Global Campus Europe

PANTEION UNIVERSITY

European Master's Programme in Human Rights and Democratisation
A.Y. 2024/2025

Unaccompanied Minors in their transition to adulthood

Protection gaps in the access to education in Greece and Spain

Author: Anna Cruz Puig
Supervisor: Maria Daniella Marouda

Word Count Declaration: 29.900

Abstract

This thesis critically explores if legal and policy frameworks in Greece and Spain effectively guarantee unaccompanied minors (UAMs) access to education during the transition to adulthood. While both countries have ratified the UN Convention on the Rights of the Child and adopted laws promoting the "Best Interests of the Child," there are still shortcomings in their practical implementation.

The great majority of UAMs arriving in Europe are older than 15 and many find themselves in an educational limbo, as compulsory education both in Greece and Spain ends at the age of 15. This places them in a critical protection gap during a vulnerable stage in their lives, intensified by legal, social and institutional barriers, especially after they turn 18 and lose access to child protection services.

This paper aims to use a child centred approach to assess how national education policies facilitate the integration of UAMs in the educational system of each country. It reveals that while education is widely recognized as a driver of integration, current frameworks often treat UAMs as migrants first and children second, undermining inclusion and delaying educational engagement. The thesis emphasises that integration policies must evolve from short-term goals to holistic frameworks and child-centred outcomes for UAMs, through investment in inclusive education, intersectional collaboration, appropriate training of professionals and extended protection beyond the age of majority. It offers specific recommendations at national and EU level that aim to reduce systemic barriers, share responsibilities more fairly and transform education from a system that restricts access to one that fosters resilience, empowerment and long-term integration.

Acknowledgements

To my family and to Adri, their trust and love throughout all my endeavours has been unwavering and has reinforced the purpose that drives me.

To those who, today, can only aspire to survive, not to be protected by automated systems.

And to those of us, on the other side of the world, who have the responsibility to ensure that human rights are upheld without exception. Specially, to my EMA collagues; they have been inspiring human beings, bringing light to the darkness that currently surrounds us.

List of abbreviations

ACE: All Children in Education

AIDA: Asylum Information Database

BIC: Best Interests of the Child

CEAS: Common European Asylum System

CoE: Council of Europe

CRC: Convention on the Rights of the Child

CRC-Com: Committee on the Rights of the Child

DYEP: Settings for Support of the Education for Refugee Children

EC: European Commission

ECHR: European Convention on Human Rights

ECRI: European Commission against Racism and Intolerance

ECtHR: European Court of Human Rights

EPZ: Educational Priority Zones

ESO: Compulsory Secondary Education

ESL: Early School Leaving

EU: European Union

EUAA: European Union Agency for Asylum

FPB: Basic Vocational Training

FRA: European Union Agency for Fundamental Rights

GC: General Comment

IO: Intergrational Organisation

IOM: International Organization for Migration

LOE: Organic Act on Education

LOMLOE: Organic Act of Modification of the LOE

MEFD: Ministry of Education and Vocational Training

MISSM: Ministry of Inclusion, Social Security and Migration

MoE: Ministry of Education Religious Affairs and Sports

MoMA: Ministry of Migration and Asylum

MS: Member States

NGO: Non-governmental organization

OECD: Organisation for Economic Cooperation and Development

PTSD: Post-traumatic stress disorders

RFREs: Reception Facilities for Refugee Education

SC: Save the Children

SLE: Stressful Life Events

TCN: Third Country Nationals

UNICEF: United Nations Children's Fund

UAM: Unaccompanied Minor

UN: United Nations

UNHCR: United Nations High Commissioner for Refugees

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1. Introduction

1.1. Context and Relevance

Migration has shaped Europe's landscape over the past decade, with Greece and Spain as critical entry points due to their location near routes from North Africa and the Middle East. In 2023, Greece registered 48,721 arrivals, representing a 159% increase from the previous year (Oikonomou et al., 2024). Similarly, in 2023, Spain registered over 56,852 arrivals by sea, primarily to the Canary Islands and Andalusia, an increase of 82% compared to the previous year (Ministry of Interior, 2024).

