institutional and social support structures have been implemented and developed.

As part of an overall evaluation of the effectiveness of family justice, the examination should therefore cover not only the length and outcome of proceedings, but also the actual availability of

specialised judicial structures and of appropriate social, psychological and other interdisciplinary support.

11. Requests to the European Parliament

Based on the above, the Civil Non-Profit Company "A Child Needs 2 Parents" requests the Committee on Petitions of the European Parliament:

1. Admissibility and examination – To declare this petition admissible and to keep it open until the issues raised have been adequately investigated.

2. Referral to the European Commission – To refer the petition to the European Commission for examination and, during that examination, to request specific information from the competent Greek authorities on:

a) Data and evaluation: the methodology and data on which the announced evaluation of Law 4800/2021 will be based, the existing or planned family justice indicators, and the timetable for developing appropriate structured fields in JustStat and the Integrated Case Management System for Civil and Criminal Justice (OSDDY-PP).

b) Speed and effective enforcement: the length of family proceedings concerning children, the functioning of interim judicial protection, and the time taken to enforce the relevant decisions and the effectiveness of their enforcement.

c) Children's rights and institutional support: the practical application of the child's right to express his or her views and the related procedural safeguards, as well as the extent to which the specialised family justice and social support structures provided for by law have actually been implemented, the availability of appropriately trained professionals and the use of social, psychological and other interdisciplinary assessments.

d) Transparency and monitoring: the existing or planned institutional mechanisms for the periodic publication of anonymised and comparable data and indicators, and the envisaged

timetable for their implementation, to enable an objective assessment of the functioning of family justice over time.

3. Evidence-based evaluation before any further substantive legislative changes – To encourage the competent Greek authorities, in the context of the announced evaluation of Law 4800/2021 and before any further substantive changes to the relevant legislative framework, to rely on transparent, scientifically sound and, as far as possible, representative data on its actual application, drawing a clear distinction between problems attributable to the legal rule itself and problems linked to its application by the courts, the length of proceedings, the enforcement of decisions or institutional and interdisciplinary support.

4. European indicators for family justice and child-friendly justice – To examine, in cooperation with the European Commission and the competent European bodies, whether the existing European mechanisms for monitoring the quality and effectiveness of justice could be strengthened with comparable and anonymised indicators that more accurately capture the position of children in family proceedings, in particular as regards length, the hearing of the child and the practical effectiveness of decisions.

5. Participation of civil society and the scientific community – To encourage the transparent participation of independent authorities, academic and scientific institutions, experts in children's rights and child mental health, and civil society organisations in the evaluation of the functioning of family justice and of the related legislative reforms.

12. Conclusion

This petition does not seek to substitute the national authorities in the application of family law, nor to have individual court decisions reviewed. It asks for an examination of whether, in the areas connected with European Union law and policies, adequate mechanisms exist to ensure that the protection of children's rights in family proceedings is timely, effective in practice and objectively

assessable. For this reason, we ask the European Parliament to use, within its competences, the available means of parliamentary and institutional scrutiny.

The Civil Non-Profit Company "A Child Needs 2 Parents" remains at the disposal of the Committee on Petitions and the competent institutions of the European Union to provide any additional information, clarification or documentation that may assist the further examination of the issues raised in this petition.

Yours faithfully,

On behalf of the Board of Directors of the Civil Non-Profit Company "A Child Needs 2 Parents"

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