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SECURE
STRENGTHEN THE PROTECTION OF CHILDREN AND ADOLESCENTS LIVING IN RESIDENTIAL CARE SETTINGS

D2.1 PRELIMINARY RESEARCH AND BEST PRACTICES ANALYSIS

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KMOP EDUCATION HUB

GREEK COUNCIL FOR REFUGEES

Save the Children

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the world is only one creature

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1. Introduction to the Concept of Child Safeguarding

1.1. Definition of Safeguarding

Organizational safeguarding (or *safeguarding* in international contexts) refers to the set of policies, measures, practices, and responsibilities that an organization adopts to prevent risks (including physical, emotional, sexual, digital, ethical, and workplace-related risks), harm, abuse, neglect, violence, or rights violations against the people with whom it works or interacts. It also aims to ensure a protective institutional culture based on safe environments and positive treatment.

Depending on who is being protected from potential harm arising from the organization's activities, three types of safeguarding can be distinguished: **adult safeguarding**, **staff safeguarding**, and **child safeguarding**.

1.2. Definition of Child Safeguarding

This project focuses on **organizational child protection**, or **child safeguarding**, which refers to the responsibility of organizations to ensure that their staff, operations, and programs do not cause harm to the children and adolescents.

Today, child safeguarding is mainly guided by two international reference frameworks: the **Global Safeguarding Protocol of Save the Children International (SCI)** and the **Organizational Safeguarding Standards of Keeping Children Safe (KCS)**.

1.3. Save the Children International (SCI) Global Child Safeguarding Protocol

The *SCI Global Child Safeguarding Protocol* establishes the principles that should guide an organization's intervention, values, and mission in order to ensure child safeguarding, as well as the areas, policies, and procedures through which these principles should be implemented. These principles are as follows:

1. **Safeguarding first**: placing protection at the core of the organization's values and ahead of any other objective.
2. **Best interests of the child**: all decisions must be guided by what is best for each child or adolescent, promoting their participation whenever possible.
3. **Zero tolerance** for any form of abuse or neglect.
4. **Taking all concerns seriously**, acting promptly and confidentially.
5. **Protection of those who report concerns**, ensuring that no retaliation occurs.
6. **Shared responsibility** among all individuals associated with the organization.
7. **A continuous process**, regularly reviewed and adapted to the context.

The areas and tools through which these principles should be implemented are the following:

a) Policy and prevention area: To put these principles into practice, the organization must have policies in place that allow it to identify, monitor, and mitigate safeguarding risks, while also establishing clear standards that partners and staff are required to follow and be trained on. The primary policy to be developed is the **Child Safeguarding Policy**, which should include the following sections:

- **Institutional Statement**: a public and accessible official declaration issued by the organization's leadership and governing body, expressing the commitment to organizational child protection and the responsibility to create and promote safe and nurturing environments.
- **Principles and Values**: the principles outlined above, aligned with the organization's institutional values, mission, and vision.
- **Protected Persons and Scope**: defines who must comply with the policy and who is protected under it.
- **Code of Conduct**: a set of expected and appropriate behaviours required by the organization, as well as behaviours that are considered unacceptable in interactions with individuals under protection, both in professional and personal settings.
- **Procedures**: specific actions established by the organization for the management, investigation, and reporting of complaints or concerns related to child safeguarding raised by individuals associated with the organization, children and adolescents, young people, and families. SCI highlights the need for these procedures to ensure confidentiality, avoid causing harm to any individuals involved in the reporting process, protect the victim, implement any necessary disciplinary actions, and provide ongoing training for those associated with the organization on these procedures.
  (The following sections may either be included within the policy or developed as separate documents.)
- **Awareness-raising and safeguarding training**: ongoing training for all members of the organization on safeguarding principles, policies, and procedures.
- **Use of images, audio recordings, and testimonies**: regulations and guidance concerning the collection, storage, and dissemination of images, audio recordings, and testimonies of individuals under protection, based on respect for their dignity, privacy, and safety. Particular emphasis should be placed on the use of informed consent.
- **Risk assessment and management**: mechanisms through which the organization identifies, evaluates, and mitigates risks associated with its activities, facilities, and programs. This includes, among other things, conducting risk mapping exercises (physical, emotional, and risks arising from interactions between adults and children), at the level of activities, programs, and environments, as well as implementing measures to mitigate, address, or eliminate identified risks.
- **Safer recruitment**: criteria and procedures that the organization must follow to ensure, and help prevent, the recruitment of individuals (employees, volunteers, or collaborators) who do not meet the ethical standards required to work with protected persons. Examples include requesting criminal record checks related to sexual offences, addressing critical child safeguarding scenarios during interviews, and obtaining references.
- **Data protection**: compliance with legal requirements relating to data protection, according to the nature of the organization's activities.
- **External organizations or partners**: commitments required from external organizations collaborating with the entity, such as signing and adhering to the organization's safeguarding policy.

b) Safe Programming Area: implements risk assessment and management measures.
c) Safer Recruitment Area: implements safer recruitment measures and procedures.
d) Reporting and Response Area: implements measures for the management, investigation, and reporting of child safeguarding concerns or allegations.

1.4. Keeping Children Safe (KCS) Organizational Child safeguarding Standards

The *Keeping Children Safe (KCS) Organizational Safeguarding Standards* framework sets out indicators that organizations can use to assess whether their safeguarding system meets minimum requirements.

The standards are as follows:
1. Express the organization's safeguarding philosophy: The organization's safeguarding policy should reflect its position on child protection and the principles that guide its actions.
2. Recognize the need to protect all children: The policy must include an explicit commitment to protecting all children and adolescents, without discrimination based on disability, ethnicity, religion, gender, sexual orientation, or culture.
3. Apply to all staff, volunteers, and partners: The policy must be mandatory for all individuals associated with the organization, both in their professional and personal conduct.
4. Identify and manage risks: A strong policy must include a clear assessment of the risks that may arise through people, programs, and operations. This involves:

- Appointing safeguarding focal points responsible for receiving and managing organizational child safeguarding concerns and conducting any necessary investigations.
- Including a section on risk assessment, mitigation, and management.
- Establishing procedures and training staff so they know how to identify safeguarding risks, how and where to report them, and how to respond appropriately.
- Implementing a clear code of conduct that defines expected behaviours and those that are unacceptable.
- Ensuring safer recruitment practices.

5. Integrate safeguarding measures across all areas: A safeguarding policy should demonstrate a commitment to ensuring that organizational safeguarding is embedded throughout all areas of the organization.

2. Child Safeguarding in the international context

Although child safeguarding does not have its own specific international legislative framework, its principles, approaches, and operational mechanisms are grounded in and supported by the body of international laws and treaties ratified by States that are aimed at protecting children and preventing all forms of violence against children and adolescents.

In this regard, the main components of this international legal framework include:

- **The United Nations Convention on the Rights of the Child (1989):** recognizes every child's right to live free from violence and obliges States to prevent abuse, exploitation, and neglect, as well as to protect victims and provide remedies, while ensuring that the best interests of the child are a primary consideration. It also highlights the need for States to establish standards for alternative care and consistent assessment mechanisms.
- **The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography**: strengthens the protection of children against sale, sexual exploitation, and abuse.
- **The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules, 1985)**: establish essential minimum standards for the treatment of adolescents and young people in conflict with the law, with the aim of ensuring their well-being and respect for their rights.
- **The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime:** provides a framework for preventing and combating human trafficking and protecting victims.
- **The European Convention for the Protection of Human Rights and Fundamental Freedoms:** develops the rights established in the Universal Declaration of Human Rights and creates an international monitoring system through the European Court of Human Rights.
- **The European Social Charter (Turin, 1961**): recognizes social rights, particularly regarding the social protection of children and families.
- **The Hague Convention of 19 October 1996**: regulates international cooperation concerning parental responsibility and measures for the protection of children, helping to avoid conflicts between different legal systems.
- **The Convention on the Rights of Persons with Disabilities (2006**): guarantees the rights and freedoms of persons with disabilities, including children with disabilities.
- **The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention, 2007**): establishes measures to prevent and combat sexual violence against children, protect victims, and prosecute offenders. Notably, Article 4 calls on States to adopt legislative measures to prevent all forms of child sexual exploitation and abuse, while Article 5 requires that professionals working with children receive appropriate training on prevention, detection, and reporting of child sexual abuse and exploitation, and that they have not been convicted of sexual offences.
- **The Istanbul Convention (2011):** addresses violence against women and domestic violence, recognizing children as victims in their own right.
- **Directive 2011/93/EU**: strengthens measures to combat child sexual abuse, sexual exploitation of children, and child pornography.
- **The European Commission Recommendation on Integrated Child Protection Systems (2024)**: promotes coordinated and comprehensive child protection systems across Member States.
- **The Council of Europe Strategy for the Rights of the Child 2022-2027**: sets strategic priorities to strengthen children's rights and protection across Europe.

At the practical level, although there is no legally binding international instrument that establishes mandatory "common child safeguarding standards" for all countries or organizations, there are two widely recognized reference frameworks, as previously mentioned **from SCI and KCS.**

3. Child Safeguarding in Spain

3.1. The Spanish Legal Framework for Child Protection and Residential Child Care Settings

In Spain, from a legal perspective, child safeguarding is primarily grounded in the legislation governing the protection, prevention, detection, and response to violence against children and adolescents.

Below are the most relevant legal provisions, with particular emphasis on those regulating these aspects within residential child care settings:

- **Spanish Constitution of 1978**: establishes the obligation of public authorities to guarantee the social, economic, and legal protection of families and children. Particular attention should be given to Article 15, which, in practice, underpins the principle of comprehensive protection of children and adolescents and later inspired the Organic Law on the Comprehensive Protection of Children and Adolescents against Violence (LOPIVI). It also recognizes the right of all persons to life and to physical and moral integrity, prohibiting torture and inhuman or degrading treatment.
- **Royal Decree of 24 July 1889 approving the Civil Code:** constitutes the historical foundation of Spain's child protection system.
- **Law 21/1987:** streamlined child protection procedures by introducing the concept of neglect (*desamparo*) and allowing the public administration to immediately assume guardianship in serious situations.
- **Organic Law 1/1982 of 5 May on the Civil Protection of the Right to Honour, Personal and Family Privacy, and One's Own Image**.
- **Organic Law 1/1996 on the Legal Protection of Minors (LOPJM**): establishes the general framework of the child protection system, recognizing children as rights holders and guaranteeing principles such as the best interests of the child, the right to be heard, and protection against all forms of violence.
- **Organic Law 5/2000 of 12 January on the Criminal Responsibility of Minors, together with Organic Law 8/2006 of 4 December,** which amended it.
- **Organic Law 4/2000 of 11 January on the Rights and Freedoms of Foreign Nationals in Spain and Their Social Integration**: establishes, in Article 35, the legal framework applicable to unaccompanied minors.
- **Law 4/2015 of 27 April on the Statute of Crime Victim**s.
- **Law 26/2015** and Organic **Law 8/2015:** reformed the child protection system by strengthening prevention measures and reinforcing the principle that the entire protection system must be based on the best interests of the child. These reforms legally defined the

concept and assessment criteria for the child's best interests, strengthened the right of children to be heard, ensured protection against all forms of violence, established the obligation to report offences involving sexual violence, human trafficking, and child exploitation to the Public Prosecutor's Office, and created the Central Register of Sex Offenders. This register contains information on individuals convicted of offences against sexual freedom and integrity, human trafficking, or child exploitation, and clearance from the register became mandatory for professionals working with children and adolescents.

- **Organic Law 8/2021 on the Comprehensive Protection of Children and Adolescents against Violence (LOPIVI**): introduced a comprehensive child protection model based on a human rights approach and established the mechanisms necessary for its implementation. The law requires the adoption of a comprehensive violence prevention framework based on prevention, awareness-raising, and early detection, across different sectors and settings. It also requires the creation of safe, nurturing environments that guarantee the holistic development and best interests of children and adolescents, as well as reporting channels and protocols for communicating situations of risk, supported by a national registry of cases of violence against children. In terms of child safeguarding in Spain, this law represents the cornerstone of the safeguarding framework, as it obliges all sectors and institutions responsible for child protection to comply with international safeguarding standards.
- **Regional child protection legislation, centre-specific regulations, and internal protocols:** while the Spanish State establishes the overarching legal framework for child protection, the Autonomous Communities adapt and implement it through regional child protection laws and centre-level policies. Given that this project is based in Tenerife, the regional legal framework governing the protection of children and the prevention of violence in residential care settings in the Canary Islands includes**: Law 1/1997 on Comprehensive Care for Minors in the Canary Islands**; **Decree 54/1998,** regulating child protection measures within the Autonomous Community of the Canary Islands; **Decree 40/2000,** approving the regulations governing the organization and operation of residential child care centres in the Canary Islands; **Decree 712/1984**;**Law 16/2019**; **and The policies, procedures, and contractual requirements** established in public procurement specifications for the public or private organizations entrusted by the Island Council (*Cabildo*) with the management of residential care centres.
- The proposal entitled **"Coverage, Quality and Accessibility Standards in Residential Care**", developed following the Childhood Technical Commission of 18 October 2017 in response to Additional Provision Three of Law 26/2015, although not legally binding, provides a set of proposed **minimum common standards and criteria** relating to staff ratios, professional profiles, educational programmes, children's rights, and other aspects intended to ensure a minimum level of consistency and quality within residential care services. Additionally, the framework of **Quality Standards in Residential Care (EQUAR**) translates these principles into specific quality standards and indicators applicable across Spain's Autonomous Communities. However, like the previous document, it serves as a national reference framework rather than a mandatory and uniformly binding instrument for all residential care services.

- The **National Strategy for the Rights of Children and Adolescents** developed by the Ministry of Social Rights and Agenda 2030 includes strategic actions aimed at further improving alternative care arrangements, reducing institutionalization, eradicating violence, and strengthening a culture of zero tolerance and safe environments for children and adolescents.

Thus, having analysed the theoretical and legal framework underpinning child safeguarding in Spain, it is important to note that, in practice, although legislation such as the Organic Law 8/2021 on the Comprehensive Protection of Children and Adolescents against Violence (LOPIVI) and reference quality standards such as the "Coverage, Quality and Accessibility Standards in Residential Care" and EQUAR exist, the implementation of this framework remains uneven across the country.

This is largely because each Autonomous Community translates national legislation into its own regional regulations, while the institutions responsible for monitoring and operationalising these requirements also vary from one Autonomous Community to another and, in some cases, even within the same region when residential services are outsourced to private organisations. Indeed, the first monitoring report on the implementation of LOPIVI, published at the end of 2024, identified territorial disparities in the application of the measures established by the law as one of the main challenges. These issues remained unresolved in the 2025 LOPIVI monitoring report.

3.2. Child Safeguarding (CSG) Standards: Comparative Analysis

Therefore, after reviewing both the legal and practical context of child safeguarding in Spain, the following section summarises the main challenges and good practices related to its implementation within residential child care services.

-Child Safeguarding Policy: Following the introduction of LOPIVI, all residential child care centres across Spain are required to develop policies and protocols aimed at promoting a culture of zero tolerance towards violence, ensuring safe and positive treatment, and guaranteeing that the best interests of the child and the respect for their rights remain at the centre of all interventions.

However, there is currently no legal requirement for centres to adopt a child safeguarding policy based on common minimum standards. The development of policies and protocols concerning positive treatment and safe environments depends largely on regional child protection legislation, the type of organisation, the nature of the residential setting, and the sector in which it operates. This results in considerable variation regarding content, scope, terminology, implementation procedures, timelines, stakeholders involved, and training requirements for staff and children.

For example, within the Canary Islands, some residential care centres managed by specialised private organisations, such as Aldeas Infantiles SOS, have comprehensive child safeguarding policies because these organisations developed them before entering into public service agreements. Other centres, however, may not have a dedicated child safeguarding policy at all.

Furthermore, while many policies clearly define expectations for staff working directly with children, the extent to which they apply to visitors, interns, trainees, or volunteers varies

considerably and is often not addressed. The 2025 LOPIVI Monitoring Report specifically highlighted the urgent need to improve this area, noting that organisations responsible for managing residential care services lack a common framework establishing minimum requirements for the development and implementation of safeguarding protocols.

-**Safe Programming**: LOPIVI requires all residential child care services to have operational procedures for preventing, identifying, and responding to violence while ensuring safe and positive treatment.
However, there is currently no common risk assessment tool, nor a shared system of safeguarding indicators and risk levels applicable across all Autonomous Communities and residential care centres. Likewise, there is no requirement regarding the frequency with which safeguarding risk assessments should be conducted or reviewed.
Although the **Coverage, Quality and Accessibility Standards** and **EQUAR** refer to the assessment of physical risks (such as fire safety, electrical hazards, hygiene, lighting, and infrastructure) and emotional risks (such as privacy, child-centred environments, and respectful relationships) related to the Child Safeguarding Safe programming ones, the factors assessed vary significantly depending on the regional regulatory framework.
In the Canary Islands, for instance, Law 1/1997, Decree 40/2000, and public procurement specifications require compliance with architectural, health, safety, hygiene, and location standards, as well as children's participation in evaluating their living environment and the promotion of a positive coexistence framework. Nevertheless, considerable variations remain between islands and providers regarding the practical implementation of these requirements.

-Safe Recruitment: Across all Autonomous Communities, residential child care services are required to recruit suitably qualified professionals. Public procurement specifications generally define staff profiles, responsibilities, and minimum qualification requirements. Furthermore, compliance with LOPIVI requires all employees, including subcontracted staff, to provide a criminal record certificate confirming the absence of convictions for sexual offences prior to employment.
However, preventative safeguarding measures during recruitment are not consistently incorporated into regional regulations. Requirements such as safeguarding-focused interview questions, scenario-based safeguarding assessments, critical incident discussions, or mandatory reference checks are often absent or inconsistently applied. When services are managed by private organisations, recruitment processes frequently depend on the internal policies of each provider, increasing variability even within the same Autonomous Community.
In the Canary Islands, regional legislation emphasises the suitability of professional profiles and compliance with internal policies and disciplinary frameworks, while requiring criminal background checks. However, it does not establish detailed safeguarding-related recruitment requirements such as safeguarding competency assessments during interviews. Neither EQUAR nor the national quality standards explicitly address these recruitment measures.

The 2025 LOPIVI Monitoring Report also highlighted concerns regarding the limited implementation of Article 59, which regulates the consequences of non-compliance with criminal record certification requirements for volunteers regularly working with children and adolescents.

-**Child Safeguarding Focal Point:** Under Article 48.1.c of LOPIVI, organisations are expected to designate a **Well-being and Protection Coordinator** (*Coordinador/a de Bienestar y Protección*), who performs functions broadly comparable to those of a Child Safeguarding Coordinator in educational and recreational settings. The challenge lies in the fact that LOPIVI provides only a general description of this role, leaving significant discretion to regional authorities regarding responsibilities and implementation. Although the law requires the position to serve as a point of contact for safeguarding concerns, support protocol dissemination, and contribute to case management, substantial differences exist among Autonomous Communities.
The 2025 LOPIVI Monitoring Report stressed the need for further development of this role within residential care settings. While child protection focal points are included in the National Children's Rights Strategy, specifically under Strategic Area 3 concerning safe environments and organizational safeguarding culture, only a limited number of Autonomous Communities have formally incorporated this function. Similarly, both EQUAR and the national quality standards refer to a safeguarding reference person, although in practice these responsibilities are often distributed among several professionals.

-**Training on Child Safeguarding:** LOPIVI requires residential care professionals throughout Spain to receive training on the prevention, detection, and response to violence against children, in addition to role-specific professional development. However, there is currently no common national curriculum, minimum training duration, or standardised quality indicators governing this training.
Likewise, educational programmes for children and adolescents often include workshops on violence prevention, online safety, sexual violence prevention, and gender equality, yet there are no common requirements regarding content, duration, methodology, or evaluation.
The Canary Islands legislation requires continuous professional development relating to child protection and specialised interventions, as well as training for children on their rights, responsibilities, and violence prevention mechanisms. Nevertheless, substantial variability exists across islands and service providers.
The 2025 LOPIVI Monitoring Report therefore called for the development of specialised training pathways for professionals working in residential care settings, particularly regarding the specific protection needs of children and adolescents living in these environments.

-Respect for the best interest of the child through participation: All residential child care centres across Spain's Autonomous Communities are required to ensure that their policies and procedures are based on the **best interests of the child** and on promoting children's holistic development. They are also obliged to listen to children and involve them in decisions affecting them, such as house rules, individual care plans, and educational programmes, while ensuring that children are informed of their rights and responsibilities from the outset . In fact, national

quality frameworks and proposed standards highlight the importance of child participation, awareness of rights and responsibilities from the moment of admission, and the availability of complaint and feedback mechanisms.
However, despite participation being a legal requirement, its implementation varies considerably across Autonomous Communities in terms of content, methods, and frequency. The **2025 LOPIVI Monitoring Report** noted that approximately 50% of territories still lack formal child and adolescent participation bodies.
Furthermore, staff-to-child ratios differ significantly across regions depending on available funding, which directly affects the ability of professionals to meaningfully engage with and listen to children.
In the Canary Islands, listening to children and promoting their participation are fundamental principles embedded within the regional child protection framework. Participation is encouraged across all areas of children's lives, including education, leisure activities, community involvement, and family matters, and through various formats such as youth associations and representative forums. Regional authorities also seek to facilitate participation by promoting smaller group sizes and by delegating responsibility to the Island Councils (*Cabildos*) to adapt participation mechanisms to local needs. Examples include the **Residential Care Adolescents' Participation Council** and the **Active Island Youth Council of the Canary Islands Platform**. Nevertheless, significant differences remain between islands and residential care centres regarding how child participation is implemented in practice.

-**Reporting and Investigation Procedures:** Under LOPIVI, every individual has a legal obligation to report known or suspected cases of violence against a child, with an even greater responsibility placed upon professionals working with children. Public authorities must provide reporting mechanisms that are accessible, child-friendly, safe, confidential, and adapted to the needs of users. Furthermore, in accordance with **Law 2/2023 on the Protection of Whistleblowers**, individuals reporting concerns must be protected from retaliation.
However, national legislation does not specify whether separate reporting channels should exist for internal and external safeguarding concerns. Nor does it establish common standards regarding who should be responsible for managing reports, how communication pathways should operate, what timelines should apply to internal investigations, or which records and indicators should be systematically collected.
In addition, quality standards and the child protection regulations of some Autonomous Communities, including the Canary Islands, tend to focus primarily on the availability of complaints procedures and place significant responsibility on management to immediately report serious incidents. However, they do not usually distinguish between reporting mechanisms for internal safeguarding concerns and those related to external threats, nor do they require dedicated safeguarding reporting registers.
Furthermore, complaint and suggestion mechanisms are often shared by children and families, which can create challenges when attempting to establish dedicated safeguarding reporting pathways specifically tailored to children's protection needs.

-Child Safeguarding as a Continuous, Reviewed, and Contextualised Process: LOPIVI requires all Autonomous Communities to establish procedures for the prevention, detection, response, and reporting of violence against children. However, as previously noted, these procedures vary considerably across regions and there is no common national requirement regarding how frequently safeguarding protocols should be reviewed, updated, or evaluated. Nor is there a common requirement to publish analyses of safeguarding incidents or lessons learned, or to specify how frequently such information should be reviewed and disseminated.

Although child protection authorities are responsible for inspecting residential care services, and the inspection process generally includes reviewing violence prevention procedures and staff training, the methods used to evaluate services differ significantly from one Autonomous Community to another. Variations exist regarding inspection frequency, quality indicators, monitoring mechanisms, and responsible authorities. The **Coverage, Quality and Accessibility Standards in Residential Care** and the **EQUAR Quality Standards Framework** provide a degree of consistency across Spain and include several child safeguarding-related indicators. However, these remain guidance and recommendations rather than mandatory requirements.

In the Canary Islands, regional legislation establishes a common framework governing inspections, including who conducts inspections, what is evaluated, and how inspections are carried out. Among the documents reviewed are those relating to violence prevention and response. Nevertheless, inspections are undertaken according to annual plans established by the competent regional authority, resulting in variations among islands in inspection frequency and focus. Moreover, there is no explicit obligation to systematically review child safeguarding policies or maintain and publish safeguarding incident data.

Consequently, the **2025 LOPIVI Monitoring Report** emphasised the need to improve public statistics regarding both staff training on violence prevention and the number of confirmed or suspected cases of violence against children through the creation of a centralised reporting and monitoring system.

-**Existence of a Code of Conduct:** Across all Autonomous Communities, residential child care services are required to have disciplinary frameworks governing staff conduct, including sanctions established by employment legislation and collective agreements. Organisations are also expected to promote safe environments and healthy relationships. In addition, national quality standards recommend that centres clearly define appropriate and inappropriate behaviour.

However, there is no common disciplinary framework applicable to all professionals working in residential child protection services across Spain. Disciplinary procedures vary according to employment relationships, professional status, and organisational policies. Likewise, there is no nationally agreed code setting out specific acceptable and unacceptable behaviours in interactions with children, developed with the participation of children themselves.

While there are common regulations governing family visits, no equivalent requirement exists regarding visits by external parties, nor is there a general obligation for visitors to comply with a child safeguarding code of conduct.

Some private organisations managing residential care services have introduced comprehensive codes of conduct because of their longstanding specialisation in child protection. For example, residential care centres operated by **SOS Children's Villages (Aldeas Infantiles SOS)** have established safeguarding policies and codes of conduct. However, these represent organisation-specific initiatives and are not consistently implemented across all residential care providers.

-**Data Protection, Image Use, and Audio Recording:** Under LOPIVI, **Organic Law 1/1982**, the **General Data Protection Regulation (GDPR)**, and **Organic Law 3/2018 on Personal Data Protection and the Guarantee of Digital Rights**, all Autonomous Communities are required to protect children's privacy, image rights, and personal data. Organisations are also obliged to implement procedures aimed at preventing and responding to violence occurring through digital or technological means. However, there is no common national standard explaining how these requirements should be operationalised within residential child care settings. For example, there is no standardised model for image or audio consent forms, no common framework regarding informed consent requirements, and no nationally agreed rules governing who may take photographs, under what circumstances, or which devices may be used.
Similarly, quality frameworks such as EQUAR refer to confidentiality and data protection requirements but provide limited guidance regarding the management of images, videos, audio recordings, and digital safeguarding protocols. In addition, there is little explicit reference within child protection standards to the appointment of a **Data Protection Officer (DPO)** responsible for ensuring compliance with **EU Regulation 2016/679 (GDPR)** and **Organic Law 3/2018**. As a result, considerable variation exists across Spain. In some Autonomous Communities, including certain residential care contracts issued by the Tenerife Island Council, these requirements are explicitly addressed within technical specifications. In other cases, private providers rely exclusively on their own internal policies and procedures, resulting in significant differences in practice between organisations and regions.

4. Child Safeguarding in Italy

4.1. The Italian Legal Framework for Child Protection

Within the Italian legal framework, there is no single, comprehensive legal definition of 'violence against children' enshrined in a specific piece of legislation. Rather, the conceptual configuration of child abuse, violence, and neglect derives from a combination of international treaties and specialized national legal instruments.

The fundamental cornerstone of this framework is the **United Nations Convention on the Rights of the Child (UNCRC)**, which was ratified and integrated into the domestic legal order via **Law No. 176 of 1991**. This international baseline serves as the standard guiding national legislation and policy initiatives.

At the national level, Italian legislation addresses violence against children through a series of specific provisions targeting distinct forms of abuse, rather than through a unified code. These include criminal law provisions on maltreatment, abuse, and neglect, alongside targeted statutes such as **Law No. 66 of 1996** (reforming the laws on sexual violence), **Law No. 269 of 1998** (combating child prostitution and pornography), and **Law No. 172 of 2012** (ratifying the Lanzarote Convention). Furthermore, the Council of Europe Convention on preventing and combating violence against women and domestic violence (**The Istanbul Convention**), ratified by Italy through **Law No. 77 of 2013**, significantly strengthens the legal and policy architecture, particularly in relation to domestic violence and the protection of children as direct or indirect witnesses (*violenza assistita*).

In civil law, the protection of minors from immediate danger is governed by **Article 403 of the Italian Civil Code** (*Intervention by public authorities in cases of serious danger to minors*). This provision allows for urgent intervention by public authorities when a minor is exposed to serious danger or an imminent threat to their physical or psychological integrity. While this provision serves as a vital emergency mechanism, its practical application has raised long-standing concerns among practitioners regarding the lack of uniform procedural standards and the potential impact on the procedural safeguards of both minors and their families.

Concurrently, **Law No. 184 of 1983** (*The right of the minor to a family*) contributes indirectly to child protection. Although it does not provide an explicit definition of violence and is not primarily designed as a criminal justice instrument, its core objective is to guarantee every child's right to grow up in a suitable family environment and to regulate interventions when that right is compromised. The statute establishes a clear obligation for public authorities to intervene in situations of serious neglect, abandonment, or conditions detrimental to the child's welfare, promoting removal from the family environment when necessary and facilitating alternative care arrangements, such as foster care (*affidamento*) and adoption.

In criminal law, the primary statutory mechanism is **Article 572 of the Italian Criminal Code** (*Maltreatment of cohabiting persons or family members*). This article criminalizes domestic violence and imposes aggravated penalties when the offense is committed against a child or in the presence of a minor. In line with modern international child protection standards, the Italian legal system explicitly recognizes children not only as direct victims of domestic abuse but also as indirect victims when they witness violence within the family unit.

4.2. Specific Norms and Standards in Alternative Care Centres in Italy

The protection and placement of minors who are temporarily or permanently deprived of an adequate family environment is governed by a distinct subset of national laws, regional administrative regulations, and operational guidelines.

The foundational framework is established by **Law No. 184 of 1983**, which asserts that institutional placement must be treated strictly as a measure of last resort. The practical shift

away from traditional institutional care was subsequently consolidated by **Law No. 149 of 2001**, which amended the 1983 statute and introduced a clear policy trajectory toward the deinstitutionalization of child care. This reform reinforced the legal priority of family-based solutions, such as foster care, and set December 31, 2006, as a binding deadline for the closure of traditional orphanages. From that date onward, mass residential institutions were to be replaced by foster families or small, family-like residential communities.

To mitigate severe territorial disparities in the quality of care across Italy, a set of **National Guidelines for Residential Care** was approved by the Joint Conference (State-Regions-Local Authorities) on December 14, 2017. These guidelines were substantially updated in **2024**, incorporating direct input from care-experienced young people. Drafted jointly by the Ministry of Labour and Social Policies, the Ministry of Justice, the Conference of Regions, the National Association of Italian Municipalities (ANCI), the Children's Ombudsperson (*Garante per l'infanzia*), and technical experts from prominent civil society organizations (including CNCA, CISMAI, and SOS Children's Villages), these guidelines serve as a nationally agreed policy standard. While they do not constitute statutory law in the strict sense, they represent a unified national rulebook covering everything from structural building standards to the participation of children.

Underneath this national policy umbrella, individual regions license and inspect care centres according to their own administrative regulations, built upon the foundation of **Framework Law No. 328 of 2000**. These regional rules govern a diverse array of specialized facilities: family-type communities, children's homes, therapeutic communities, and others. Typical regional requirements include a capacity cap of approximately ten children per centre, minimum bedroom dimensions, and strict ratios of trained staff to children.

Regarding access to services, minors placed in alternative care are legally entitled to timely healthcare and psychological support. These services must be coordinated and supervised by the responsible local social services. Crucially, the procedures for identifying and monitoring violence within alternative care are integrated into a broader framework of professional obligations. Under **Articles 361 and 362 of the Italian Criminal Code**, professionals working with children in residential facilities or foster care settings—including social workers, educators, healthcare staff, and teachers—hold the legal status of public officials or persons entrusted with a public service. Consequently, they are bound by a strict statutory duty to report any suspected or confirmed cases of violence, abuse, or maltreatment immediately to the competent judicial authorities.

To oversee the implementation of these protection standards, the Ministry of Labour and Social Policies established a **Joint Discussion Table** in December 2021 dedicated to monitoring, evaluating, and revising both the National Guidelines on Foster Care and the Guidelines for Residential Services. The Italian Ombudsman for Children and Adolescents participates in this forum as an observer, ensuring a rights-based perspective and strengthening external accountability. However, practitioners note that the ultimate efficacy of this coordination

mechanism remains hampered by its non-binding nature. Significant territorial fragmentation persists, as local implementation depends heavily on regional regulatory frameworks, available financial resources, and localized monitoring capacities.

4.3. The Specialized Protection Framework for Unaccompanied Foreign Minors

The reception and protection of unaccompanied foreign minors occupy a distinct legislative space within the Italian legal order, designed to ensure that under no circumstances are child protection standards subordinated to immigration control.

The primary legislative instrument is **Legislative Decree No. 142 of 2015** (frequently referred to as the *Reception Decree*), which introduced specialized and distinct provisions governing unaccompanied foreign minors. The decree formally recognizes these minors as an extremely vulnerable category requiring heightened protection measures separate from adult migrants. Most notably, the statute enforces an absolute prohibition against detaining unaccompanied minors or housing them in adult temporary stay centres (*Centri di Permanenza per il Rimpatrio* - CPR) or standard adult first-reception facilities. This absolute legal barrier reflects the core international principle that deprivation of liberty must never be applied to minors solely on the basis of their immigration status.

The reception architecture for these minors relies on highly specialized, government-run first-reception facilities designed to address immediate needs regarding rescue, identification, and emergency protection. These centres, funded primarily via the Asylum, Migration and Integration Fund (AMIF), are intended to provide short-term accommodation pending the minor's rapid transfer to more stable, community-based long-term reception solutions.

This protective framework was significantly reinforced by **Law No. 47 of 2017** (the *Zampa Law*). The Zampa Law explicitly mandates that first-reception facilities must operate strictly in accordance with child protection standards. It guarantees unaccompanied foreign minors immediate access to a volunteer legal guardian (*tutore volontario*), specialized legal assistance, comprehensive healthcare services, enrollment in the public education system, and specialized psychosocial support tailored to potential migration-related trauma.

4.4. Child Safeguarding (CSG) Standards: Comparative Analysis

The Child Safeguarding framework utilized by international humanitarian organizations is structured around explicit, proactive organizational standards. In contrast, Italy's residential care system developed historically out of civil law, adoption statutes, and localized regional social-welfare regulations. Consequently, while certain international safeguarding requirements exist in a direct legal format, others operate informally or remain absent at a national level.

-Child Safeguarding policy: On paper, the core principles of an international safeguarding policy—such as the best interests of the child, non-discrimination, confidentiality, and the right

to participation—are explicitly integrated into the Italian National Guidelines and local regional regulations. CISMAI's technical indicators further assist staff in identifying signs of abuse.
Moreover, the enforcement of Law No. 149 of 2001 successfully eliminated mass institutionalization, shifting the care model to small residential units. This structural change has significantly minimized the risks of anonymity and depersonalization that historically facilitated institutional abuse. At the same time, it has indirectly strengthened children's opportunities for participation and individualized attention, thanks also to the personalized educational projects and the improvement of the monitoring of children's progress, particularly following the Cartabia Reform, which introduced Article 5-bis into Law No. 184/1983.
Nonetheless, several challenges continue to undermine the effective implementation of these principles. Chronic underfunding, since public investments in child protection that remain fragmented and largely emergency-driven, combined with low professional recognition, has led to severe recruitment difficulties and high staff turnover, which directly disrupts the stability, continuity, and quality of care. Moreover, these pressures are further intensified by the growing need to accommodate children and young people with increasingly complex needs, including youth transitioning from juvenile justice or custodial settings, as well as unaccompanied migrant minors.
Finally, the absence of a single, legally binding and mandatory Child Safeguarding Policy for all residential care providers creates an additional source of risk, leading to significant disparities between facilities and regions in the level of protection afforded to children.

-**Safe Programming**: Italian residential communities routinely prioritize the design of physical spaces, ensuring a balance between communal areas and personal spaces for studying, sleeping, and storing personal belongings. This design choice serves an active therapeutic function rather than merely fulfilling an architectural standard, while also supporting children's right to privacy and intimacy.
Moreover, as outlined in the legal and regulatory framework, there are some regional rules that govern a diverse array of specialized facilities, that include a capacity cap of approximately ten children per centre, minimum bedroom dimensions, and strict ratios of trained staff to children.
Nonetheless, there is no mandatory national tool requiring staff to conduct systematic, written risk assessments for everyday operational activities (such as community workshops, external outings, or internet use). While children are frequently granted a voice in daily life through community meetings and structured listening sessions, their active involvement in formal institutional risk-mapping and safeguarding design is not a standard requirement.Furthermore Significant concerns persist regarding facilities accommodating unaccompanied migrant minors, since he National Ombudsperson for Children and Adolescents have identified a number of critical issues within across emergency reception facilities have identified critical issues, including overcrowded hubs, prolonged stays in temporary emergency centres, delays in appointing volunteer guardians, and limited educational opportunities.

-**Safe Recruitment**: Regarding human resources, the Italian framework enforces solid baseline criminal record checks. Under a **2014 Legislative Decree** implementing EU directives, anyone

seeking direct employment in positions involving regular contact with minors must provide a clean criminal record specifically verifying the absence of offenses against children. Regional accreditation rules also demand that facility directors possess a clean record.
Nonetheless,the primary gap lies in the scope of application. These statutory checks are rigorously applied to direct employees, but they are executed far less consistently for volunteers, temporary interns, and external independent contractors. While larger care providers voluntarily implement safeguarding-specific interview techniques and detailed reference verification, this is an informal practice rather than a uniform legal obligation. Additionally, although regions establish staff-to-child ratios, the specific qualification thresholds vary widely across regional borders.

-Reporting and Case Management: Domestic child safeguarding practices are guided by international frameworks, such as the **Lanzarote Committee Declaration of 2019** on protecting children outside their family from sexual abuse. Moreover, Italy's ratification of the **Third Optional Protocol to the UNCRC (via Law No. 199 of 2015)** provides an explicit legal mechanism for minors to file formal complaints regarding violations of their fundamental rights.
The internal reporting architecture of the Italian care system differs significantly from international CSG fast-alert models. Alternative care facilities are legally required to submit comprehensive six-monthly monitoring reports to the competent Juvenile Prosecutor. However, this mechanism operates as a routine retrospective review rather than an instantaneous incident-response system.
For urgent disclosures, ordinary criminal law imposes an immediate reporting duty on professionals who learn of a crime against a minor. Yet, this statutory duty is not always accompanied by ongoing operational training on how to handle disclosures in a trauma-informed manner. Furthermore, care centres are rarely required to provide children with highly visible, internal, child-friendly mechanisms to report grievances directly inside the facility, despite the existence of broader external communication channels run by regional Children's Ombudspersons.
In terms of case management, the formal external structure—consisting of juvenile courts, dedicated prosecutors, and social workers—functions as an established case-management system defined by law. However, there is a total absence of standardized national protocols outlining how an individual care provider should execute an immediate internal investigation regarding its own staff members, with clear institutional timelines, preceding or running parallel to external judicial investigations.

-Child safeguarding Focal Point and Review of the procedures and policies: In terms of oversight, Italian regulations mandate that facility licenses be formally reviewed at least every six months, supplemented by periodic inspections conducted by the Juvenile Prosecutor's office. However, these institutional inspections focus almost exclusively on environmental building compliance, structural standards, and minimum staffing ratios, rather than serving as dedicated qualitative audits of day-to-day safeguarding practices. While major care networks often appoint regional coordinators who act informally as safeguarding leads, there is no legal requirement for

individual facilities to formally designate a trained Safeguarding Officer, nor is there an obligation to publish annual safeguarding compliance statements.

-**Child safeguarding Training and Code of Conduct:** Staff members working directly as educators in residential communities are legally required to hold a specialized three-year university degree (*Laurea in Scienze dell'Educazione*) and continuous staff training is strongly recommended by the National Guidelines and heavily prioritized for regional accreditation. Nonetheless it is not a uniform statutory requirement,an even though Organizations like CISMAI offer highly regarded specialist training on child abuse, there is no nationwide legal mandate forcing care providers to ensure that all incoming personnel complete standardized child protection modules within a fixed period after onboarding, paired with mandatory, certified refresher courses.
Internal codes of conduct setting behavior standards for staff exist within individual facility house rules, but their quality and content remain entirely dependent on the discretion of the individual provider.

Moreover, as highlighted in the Care Standards and Guidance (CSG) framework, significant challenges remain regarding the availability of specialized training for professionals working in residential care settings, particularly in relation to highly vulnerable groups. Although several residential facilities have developed promising practices and specialized intervention models for working with severely traumatized children and adolescents, these initiatives remain largely dependent on local expertise and individual organizational commitment. As a result, their implementation is uneven across the country.

Finally, there is currently no single, fully integrated national framework that clearly standardizes the professional profiles required in residential care services, the competencies expected of staff, or the minimum standards for service delivery.

As a conclusion, as emphasized by organizations like CISMAI, institutional maltreatment remains an under-recognized phenomenon scientifically, culturally, and politically. Existing legal frameworks provide baseline structural and judicial checks, but they do not yet equate to a fully mature, homogeneous national system for preventing violence within care facilities. Crucial preventive tools—such as mandatory paid external supervision, a pervasive professional culture of mutual accountability, and standardized Child Safeguarding Policies—remain largely categorized as recommended best practices rather than binding national mandates.

5. Child Safeguarding in Greece

5.1. Greek Legislative Framework

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SECURE
STRENGTHEN THE PROTECTION OF CHILDREN AND ADOLESCENTS LIVING IN RESIDENTIAL CARE SETTINGS

Following recent legislative changes, the legal framework in Greece has resulted in a weakening of safeguards for the protection of minor asylum seekers. Law 5307/2026, which implements the EU Pact on Migration and Asylum, systematically transposes the most restrictive versions of the Pact and omits or poorly incorporates its — already limited — positive provisions: it allows the indefinite stay of unaccompanied minors over 16 years of age (or, regardless of age, based on nationality) in camp "safe zones" under a de facto detention regime; it refers persons under age assessment to the border procedure in violation of the presumption of minority; and it abolishes the automatic suspensive effect of appeals. Law 5275/2026 criminalizes humanitarian action and strikes at civil society. Law 5226/2025 maintains a 24-month detention limit contrary to EU law, and Joint Ministerial Decision 147627/2025 weakens the presumption of minority in age assessment. Recent judgments by the European Court of Human Rights (ECtHR) for violations in cases concerning unaccompanied minors: T.K. v. Greece (2024) Application No. 16112/20, T.S. & M.S. v. Greece (2024) Application No. 15008/19, M.Y. and others v. Greece, application no. 51980/19 and 5 other cases (2025) and A.I. and others v. Greece, application no. 11588/20 and two other cases (2025). The ECtHR in its Judgments A.R.E. v. Greece, Application No 15783/21 (2025) and G.R.J. v. Greece (no. 15067/21 accepted: the "systematic practice of pushbacks by the Greek authorities of third-country nationals to Türkiye". This practice is being recorded annually by the Recording Mechanism of Informal Forced Returns Incidents of the Greek National Commission for Human Rights (GNCHR) and also applies to children. Overall, there is an absence of a single, cross-sectoral child safeguarding strategy that binds all sectors uniformly.

This report constitutes a concise presentation of Greek national legislation on child protection and the prevention of violence against children, assessed against the key standards of the European Union and the Council of Europe.

Greece has ratified[1] the main international instruments and incorporates the key EU directives on child protection; however, a reduction in protection guarantees is recorded. The EU Strategy on the Rights of the Child (2021–2024) commits Member States to developing integrated child protection systems. The Commission Recommendation (April 2024) explicitly calls on Member States to: draw up national plans to end violence against children; improve cross-sectoral coordination; establish comprehensive support for child victims; and protect children online and offline. Greece assigned to the National Centre for Social Solidarity (EKKA) the role of National Coordinator, and the National Action Plan (NAP) was drawn up, focusing on five primary service areas: early childhood education and care, education, adequate housing, healthcare, and healthy nutrition.

In Greece, from a legal standpoint, child protection is based on constitutional guarantees, ratified international and European conventions, as well as a growing body of national legislation concerning the protection, prevention, detection and response to violence against children and adolescents, including unaccompanied minor asylum seekers.

[1]UN Convention on the Rights of the Child (UNCRC, 1989) (Law 2101/1992), Fundamental rights, best interests, protection from violence (Articles 19, 34, 37)
Lanzarote Convention 2007 (Law 3727/2008), Sexual exploitation & abuse, mandatory criminalization
Istanbul Convention 2011 (Law 4531/2018), Violence against women & children, domestic violence
European Convention on the Exercise of Children's Rights (Law 2502/1997), Children's procedural rights, participation in legal proceedings
Hague Convention – Intercountry Adoption 1993 (Law 3765/2009), Adoption safeguards, UASC protection
Hague Convention – International Child Abduction 1980 (Law 2102/1992), Prompt return of the child, prevention of abduction
Geneva Convention & 1967 Protocol (Legislative Decree 3989/1959 & Compulsory Law 389/1968), Protection of refugee children, non-refoulement
ILO Conventions No. 138 & 182 (Law 1182/1981, Law 2918/2001), Minimum working age, prohibition of the worst forms of child labour
Optional Protocols to the UNCRC (Law 3080/2002, Law 3625/2007), Children in armed conflict · trafficking of children · child pornography
Regulation (EU) 2026/463

Below are listed the most relevant legal provisions, with particular emphasis on those regulating these aspects within the framework of reception, housing and guardianship of unaccompanied and separated minor asylum seekers:

- **Article 21 of the Greek Constitution (1975):** Establishes the State's obligation to protect the family, childhood and motherhood, and constitutes the constitutional foundation of the national child protection system.
- **Law 4837/2021 Prevention and response to child abuse:** introduces, for the first time in Greek legislation, organizational-level obligations for child protection, including a mandatory Child Protection Policy for all entities working with minors, the obligation to report even incidents that come to the attention of staff, the appointment of a designated child protection officer in every centre/organization, procedures for managing and recording child-protection-related incidents, protection (immunity from prosecution) for those who report, a ban on hiring individuals with criminal convictions for offences against children, and provision for inspection of child protection bodies.
- **Law 5090/2024:** Strengthens the protection of minors in cases of domestic violence and tightens the response to offences against sexual dignity committed in the presence of a minor; the provisions on criminal mediation do not apply when the alleged perpetrator is the minor's guardian, judicial assistant or foster parent; it establishes mandatory reporting by teachers and social workers in the event of suspected child abuse, as well as protection for professionals who report suspicions of abuse.
- **Law 5172/2025:** Amends the Penal Code directly in relation to the protection of minors from modern forms of violence, introducing “cyberstalking” as a new offence, criminalizing “cyberbullying” and “revenge porn” (including AI-generated content created without consent), providing for stricter penalties for offences where minors are victims, and establishing “neglect of supervision of a minor” as a new standalone criminal offence.
- **Law 4960/2022, Law 5307/2026 — Part C “National Guardianship System of Unaccompanied Minors”** Regulates in detail and recodifies the core functions of guardianship (established by **Law 4960/2022**) — care, representation and assistance in matters of property — together with the Best Interests Assessment (BIA) to be carried out prior to any decision on the placement of a minor in an accommodation facility, as well as the prohibition of conflicts of interest, under which an entity operating an accommodation facility may not simultaneously act as guardian, and it further provides for a Complaints Mechanism. It also regulates the competent authority and the bodies of the guardianship system, the providers of guardianship services and the sources of funding; the notification of a situation calling for guardianship, the appointment procedure and the termination of guardianship; the establishment, composition and operation of the Guardianship Council for Unaccompanied Minors; the temporary representative of an unaccompanied minor; and training, continuing professional development and guidelines / standard operating procedures. The most concerning reform relates to the appointment of the Guardian. Whereas under Law 4960/2022 the Public Prosecutor ordered guardianship and appointed the guardian, under the new Law the guardian is now appointed by decision of the Secretary-

General for Vulnerable Citizens and Institutional Protection of the Ministry of Migration and Asylum.

The Greek National Commission for Human Rights (NCHR) reiterates its recommendation for the creation of an independent oversight body for the guardianship, which should not be the same as the body that appoints the guardians, in order to avoid any conflict of interest between the body that appoints the guardians and the body that supervises them or is responsible for any complaints filed against them[2]. The GNCHR expresses concern that the proposed ratio of 30 children per temporary representative—and 50 in emergency situations—may compromise the quality of the protection provided[3].

- **Law 5226/2025 – Return of unaccompanied minors:** Introduces certain safeguards for unaccompanied minors during return procedures (mandatory Best Interests Assessment (BIA) before any return decision, detention only as a last resort and for the shortest possible period, and a ban on returning a minor attending a Greek school at any level), while maintaining a maximum detention limit of 24 months, which is not in line with EU law — under which the detention of applicants for international protection must comply with rules of necessity and proportionality, given that under Directive (EU) 2024/1346 detention of applicants is an exceptional measure with strictly defined conditions, not a long-term management measure.[4] Laws 5090/2024 and 5172/2025 lead to a tightening and increase in the detention of minors, extending pre-trial detention of minors by an additional 3 months (up to 9 months in total). The National Commission for Human Rights (NCHR) objects even to the detention of minors as a "last resort," pointing out that the deprivation of liberty of minors is no longer applied as a measure of last resort, despite the requirements of the Convention on the Rights of the Child,[5] while the ECtHR has already condemned Greece (T.S. & M.S. v. Greece, 2024) for de facto detention.[6]
- **Law 5275/2026 – New Migration Regulations:** Includes minimal positive safeguards[7] for minors, while drastically increasing penalties for facilitating illegal entry, intensifying the criminalization of refugees — including minors as young as fifteen who are forced to steer boats in emergency conditions; it also restricts the judicial protection of detainees, amid a sharp rise in the number of minors held in correctional institutions during 2025–2026 (in 2026 this figure surged to 104 detainees). In addition, prosecuted children lack adequate reception conditions and remain in a de facto detention regime in Reception and Identification Centres (RICs) for months.[8] Law 5275/2026 institutionalizes the criminalization of humanitarian action[9], and the removal of organizations from the Registry on the sole basis of prosecution

[2] National Commission for Human Rights (NCHR). (2026). *Observations on the legislative initiative of the Ministry of Migration and Asylum entitled: "Implementation of the Pact on Migration and Asylum and other provisions of the Ministry of Migration and Asylum."* Available in Greek at :https://www.nchr.gr/images/pdf/apofaseis/prosfuges_metanastes/2026/PARATIRISEIS-EEDA-STO-SCHN-GIA-TIN-EFARMOGI-TOU-SYMFONOU-KAI-TI-METANASTEFSI-KAI-TO-ASYLO.pdf

[3] ibid

[4] Ibid

[5] Ibid

[6] European Court of Human Rights. "HUDOC - European Court of Human Rights." Hudoc.echr.coe.int, 2024, hudoc.echr.coe.int/#.
European Court of Human Rights "HUDOC - European Court of Human Rights." Coe.int, 6 Oct. 2005, hudoc.echr.coe.int/eng#.

[7] • Article 10(1)(στδ'): Type A.4 residence permit for minors requiring protective measures who are hosted in charitable/public-benefit facilities.
• Article 10(1)(στγ'): Type A.3 permit for victims of child labour or exploitative conditions.
• Article 17(6): Sets a minimum age of 18 for recruiting workers from abroad — an anti-exploitation clause.
• Article 45(16) and (20): Transitional arrangements for unaccompanied minors who have completed secondary education in Greece — possibility of a ten-year residence permit.

[8] e.g., at the Special Agricultural Correctional Facility for Young People of Kassaveteia, occupancy for minors' places is now calculated at 127.5%.

[9] These also conflict with CJEU case law (Case C-460/23, Kinsa; Case C-821/19), according to which providing assistance in submitting an asylum application cannot be criminalized.

being brought against them, thereby indirectly undermining the protection guarantees for children on the move, as it strikes at the bodies supporting unaccompanied children.[10][11][12]

- **Law 5307/2026 – Implementation of the EU Pact on Migration and Asylum:** Incorporates the most restrictive versions of the Pact and omits or poorly transposes its — already limited — positive provisions, in some respects introducing rules that are contrary even to the new EU law. It allows the indefinite stay of unaccompanied minors over 16 years of age — or, regardless of age, based on nationality — in "safe zones" under de facto detention, without transfer to facilities for unaccompanied minors (Articles 78(4) and 82), in violation of Articles 2 and 3 of the Convention on the Rights of the Child (Law 2101/1992) and of Regulation 2024/1348; it introduces discrimination in child protection based on nationality; it abolishes the automatic suspensive effect of appeals against border procedures (Article 136); and it designates the National Transparency Authority as the Independent Monitoring Mechanism, without the required guarantees of independence and specialization mandated by Articles 10(2) of Regulation 2024/1356 and 43(4) of Regulation 2024/1348. The "safe zones" are a policy choice made by Greece, not a requirement of the Pact.[13]
- **Circular 30527/2026 – Code of Conduct for professionals working with unaccompanied minors:** Establishes a single Code of Conduct for all professionals in contact with unaccompanied minors. It provides, among other things, for: rules of conduct (respect, clear communication, the "two-adult rule," prohibitions relating to gifts, money, private transport/accommodation, and personal or romantic relationships with minors), obligations to recognize and report abuse, and obligations for organizations to adopt the Code or update their own codes within 3 months, train staff, obtain compliance declarations, keep records of reports, have an incident-management protocol, impose sanctions, and enable children's own participation in decisions concerning them.
- **Joint Ministerial Decision (JMD) 187634/2023, as amended by JMD 137051/2024:** Sets the operating standards for Unaccompanied Minors' Reception Centres (CFAAs), establishing mandatory protection procedures, staff-to-child ratios, incident reporting obligations, housing safety and quality standards, psychosocial support requirements, and referral procedures.
- **JMD 147627/2025:** Regulates the age-assessment procedure based on medical protocols and the requirement of consent; in practice, it now gives priority to invasive methods (X-rays) and medical examinations over psychosocial assessment, weakening the presumption in favor of minority, with the result that children are wrongly registered as adults and denied access to basic protection measures.
- **JMD 6551/2026:** Establishes a Semi-Autonomous Living Programme for young people aged 15 and over residing in child-protection facilities, introducing new means of financial support and training in financial management. Nevertheless, only in these unaccompanied minors'

[10] National Commission for Human Rights (NCHR). (2026). *Observations on the legislative initiative of the Ministry of Migration and Asylum entitled: "Implementation of the Pact on Migration and Asylum and other provisions of the Ministry of Migration and Asylum."*

[11] UN Special Procedures. (2026). Greece: Analysis of the new law on migration and its impact on HRDs supporting migrants, refugees and asylum seekers [Joint allegation letter]. UN Mandates of the Special Rapporteur on the situation of human rights defenders. srdefenders.org

[12] European Commission. (2025, July 8). 2025 Rule of Law Report: Country chapter on the rule of law situation in Greece (Commission Staff Working Document SWD(2025) 908 final). Retrieved from https://www.ertnews.gr/wp-content/uploads/2025/07/country-chapter-greece-cleaned.pdf

[13] A gap noted in a judgment of the ECtHR (A.R.E. v. Greece, 2025)

facilities do minors receive the so called “pocket money”. In open refugee reception facilities (camps), no applicant (including families with minor children and accompanied minors) has received the legal cash allowance, with the result that no basic need is covered (food, hygiene, school supplies).

5.2. Child Safeguarding (CSG) Standards: Comparative Analysis

Having examined the legal framework for child protection in Greece, the following section summarizes the main challenges and good practices related to its implementation:

-Child Safeguarding Policy: Law 4837/2021 requires all entities working with minors to adopt a Child Protection Policy, while Circular 30527/2026 established a special Code of Conduct for professionals working with unaccompanied minors — a provision that represents a significant step forward. There is a discernible effort to promote a zero-tolerance culture towards violence and to ensure that the best interests of the child and respect for their rights remain at the centre of all interventions. However, there is no single national child protection standard that is uniformly binding across all sectors (health, education, justice, social services, migration).

-**Safe Programming:** JMD 187634/2023 partially covers the requirements for the safe organization of reception facilities for unaccompanied minor asylum seekers, including housing safety, quality standards and psychosocial support requirements.

-Safe recruitment: Law 4837/2021 and Ministerial Decision 187634/2023 prohibit the employment of individuals with criminal convictions for offences against children and require periodic review. Law 5307/2026 provides the same for Guardians and temporary representatives.

-Child Safeguarding Focal Point: Law 4837/2021 requires the appointment of a Child Protection Officer in every centre or organization serving unaccompanied minor asylum seekers. The law establishes the role, its core responsibilities (mainly in relation to reporting and managing abuse incidents) and legal protection for the Child Protection Officer, but does not provide a complete and detailed description of duties, and there is a lack of practical specification of duties through subsequent regulatory acts or circulars.

-Training on Child Safeguarding: Training obligations exist under Law 4837/2021, while Circular 30527/2026 imposes additional specialized child-protection training for professionals working with unaccompanied minor asylum seekers. Law 5307/2026 regulates also training and continuing education programs for guardians, guardians’ coordinators, as well as for temporary representatives. However, there is no common national curriculum, no legislated timetable setting a minimum training duration, and no standardized quality indicators.

-Respect for the best interest of the child through participation: The Convention on the Rights of the Child, the EU Strategy on the Rights of the Child, and European standards require

substantive — not merely formal — participation of children in decisions affecting them, with an individual assessment of their maturity by a qualified professional, while ensuring that children are informed of their rights and responsibilities from the outset, and that complaint and feedback mechanisms exist.

-Reporting and Investigation Procedures: Law 5090/2024 establishes reporting obligations for teachers and social workers, as well as protection against retaliation for those who report, while the 2026 Code of Conduct establishes a specific reporting mechanism and incident-management protocol for unaccompanied minor asylum seekers' reception facilities. Law 5307/2026 regulates also procedures for supervision, auditing, and reporting of guardianship (see above the recommendations of the Greek National Commission for Human Rights).

-Child Safeguarding as a Continuous, Reviewed, and Contextualised Process: While Presidential Decree 13/2026 assigns monitoring and inspection responsibilities to the competent authorities, providing a legal basis for oversight, it is not confirmed whether the framework for systematic, periodic and documented monitoring of compliance with child-protection principles remains consistent and transparent.

-Existence of a Code of Conduct: Circular 30527/2026 is the most significant recent development in this area, as it establishes a single Code of Conduct, which is mandatory for guardians of unaccompanied minor asylum seekers, staff of reception facilities, volunteers and external partners, and sets out specific rules of conduct along with defined consequences for violations. However, there is as yet no publicly available data documenting the full and uniform implementation of the Code across all reception facilities in the country by the respective providers.

-Data Protection, Image Use, and Audio Recording: Law 4624/2019, which transposes the General Data Protection Regulation (GDPR) into national law, together with the 2026 Code of Conduct, regulates the use of digital media involving minors and is an area where compliance is relatively higher. Separately, Law 5172/2025 (cyberstalking, revenge porn, non-consensual AI-generated content), together with Laws 5099/2024 and 5029/2023 (including the stop-bullying.gov.gr platform), address digital safety in a broader framework. However, there is no specific legislative provision for digital-protection protocols specifically concerning environments for unaccompanied minors, such as standardized consent for taking images or recordings.

As a conclusion, during 2021–2026 legislative progress was made in certain areas: a national UASC guardianship system was established, mandatory reporting was introduced, cyber-violence was criminalized, and a code of conduct was adopted. However, this progress must not obscure the fact that the most recent legislative output — Law 5226/2025, Law 5275/2026, Law 5307/2026 and JMD 147627/2025 — moves in the opposite direction, dismantling safeguards that had been achieved since 2020. The simultaneous sharp increase in the number of minors in

Greek prisons (from ~30 to 104 during 2020–2026)[14], the prolonged — 21-month — suspension of the cash allowance, and the expansion of "safe zones" as a form of permanent accommodation together compose a picture of systemic regression.

The reinstatement of provisions and the adoption of new ones that do not take into account the best interests of the child and undermine the safeguards for the protection of minor asylum seekers constitute a clear step backward in the protection framework, which must be also consistent with the European Convention on Human Rights, and the administration must comply with the Judgments of the European Court of Human Rights, by which Greece has recently been found in violation of the Convention regarding the treatment of minor asylum seekers {T.K. v. Greece (2024) Application No. 16112/20- failure of the Greek authorities to exercise due diligence with regard to the procedural safeguards concerning age assessment, T.S. & M.S. v. Greece (2024) Application No. 15008/19, M.Y. and others v. Greece, application no. 51980/19 (2025) and A.I. and others v. Greece, application no. 11588/20 (2025) -demonstrate that the "protective custody" of minors in detention facilities is contrary to the ECHR.}. According to the Recording Mechanism of Informal Forced Returns Incidents of the Greek National Commission for Human Rights (GNCHR), at least 315 minors were among the alleged victims of the pushback incidents recorded between 2022 and 2025.[15]

6. Child Safeguarding in our Organisations

6.1. SAVE THE CHILDREN

Save the Children Spain complies with the main international child safeguarding standards. It fully adopts Save the Children International's Global Safeguarding Protocol, and in some areas even exceeds the proposed standards. Save the Children Spain's policy incorporates and implements all the measures set out in SCI's Child Safeguarding Policy (CSP), PSEAH Policy, and Code of Conduct, while in certain respects providing greater protection.As a result, all staff members, collaborators, partner organizations, and the families, children, and adolescents participating in its programs are familiar with these policies, have signed their commitment to them, and receive awareness-raising and training on the policy and its procedures. In addition, Save the Children Spain has adapted its child safeguarding policy to the specific characteristics of the different profiles and programs with which it works, incorporating specific measures for groups facing greater vulnerability or particular needs, as well as measures tailored to the specific characteristics of each area and project.

Furthermore, the organization has developed a specific safeguarding policy for adults, recognizing that an organization's duty of care and protection should extend to all individuals with whom it engages, regardless of their age.

[14] General Secretariat for Anti-Crime Policy, Ministry of Citizen Protection, available in Greek at: https://sofron.gov.gr/statistika-stoixeia/%cf%83%cf%84%ce%b1%cf%84%ce%b9%cf%83%cf%84%ce%b9%ce%ba%cf%8c%cf%82-%cf%80%ce%af%ce%bd%ce%b1%ce%ba%ce%b1%cf%82-1%ce%b7%cf%82-%ce%ba%ce%b1%ce%b9-16%ce%b7%cf%82-%ce%b5%ce%ba%ce%ac%cf%83%cf%84%ce%bf-2/

[15] Recording Mechanism of Informal Forced Returns Incidents of the Greek National Commission for Human Rights (GNCHR), Annual Reports 2024 and 2025, available at : https://nchr.gr/images/rec_mechanism/Annual_Report_2024.pdf and https://nchr.gr/images/pdf/RecMechanism/Mich2025.pdf

Finally, it has a specific protocol for managing cases of violence in situations where risks, harm, or violence are not caused by the organization's personnel nor arise from its activities, but are perpetrated by third parties who are external to the organization

6.2. CESIE

CESIE ETS structures its child protection framework in accordance with international and European legal standards, including the United Nations Convention on the Rights of the Child (UNCRC), the Lanzarote Convention, and the General Data Protection Regulation (GDPR). The policy provides precise definitions for all forms of abuse, maltreatment, and exploitation to establish a standardized understanding across all of the organization's operations. To ensure operational safety, the organization implements a standardized recruitment and vetting protocol. This process requires candidates to submit a clean criminal record certificate in compliance with Italian legislation (DPR 313/2002) and undergo comprehensive reference checks. Additionally, all job interviews are conducted by a minimum of two evaluators to maintain objectivity during the selection process. Upon integration, all personnel—including employees, volunteers, and external consultants—are required to sign the official Code of Conduct and undergo mandatory training on child safeguarding. Operationally, the organization enforces strict protocols regarding data protection, image consent, and secure communication. In the event of a suspected violation, a structured internal reporting procedure is overseen by a designated Child Protection Officer, who manages the internal response and coordinates communication with competent local authorities.

6.3. KMOP AND GREEK COUNCIL REFUGEES.

GCR maintains a comprehensive safeguarding framework, including a Code of Conduct and dedicated policies on Child Protection, the Protection of Vulnerable Beneficiaries, Sexual Exploitation and Abuse, Bullying and Harassment, Personal Data Protection, and complaints and reporting procedures. These policies apply to staff, volunteers and collaborators and establish standards of appropriate conduct, confidentiality and respect for children's rights and best interests. GCR's safeguarding approach includes the identification and assessment of potential risks, preventive and risk-mitigation measures, safe reporting and referral procedures, and appropriate follow-up to any safeguarding concern or allegation.
A number of these policies are also publicly available online here: https://gcr.gr/en/emeis-kai-to-ergo-mas/

Safeguarding is embedded across KMOP's governance and operational practices to ensure that all activities are delivered in a safe, inclusive and rights-based manner. The organisation has established internal standards and procedures that guide the prevention of harm, promote ethical and professional conduct, and protect children, vulnerable adults and other beneficiaries participating in the organisation's activities. These measures are complemented by clear reporting and response mechanisms, risk assessment processes, staff training, and confidentiality safeguards, ensuring that safeguarding concerns are managed promptly, appropriately and in line with applicable legal and ethical standards. Although a number of policies are used internally,

the child protection policy, GDPR and gender equality plan are publicly available on the organisation's website. Such policies apply to all professionals participating in the organisation's activities and are updated when needed. KMOP's Research Ethics Committee oversees the processes relevant to research and ethics in all implemented activities.

7. Common Child safeguarding Good Practices and Challenges among Greece, Italy and Spain

-Legal framework for child protection and residential care: A common strength across all countries is the existence of a legal framework grounded in the principle of the best interests of the child. This framework seeks to ensure that residential care settings are not only safe and nurturing environments, but also spaces that promote children's wellbeing, dignity and protection. Beyond establishing obligations to report suspected cases of violence, these systems increasingly incorporate preventive measures aimed at reducing risks, promoting positive relationships and fostering a culture of safeguarding. Likewise, decisions concerning children, as well as the protocols and procedures implemented within residential care settings, are guided by the principle of the best interests of the child and by the objective of providing holistic, child-centred care. In all countries, efforts are being made to ensure that residential care settings resemble a family home as closely as possible rather than an institutional residence. There is also a shared commitment to applying these standards consistently throughout the country.

However, a shared challenge lies in ensuring that this legal and theoretical framework is translated consistently into practice and applied equally across all types of residential care settings. Significant disparities remain between regions and individual facilities regarding the implementation of safeguarding principles, standards of care and protection measures.

At the same time, while significant progress has been made in recent years to strengthen child protection systems for unaccompanied and separated children, the current political and migration policy context raises concerns about the sustainability of these advances. Across Europe, the growing emphasis on border management, containment and return policies appears to be increasingly influencing national child protection frameworks. As a result, there is a risk that migration-control objectives may, in some contexts, take precedence over child-rights considerations, potentially undermining safeguards that have been progressively developed over the last decade.

-**Child Safeguarding Policy**: Although residential care services generally operate according to principles that promote safe and nurturing environments, children's participation, holistic care, and the best interests of the child, there is no single mandatory Child Safeguarding Policy establishing common safeguarding standards for all providers. Consequently, considerable variations exist in how these principles are operationalized across facilities. Differences in funding levels, staffing ratios, professional profiles, and regional regulations further contribute to uneven implementation. Moreover, while all systems impose obligations to report violence and protect children from harm, reporting procedures are not

always standardized, and there is often no explicit requirement to ensure that reporting mechanisms are child-friendly.

-Safe Programming: Particular attention is given to ensuring that residential environments resemble family-like settings as much as possible, notably through small-group care models, attention to privacy, children's participation in decision-making processes, positive relationships with caregivers, and support for individual life projects.
Nevertheless, there is no common national tool requiring all facilities to systematically identify, assess, and monitor safeguarding risks associated with activities, physical spaces, daily routines, or projects. Differences in staff-child ratios, resources, and participatory practices may therefore limit the effectiveness of prevention measures and risk management strategies.

-Safe Recruitment: Residential care providers are generally required to verify criminal records before recruiting staff. However, these requirements are not always applied uniformly across all professional categories and collaborating personnel.
Moreover, safeguarding considerations are not consistently embedded within recruitment processes. There is limited regulatory guidance regarding safeguarding-focused interviews, the systematic assessment of candidates' attitudes towards child protection, or mandatory reference checks specifically addressing safeguarding concerns. As a result, preventive recruitment measures remain unevenly developed.