Migratory movements are shaped by a combination of push factors (e.g., conflict, poverty, political repression) and pull factors (e.g., safety, employment, and education opportunities). Among all those who decide to migrate, vulnerable groups can be identified. In this regard, EU regulations establish that the category of vulnerable persons includes *'minors, UAMs, persons with disabilities, the elderly, pregnant women, single parents with minor children, and individuals who have suffered torture, rape, or other serious forms of psychological, physical, or sexual violence"* (European Parliament & Council of the EU, 2008).

It is evident that all these individuals find themselves in a more precarious situation. However, UAMs represent a particularly vulnerable group as they are children and often underprivileged due to their lack of language knowledge, often low socioeconomic status of migrant families and lack of social networks, which put them under the greater risk of social exclusion (Dežan and Sedmak 2020). UNHCR estimates that 40% of refugees are minors (UNHCR, n.d.) and in 2023, UAMs accounted for 17% of all first-time asylum applicants under the age of 18 in Europe (EUROSTAT, 2023).

UAMs are often forced to flee their countries due to war, political or religious persecution, natural disasters, poverty or sexual exploitation, being forced to take long and traumatic journeys while being separated from their families (Bhabha & Abel, 2020). This fragile position exposes them to various risks, including abuse, trafficking, forced labour, and social exclusion (Dežan & Sedmak, 2020). Once in the host country, UAMs not only have to cope with these strains from the past, but also they have to learn

a new language and adjust to a new culture, education system and social environment (Keles et al., 2016).

This constellation of challenges obstacles their integration prospects (Bajo, Rodríguez-Ventosa & Molinero, 2023) and makes them particularly prone to marginalization and discrimination. Therefore, UAMs poses specific needs in terms of protection, assistance and care — often neglected in migration systems (Rizcallah, 2019). Another relevant issue is the age of UAMs: over 93% of UAMs arriving in Europe are 14 to 17 years old (EUAA, 2023). This is particularly relevant given that, in many European countries, compulsory education ends at the age of 15, as is the case in Greece and Spain. In Greece, 2,641 UAMs were registered in March 2025 with more than 90% of them over the age of 15 (MoMA, 2025) (See Appendix A: MoMA, 2025). In Spain, in December 2023, 12,878 UAMs were under state care (Public Prosecutor's Office, 2024), most aged 14–17 (Vinaixa, 2019). As a result, UAMs who arrive during late adolescence often find themselves in a legal and educational limbo, with limited access toappropriate or inclusive schooling pathways. While some may access non-compulsory secondary education or vocational training, many drop out from schools due to several systemic obstacles.

1.2. Aim of the research

The reception systems for UAMs across EU reveal the absence of a unified and holistic model aimed at their effective integration into European societies (Bajo, Rodríguez-Ventosa & Molinero, 2023). This protection gap shows the urgency and relevance of addressing their integration and a key component of this process is ensuring access to education, particularly in UAMs' transition to adulthood or, in other words, older UAMs, from 15 to 18. Unlike younger children who are more easily integrated into educational systems, older minors often find limited access to formal learning pathways, leaving them at greater risk of social exclusion.

The comparative experience of Greece and Spain, two frontline states with different but similar migration trajectories, provides a valuable lens to explore how educational access and legal frameworks shape the integration prospects of older UAMs. Although both countries have made strides in responding to migratory flows, they face persistent

legal and structural challenges in ensuring access to education and integration for older UAMs.

The research aims to:

1. Discuss the specific needs and realities of UAMs during their transition to adulthood.
2. Highlight the protection gaps and the challenges faced by UAMs upon reaching the age of majority.
3. Examine the role of the right to education as a critical mechanism for the integration of UAMs.
4. Identify indicators of educational inclusion for migrant and refugee children by exploring the role of the CCA.
5. Review the legal frameworks for UAMs in Greece and Spain, assessing to what extent the national policies align with international and EU standards.
6. Conduct a comparative analysis of Greece and Spain, to evaluate how recent national policies have influenced the educational and social outcomes of UAMs.
7. Evaluate whether the implementation of these policies during adolescence has a measurable impact on integration outcomes in adulthood.
8. Identify gaps between legislation and practical implementation, through an analysis of integration laws, policies and initiatives.
9. Carry out a needs assessment to propose policy recommendations aimed at strengthening protection and integration systems for UAMs in Europe, Greece and Spain.

The central **research question** guiding this study is: To what extent do legal and policy frameworks in Greece and Spain effectively ensure access to education for UAMs during their transition to adulthood?

1.3. