

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MINISTRY OF MIGRATION AND ASYLUM OF THE HELLENIC REPUBLIC
AND
THE MINISTRY OF LABOR AND SOCIAL AFFAIRS OF THE HELLENIC REPUBLIC
AND
THE MINISTRY OF JUSTICE AND SECURITY OF THE NETHERLANDS
ON
STRENGTHENING THE GUARDIANSHIP, RECEPTION AND PROTECTION SYSTEM OF
UNACCOMPANIED MINOR ASYLUM SEEKERS

The Ministry of Migration and Asylum of the Hellenic Republic and the Ministry of Justice and Security of the Netherlands, hereafter the 'Participants',

Underlining the tremendous efforts of the Government of the Hellenic Republic to meet the needs of the unaccompanied minors and the separated minors living in the Greek territory

Reaffirming their commitment to work together in the field of asylum and migration based on the principles of solidarity and responsibility, demonstrated amongst others via the implementation of the Relocation Decisions by the Netherlands and deployment of Dutch experts in the field of border-management, asylum, reception and returns,

Reaffirming the commitment to relevant principles of European and international standards and conventions in the field of asylum and migration management,

Committed to structurally improve the asylum and reception system in Greece in order to uplift the situation of vulnerable groups, notably unaccompanied minor asylum seekers,

Committed to ensure the rights of the unaccompanied minors and separated minors are respected, especially with regards to the 'best interest of the child'

Have come to the following understanding:

PARAGRAPH 1
AIM AND SCOPE

- a. The Participants strive to strengthen their co-operation in the field of asylum and migration by developing a programme aimed to strengthen the capacity of the competent authorities of the Hellenic Republic in the field of Guardianship, Reception and Care of Unaccompanied Minor Asylum seekers.
- b. To this end, preferred partners Nidos and the Ministry of Justice and Security(NL) and SSUAM and EKKA/MOLSA (EL) are requested to design and develop, a proposal for a three-year programme consisting of the following elements :
 - Supporting the system for the guardianship of unaccompanied minor asylum seekers in Greece, in order to support unaccompanied minors, either with the aim to integrate in Greek society or to return to their country of origin (Partners: Nidos & EKKA/MoLSA)
 - Improving the reception and necessary support system for this group, (Partners: Nidos & SSUAM)
 - Improving the capacity for the dedicated reception of unaccompanied minor asylum seekers in Greece, the Ministry of Justice and Security of the Netherlands is prepared, as part of the programme, to finance the establishment of one or several safe shelters with a total of 48 places on the mainland of Greece and provide guidance and support in the design and establishment of quality of care of such shelters in collaboration with the responsible Greek state actors. (Partners: Ministry of Justice and Security& SSUAM)
- c. Given the multidisciplinary approach, the Participants underline the importance of an inclusive approach. This may include other relevant and competent government agencies, judicial authorities, local authorities and European agencies, international organizations as well as non-governmental organizations.
- d. The unaccompanied minor asylum seekers will remain under the responsibility of the relevant Greek authorities.

PARAGRAPH 2
PROGRAMME MANAGEMENT

- a. The Participants will assign a central Programme Manager, positioned in the Ministry of Migration and Asylum from the department managing EU funded projects. The Programme Manager will report to the Steering Committee.
- b. The Programme Manager will be supported by a Programme Management Team, which will include at least three individual Project Leaders for the elements listed in paragraph 1.
- c. The Programme Manager and Programme Management Team will be supported and advised by experts from participating Dutch agencies.

PARAGRAPH 3
STEERING COMMITTEE

- a. The Participants hereby establish a bilateral Steering Committee, co-chaired from the Netherlands side, by the Chair of Nidos and the deputy Director General for International Migration of the Ministry of Justice and Security, and from the Greek side, the Special Secretary for UAM (SSUAM) as the competent authority for the protection of UAM and the Directorate for Child and Family as the competent authority for child protection in Greece. It will be furthermore comprised of representatives of the participating Ministries, Agencies and relevant organizations, participating in the programme.
- b. Frequency with which this Steering Committee will convene will be determined by co-Chairs.
- c. The Steering Committee will be tasked to, *inter alia*:
 - monitor the development and implementation of the foreseen programme, and
 - advise and report to the Alternate Minister of Migration and Asylum of the Hellenic Republic, the Deputy Minister of Labor and Social Affairs of the Hellenic Republic and the Minister for Migration of the Netherlands accordingly.

PARAGRAPH 4
FINANCES

- a. In order to support the execution of the foreseen programme, the Ministry of Justice and Security of the Netherlands is prepared to contribute approximately EUR 3.5 – 4 million. in order to finance:
- the support provided by Nidos including the further development of the training programme for guardians and a capacity building programme for the management team supervising the guardians; both will be developed in collaboration with Greek relevant actors following the current needs and in line with the general Greek child protection context. Relevant training material already developed by Greek actors should be presented and taken into consideration to avoid duplications and possible overlapping.
 - Monitoring and evaluation system for guardians and reporting tools, a complaints mechanism for UASC, as well as a system (i.e. e-platform) for the collection and presentation of statistical data for Guardianship.
 - the establishment, through a Dutch non-governmental organisation, of one or several safe shelters with a total of 48 places on the mainland of Greece for the dedicated reception of unaccompanied minor asylum seekers. These shelters should be established in line with the provisions of the Greek law and will be managed by actors that will be monitored by the competent Greek authorities.
 - the development of an integrated, multi-disciplinary approach in providing support to guardians. Good practices including management of vulnerable cases, stress management of staff should be involved and also strengthening of existing referral pathways within the system should be further developed.
 - the involvement of experts from Dutch agencies in activities under this programme.
- b. In order to ensure the sustainability of the results of the foreseen programme the Participants will strive to seek funding via relevant (national) EU-programmes, where applicable.

PARAGRAPH 5
FINAL PROVISIONS

- a. This Memorandum of Understanding is concluded with a view to enhancing and developing cooperation between the Participants and is not meant to constitute an international agreement or to create any rights or obligations under international law. It will not affect the rights or obligations of the Participants arising from bilateral or multilateral treaties. It is understood that the Participants will act within the boundaries of their national law and their international commitments;
- b. Amendments to this Memorandum of Understanding may be made any time upon mutual written consent of the Participants.
- c. This Memorandum of Understanding comes into effect on the date of signature and remains in effect during the implementation of the foreseen programme within a time-period of three years.
- d. If one Participant intends to terminate the cooperation under this Memorandum of Understanding, it will inform the other Participant in writing at least three months in advance.

Signed in Athens and The Hague on 18 June 2020 in duplicate in the Greek and English languages, all texts being equivalent. In case of any divergences in the interpretation, the English text should be used as an interpretation aide.

FOR THE MINISTRY OF MIGRATION AND
ASYLUM OF THE HELLENIC REPUBLIC,

FOR THE MINISTRY OF LABOR AND
SOCIAL AFFAIRS OF THE HELLENIC
REPUBLIC

Alternate Minister of Migration and Asylum,
H.E. Mr George S. KOUMOUTSAKOS

Deputy Minister of Labor and Social
Affairs,
H.E. Dr. Domna-Maria MICHAILIDOU

FOR THE MINISTRY OF JUSTICE AND
SECURITY OF THE NETHERLANDS

Minister for Migration,
H.E. Mrs Ankie BROEKERS-KNOL