-**Child Safeguarding Focal Point**: All professionals working with children have a legal and ethical duty to report child protection and safeguarding concerns. However, they do not always receive sufficient specialised training to fulfil these responsibilities effectively. Furthermore, where a designated Child Safeguarding focal point exists, responsibilities and reporting lines are not always clearly defined. This diffusion of responsibility creates a significant challenge: while safeguarding is considered everyone's responsibility, accountability and expertise may become diluted, leading to uncertainty regarding roles, decision-making processes and reporting procedures

-**Safeguarding and Violence Prevention Training**: Professionals working with children are generally expected to receive training on key aspects of childcare, child protection and intervention methodologies. In recent years, there has been a noticeable improvement in the requirements for professional specialization, particularly when working with vulnerable groups such as unaccompanied children. This has led to the incorporation of more targeted training on topics including trauma-informed care, migration journeys, intercultural competence among others.
However, the availability, quality and frequency of such training may still vary across settings and jurisdictions, potentially affecting the consistency of care and protection provided. There is no fully standardized national framework specifying the required training content,

frequency, duration, or accreditation requirements. This gap is particularly relevant given the increasing complexity of children's needs, especially among unaccompanied migrant minors and children who have experienced severe trauma or exploitation.
Additionally, although training on the detection of and response to violence against children in residential care settings is available, it faces the challenge of not always being adequately adapted or standardised across all facilities.

-Reporting and Internal Investigations: There are legal obligations to report suspected abuse, violence, and safeguarding concerns, and official reporting mechanisms exist in many regions. However, procedures, timelines, responsibilities, and investigative processes often vary between regions and individual facilities, particularly regarding internal incidents occurring within residential care settings. Uncertainties may also arise regarding the distinction between internal and external incidents.
In addition, child-friendly reporting mechanisms are not systematically required, potentially limiting children's ability to disclose concerns safely and effectively.

-Case Reviews and Organizational Learning: Monitoring and inspection systems are in place, but they generally focus on overall service quality rather than specifically on safeguarding performance. There is no comprehensive national mechanism for systematically reviewing safeguarding incidents, identifying trends, and disseminating lessons learned across the sector. Likewise, centralized databases, national learning systems, and routine publication of safeguarding reviews remain limited, reducing opportunities for organizational learning and continuous improvement.

-Code of Conduct: Most residential care providers operate under professional codes of conduct that regulate relationships with children and establish expected standards of behaviour.
However, these codes are not always standardized at the national level and may vary considerably in scope, content and level of detail. Particular gaps may arise regarding the conduct expected of external professionals, volunteers, contractors, visitors and other third parties who interact with children within care settings. Furthermore, mechanisms for the regular review and updating of these codes are not always systematically established.

-Protection of Images, Audio and Personal Data: General data protection legislation provides an important framework for safeguarding children's privacy and personal information. In recent years, legislative and policy developments have increasingly incorporated measures aimed at strengthening children's rights and safety in digital environments. However, specific guidance regarding the collection, use, storage and dissemination of children's images, videos and audio recordings is not always sufficiently operationalised within residential care settings

8. Bibliography

-Asociación Nuevo Futuro, & Cátedra de los Derechos del Niño (Universidad Pontificia Comillas). (s. f.). *Estudio de los centros de acogimiento residencial para niños, niñas y adolescentes en el ámbito de la protección en España*. https://observatoriodelainfancia.juventudeinfancia.gob.es/sites/default/files/2025-03/Estudio_Acogimiento_V2.pdf

-Autorità Garante per l'Infanzia e l'Adolescenza. (s. f.). *Institutional reports on institutional care*. https://www.garanteinfanzia.org

-Boletín Oficial de la Provincia de Santa Cruz de Tenerife. (2023, September 4). *Boletín Oficial de la Provincia de Santa Cruz de Tenerife* (Núm. 107, anuncio 24101). https://www.bopsantacruzdetenerife.es/

-Cabildo de Gran Canaria. (2018). *Gestión de 4 hogares de acogimiento residencial de menores en situación de desamparo o guarda en la isla de Gran Canaria (2 lotes) (Expediente CGC_1515_AASS).* https://contrataciondelestado.es

-Ciudad Autónoma de Ceuta. (2022). *Servicio de acogimiento residencial de cien plazas para menores extranjeros no acompañados (Expediente 58/22).* https://contrataciondelestado.es

Comisión Europea. (2024). *Commission recommendation on developing and strengthening integrated child protection systems in the best interests of the child*. https://eur-lex.europa.eu

-Comité de los Derechos del Niño. (2011). *Observación general núm. 13 (2011): Derecho del niño a no ser objeto de ninguna forma de violencia (CRC/C/GC/13).* https://www.ohchr.org

-Comité de los Derechos del Niño. (2021). *Observación general núm. 25 (2021) relativa a los derechos de la infancia en relación con el entorno digital (CRC/C/GC/25).* https://www.ohchr.org

-Comunidad de Madrid. (s. f.). *Acogimiento residencial de menores en centro especializado en atención psiquiátrica*. https://contratos-publicos.comunidad.madrid/contrato-publico/acogimiento-residencial-menores-centro-especializado-atencion-psiquiatrica

-Consejo de Europa. (1950). *Convenio Europeo para la Protección de los Derechos Humanos y de las Libertades Fundamentales*. https://www.echr.coe.int

-Consejo de Europa. (1961). *Carta Social Europea*. https://www.coe.int

-Consejo de Europa. (2007). *Convenio del Consejo de Europa para la protección de los niños contra la explotación y el abuso sexual (Convenio de Lanzarote).* https://www.coe.int/en/web/children/lanzarote-convention

-Consejo de Europa. (2011). *Convenio del Consejo de Europa sobre prevención y lucha contra la violencia contra las mujeres y la violencia doméstica (Convenio de Estambul).* https://www.coe.int/en/web/istanbul-convention

-Consejo de Europa. (2022). *Council of Europe Strategy for the Rights of the Child (2022–2027).* https://www.coe.int/en/web/children/strategy-for-the-rights-of-the-child

-Constitución Española. (1978). *Boletín Oficial del Estado*, 311, de 29 de diciembre de 1978. https://www.boe.es/buscar/act.php?id=BOE-A-1978-31229

-Hague Conference on Private International Law. (1996). *Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children.* https://www.hcch.net

-Decreto 40/2000, de 15 de marzo, por el que se aprueba e Reglamento de organización y funcionamiento de los centros de atención a menores en el ámbito de la Comunidad Autónoma Canaria. (2000). *Boletín Oficial de Canarias*. https://bienestaryproteccioninfantil.es/wpfd_file/decreto-40-2000-de-15-de-marzo-por-el-que-se-aprueba-el-reglamento-de-organizacion-y-funcionamiento-de-los-centros-de-atencion-a-menores-en-el-ambito-de-la-comunidad-autonoma-canaria/

-Decreto 54/1998, de 17 de abril, por el que se regulan las actuaciones de amparo de los menores en el ámbito de la Comunidad Autónoma de Canarias. (1998). *Boletín Oficial de Canarias*. https://bienestaryproteccioninfantil.es/wpfd_file/decreto-54-1998-de-17-de-abril-por-el-que-se-regulan-las-actuaciones-de-amparo-de-los-menores-en-el-ambito-de-la-comunidad-autonoma-de-canarias/

-Decreto 712/1984, de 30 de noviembre, sobre organización y funcionamiento de los centros de protección de menores de la Comunidad Autónoma de Canarias. (1984). *Gobierno de Canarias*. https://www3.gobiernodecanarias.org/juriscan/ficha.jsp?id=7008&rango1=BD&ordendesc=IdRango

-European Commission. (2019). *Guidance note on the protection from sexual exploitation, abuse and harassment*. Directorate-General for European Civil Protection and Humanitarian Aid Operations. https://ec.europa.eu/echo/files/policies/sectoral/guidance_note_protection_from_sexual_exploitation_abuse_and_harassment.pdf

-European Commission. (2025, July 8). *2025 Rule of Law Report: Country chapter on the rule of law situation in Greece (Commission Staff Working Document SWD(2025) 908 final).* https://www.ertnews.gr/wp-content/uploads/2025/07/country-chapter-greece-cleaned.pdf

-European Union Agency for Asylum. (2022). *EUAA's support to strengthening child protection*. https://www.euaa.europa.eu/euaas-support-strengthening-child-protection

-Generalitat de Catalunya, Departament de Treball, Afers Socials i Famílies. (2020). *Ordre TSF/218/2020, de 16 de desembre, per a la provisió dels serveis de la Xarxa de Serveis Socials d'Atenció Pública*. *Diari Oficial de la Generalitat de Catalunya*, 8300. https://precarietat.com/wp-content/uploads/2025/05/CRAE-concert-social.pdf

-Generalitat Valenciana, Vicepresidencia y Conselleria de Servicios Sociales, Igualdad y Vivienda. (s. f.). *Procedimientos técnicos en la acogida residencial de niños, niñas y adolescentes*. https://serviciossociales.gva.es/es/web/menor/procedimientos-tecnicos-en-la-acogida-residencial-de-menores757

-Greek Council for Refugees. (2025, July 1). *ECtHR: Greece condemned anew for 39 unaccompanied children*. https://gcr.gr/en/news/item/i-anagki-prostasias-ton-asynodeyton-paidion-paramenei-epikairi-edda-nees-katadikes-tis-elladas-gia-39-asynodeyta-paidia/

-Greek Council for Refugees, & Save the Children. (2026). *Children on the move in Greece: Joint brief (April–June 2026).* https://gcr.gr/en/gcr-reports/item/paidia-poy-metakinoyntai-episkopisi-katastasis-aprilios-ioynios-2026/

-Greek National Commission for Human Rights. (2026). *Observations on the legislative initiative of the Ministry of Migration and Asylum entitled: Implementation of the Pact on Migration and Asylum and other provisions of the Ministry of Migration and*

Asylum. https://www.nchr.gr/images/pdf/apofaseis/prosfuges_metanastes/2026/PARATIRISEIS-EEDA-STO-SCHN-GIA-TIN-EFARMOGI-TOU-SYMFONOU-KAI-TI-METANASTEFSI-KAI-TO-ASYLO.pdf

-Instituto Foral de Bienestar Social. (2026). *Programa "Ondoan" de acogimiento residencial a personas menores de edad en situación de desamparo o de riesgo grave de desamparo junto a la atención residencial de uno de sus progenitores, de acogimiento residencial a adolescentes embarazadas en situación de desamparo o de riesgo grave de desamparo y de atención residencial a mujeres en estado de gestación en las que se ha detectado una situación de maltrato prenatal (Expediente 48/25).* https://licitaciones.io/licitacion/licitacion-de-acogimiento-residencial-menores-desamparo-programa-ondoan-20154a9474cc

-Istanbul Convention ratification: Legge 27 giugno 2013, n. 77 – Ratifica ed esecuzione della Convenzione del Consiglio d'Europa sulla prevenzione e la lotta contro la violenza nei confronti delle donne e la violenza domestica. (2013). *Gazzetta Ufficiale della Repubblica Italiana.*

-Junta de Andalucía. (2024). *Contratación del servicio de 238 plazas de acogimiento residencial en la provincia de Málaga para menores que se encuentran bajo protección de la Administración de la Junta de Andalucía.* https://www.infoconcurso.com/2024/1934142-contratacion-del-servicio-de-238-plazas-de-acogimiento-residencial-en-la-provincia-de-malaga-para-menores-que-se-encuentran-bajo-proteccion-de-la

-Junta de Castilla y León. (s. f.). *Convocatoria de acción concertada para prestación de servicios en los procedimientos de acogimiento familiar y de estancias temporales de menores con expediente de protección.* https://www.tramitacastillayleon.jcyl.es/web/jcyl/AdministracionElectronica/es/Plantilla100Detalle/1251181053840/Tramite/1285348003245/Tramite

-Junta de Comunidades de Castilla-La Mancha. (2022). *Contrato centralizado del servicio integrado de seguridad y control. Lote 8: Servicio de seguridad y vigilancia del Centro Regional de Menores y Jóvenes Albaidel (Expediente 2022/003235).* https://www.concursospublicos.com/contratos/detalle/18729746/

Keeping Children Safe. (2024). *International child safeguarding standards: How to implement them.* https://www.keepingchildrensafe.global/wp-content/uploads/2024/08/KCS-ICS-Standards-EN-2024.pdf

-Lanzarote Committee. (s. f.). *Protection of children against sexual abuse in alternative care settings.* Council of Europe. https://www.coe.int/en/web/children

-Legal representation of unaccompanied children. (s. f.). *Asylum Information Database (AIDA) – European Council on Refugees and Exiles.* https://asylumineurope.org/reports/country/greece/asylum-procedure/guarantees-vulnerable-groups/legal-representation-unaccompanied-children/

-Legge 4 maggio 1983, n. 184. (1983). *Disciplina dell'adozione e dell'affidamento dei minori.* Normattiva.

-Legge 27 maggio 1991, n. 176. (1991). *Ratifica ed esecuzione della Convenzione sui diritti del fanciullo, fatta a New York il 20 novembre 1989. Gazzetta Ufficiale della Repubblica Italiana.*

-Legge 8 novembre 2000, n. 328. (2000). *Legge quadro per la realizzazione del sistema integrato di interventi e servizi sociali.* Normattiva.

-Legge 28 marzo 2001, n. 149. (2001). *Modifiche alla Legge 4 maggio 1983, n. 184, in materia di adozione e affidamento dei minori, nonché della chiusura degli istituti.* Normattiva.

-Legge 7 aprile 2017, n. 47. (2017). *Disposizioni in materia di misure di protezione dei minori stranieri non accompagnati. Gazzetta Ufficiale della Repubblica Italiana.*

-Ley 1/1997, de 7 de febrero, de Atención Integral a los Menores de la
-Comunidad Autónoma de Canarias. (1997). *Boletín Oficial de Canarias.* https://www.gobiernodecanarias.org

-Ley 4/2015, de 27 de abril, del Estatuto de la Víctima del Delito. (2015). *Boletín Oficial del Estado.* https://www.boe.es

-Ley 8/2015, de 22 de julio, de modificación del sistema de protección a la infancia y a la adolescencia. (2015). *Boletín Oficial del Estado.* https://www.boe.es

-Ley 16/2019, de 2 de mayo, de Servicios Sociales de Canarias. (2019). *Boletín Oficial del Estado.* https://www.boe.es/buscar/doc.php?id=BOE-A-2020-445

-Ley 21/1987, de 11 de noviembre, por la que se modifican determinados artículos del Código Civil y de la Ley de Enjuiciamiento Civil en materia de adopción. (1987). *Boletín Oficial del Estado*, 275. https://www.boe.es/buscar/doc.php?id=BOE-A-1987-28478

-Ley 26/2015, de 28 de julio, de modificación del sistema de protección a la infancia y a la adolescencia. (2015). *Boletín Oficial del Estado.* https://www.boe.es

-Ley Orgánica 1/1982, de 5 de mayo, de protección civil del derecho al honor, a la intimidad personal y familiar y a la propia imagen. (1982). *Boletín Oficial del Estado*, 115. https://www.boe.es

-Ley Orgánica 1/1996, de 15 de enero, de protección jurídica del menor, de modificación parcial del Código Civil y de la Ley de Enjuiciamiento Civil. (1996). *Boletín Oficial del Estado*, 15. https://www.boe.es

-Ley Orgánica 3/2018, de 5 de diciembre, de protección de datos personales y garantía de los derechos digitales. (2018). *Boletín Oficial del Estado*, 294. https://www.boe.es

-Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social. (2000). *Boletín Oficial del Estado.* https://www.boe.e

-Ley Orgánica 5/2000, de 12 de enero, reguladora de la responsabilidad penal de los menores. (2000). *Boletín Oficial del Estado.* https://www.boe.es

-Ley Orgánica 8/2006, de 4 de diciembre, por la que se modifica la Ley Orgánica 5/2000, de 12 de enero, reguladora de la responsabilidad penal de los menores. (2006). *Boletín Oficial del Estado*, 290. https://www.boe.es/boe/dias/2006/12/05/pdfs/A42700-42712.pdf

-Ley Orgánica 8/2021, de 4 de junio, de protección integral a la infancia y la adolescencia frente a la violencia. (2021). *Boletín Oficial del Estado*, 134. https://www.boe.es/buscar/act.php?id=BOE-A-2021-9347

-Maltreatment of family members and cohabitants: *Codice Penale, articolo 572 – Maltrattamenti contro familiari o conviventi e circostanze aggravate.* (s. f.). Normattiva.

-Ministerio de Derechos Sociales y Agenda 2030. (2019). *Criterios de cobertura, calidad y accesibilidad en acogimiento residencial (D.A. 3.ª de la Ley 26/2015): Documento de trabajo.* Observatorio de la Infancia.
Ministerio de Derechos Sociales y Agenda 2030. (2022). *Estrategia de erradicación de la violencia sobre la infancia y la adolescencia.*

-Ministerio de Derechos Sociales y Agenda 2030. (2023). *Estrategia estatal de derechos de la infancia y de la adolescencia (2023–2030): Todos los derechos, todas las niñas y niños.*
Ministerio de Juventud e Infancia. (2025). *Informe LOPIVI.*

-Ministerio de Sanidad, Servicios Sociales e Igualdad. (2012). *Estándares de calidad en acogimiento residencial. EQUAR.*

-*National residential care guidelines.* (2017). *Linee di indirizzo per l'accoglienza nei servizi residenziali.* Ministero del Lavoro e delle Politiche Sociali.

-Naciones Unidas. (1948). *Declaración Universal de Derechos Humanos.* https://www.un.org/es/about-us/universal-declaration-of-human-rights

-Naciones Unidas. (1985). *Reglas mínimas de las Naciones Unidas para la administración de la justicia de menores (Reglas de Beijing).* https://www.ohchr.org

-Naciones Unidas. (1989). *Convención sobre los Derechos del Niño.* https://www.ohchr.org/es/instruments-mechanisms/instruments/convention-rights-child

-Naciones Unidas. (2000a). *Protocolo facultativo de la Convención sobre los Derechos del Niño relativo a la venta de niños, la prostitución infantil y la utilización de niños en la pornografía.* https://www.ohchr.org

-Naciones Unidas. (2000b). *Protocolo para prevenir, reprimir y sancionar la trata de personas, especialmente mujeres y niños, que complementa la Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional (Protocolo de Palermo).* https://www.unodc.org

-Naciones Unidas. (2006). *Convención sobre los Derechos de las Personas con Discapacidad.* https://www.un.org/development/desa/disabilities-es

-Naciones Unidas. (2009). *Directrices sobre las modalidades alternativas de cuidado de los niños (Resolución A/RES/64/142).* https://www.un.org

-Office of the United Nations High Commissioner for Human Rights. (2024). *Experts of the Human Rights Committee commend Greece on measures taken for unaccompanied minors, raise questions on domestic violence and allegations of border pushbacks.* https://www.ohchr.org/en/meeting-summaries/2024/10/experts-human-rights-committee-commend-greece-measures-taken

-Oxfam International. (2018). *One Oxfam child safeguarding policy.* https://www-cdn.oxfam.org/s3fs-public/one_oxfam_child_safeguarding_policy_en.pdf

-Plataforma de Infancia. (2025). *Cuatro años de la LOPIVI: Principales avances y retos. Informe 2025.* https://www.plataformadeinfancia.org/wp-content/uploads/2025/12/INFORME-SEGUIMIENTO-LOPIVI_2025_POI.pdf

-*Ratification of the Lanzarote Convention: Legge 1 ottobre 2012, n. 172 – Ratifica ed esecuzione della Convenzione del Consiglio d'Europa per la protezione dei minori contro lo sfruttamento e l'abuso sessuale.* (2012). *Gazzetta Ufficiale della Repubblica Italiana.*

-Real Decreto de 24 de julio de 1889 por el que se publica el Código Civil. (1889). *Gaceta de Madrid.* https://www.boe.es

-Reglamento (UE) 2016/679 del Parlamento Europeo y del Consejo, de 27 de abril de 2016, relativo a la protección de las personas físicas en lo que respecta al tratamiento de datos personales y a la libre circulación de estos datos (Reglamento General de Protección de Datos). (2016). *Diario Oficial de la Unión Europea.* https://eur-lex.europa.eu

-Save the Children. (2019). *Save the Children global child safeguarding protocol.* https://www.pelastakaalapset.fi/wp-content/uploads/2025/03/sc_csg_global-child-safeguarding-protocol_en-002.pdf

-Save the Children España. (2025). *Política de salvaguarda de personas adultas: Prevención de la explotación, el abuso y el acoso sexual (PSEAH). Protección frente a la violencia y otros riesgos.* https://www.savethechildren.es/sites/default/files/2025-10/Pol%C3%ADtica_Salvaguarda_de_Personas_Adultas_2025.pdf

-Save the Children España. (2025). *Política de salvaguarda infantil.* https://www.savethechildren.es/sites/default/files/2025-10/Politica_de_Salvaguarda_%20Infantil_2025.pdf

-*Statutory reporting duties for public officials: Codice Penale, articoli 361 e 362 – Omessa denuncia di reato da parte del pubblico ufficiale o dell'incaricato di un pubblico servizio.* (s. f.). Normattiva.

-*The Reception Decree: Decreto Legislativo 18 agosto 2015, n. 142 – Attuazione della direttiva 2013/33/UE recante norme relative all'accoglienza dei richiedenti protezione internazionale.* (2015). Normattiva.

-*Third Optional Protocol to the Convention on the Rights of the Child: Legge 27 ottobre 2015, n. 199 – Ratifica ed esecuzione del Terzo Protocollo opzionale alla Convenzione ONU sui diritti del fanciullo.* (2015). *Gazzetta Ufficiale della Repubblica Italiana.*

-*Tavolo di confronto sulle Linee di indirizzo.* (s. f.). *Linee di indirizzo per l'accoglienza nei servizi residenziali.* Ministero del Lavoro e delle Politiche Sociali.

-UN Special Procedures. (2026). *Greece: Analysis of the new law on migration and its impact on human rights defenders supporting migrants, refugees and asylum seekers.* https://spcommreports.ohchr.org/TmSearch/SearchCode?code=GRC%202/2020;%20GRC%201/2021;%20GRC%202/2022;%20GRC%203/2022;%20GRC%202/2025;%20GRC%201/2026;%20GRC%204/2021

-UNICEF Ireland. (2022). *Child safeguarding policy.* https://www.unicef.ie/wp-content/uploads/2025/09/Signed-Child-Safeguarding-Policy-22.pdf

-Unión Europea. (2011). *Directiva 2011/93/UE del Parlamento Europeo y del Consejo, de 13 de diciembre de 2011, relativa a la lucha contra los abusos sexuales y la explotación sexual de los menores y la pornografía infantil.* https://eur-lex.europa.eu

World Health Organization. (2024). *Prevention of sexual exploitation, abuse and harassment (A77/42).* World Health Assembly. https://apps.who.int/gb/ebwha/pdf_files/WHA77/A77_42-en.pdf