



### **Forceful separation of international protection applicant mother from her five year old daughter when they entered Greece**

The Greek Department of the International NGO Defence for Children International (DCI Greece) and the feminist organization "To Mov" denounce the serious violations of the rights of children in need of international protection in Greece, that remind us of the USA President Donald Trump's policies, regarding the separation of refugee children from their families.

Indicative is the case of the applicant for international protection S. N., 31, a citizen of the Democratic Republic of Congo, who tried to exercise her right to claim asylum for herself and her daughter A.M. 5 years old, when they arrived at "El. Venizelos" of Athens on 7/11/2018. The mother was arrested and transferred to the detention center of Petrou Ralli, where she was found during a visit of the NGO "To Mov" to women's detention facilities on 18/11/2018. "To Mov" addressed to DCI Greece, which responded immediately and took legal action for both mother and daughter.

The girl was separated from her mother immediately upon her arrest, and was transferred to "Paidon Children's Hospital", and then to an institution which the authorities kept secret on the grounds that there was no evidence of kinship between the child and the mother. The Prosecutor's Office ordered a DNA test to verify the kinship on 14/12/2018 with the number 760/2018, the result of which showed affinity.

The mother was formally registered as an applicant for international protection by the Asylum Service in Amygdaleza, Attica, on 12/2/2019, her asylum interview was scheduled on 22/2/2019 but was postponed for 8/3/2019 with the legal assistance of DCI Greece lawyer. DCI Greece finally managed to locate the child, who was in a children's institution. The mother was finally set free and was transferred to a hosting structure on 8/3/2019.

However, so far, procedures are running extremely slow and the mother has not yet been reunited with her daughter, although she has been released from prison and her kinship with her child has been proven. From the outset, however, the authorities' concern about whether there is affinity should have been explored through concise procedures earlier. Moreover, since the day she was arrested, on 7/11/2018, the mother had not communicated with her child at

all, nor had she informed her where her child is and what legal procedures are available to her until just yesterday , 15/3/2019, who was eventually allowed to see her child for a while. It is still unknown when they will finally be reunited .

Based on Article 18 (Article 24 of Directive 2013/33 / EU) and Article 3 of the UN Convention on the Rights of the Child (CRC), the best interest of the child is the primary concern. According to Article 9 of the CRC, every child has the right to live with his / her parents, unless this is not in the best interests of the child. In this case, the binding provisions of the CRC, which Greece has signed and ratified were not followed. Moreover, an assessment of the best interest of the child in the case of separation of her mother was not made. These provisions are considered a state law with a higher power than internal laws.

DCI Greek Section and "To Mov" denounce the specific practice of the Greek authorities to arbitrarily separate a mother from her child for more than four months. Unfortunately, we are aware of that this is not the only case of such practice in Greece .

DCI Greece and To Mov urge the Greek authorities to respect the rights of the child in accordance with the CRC and not to divide refugee children from their parents without reliable and documented reason in accordance with the highest international standards for the best interest of the child.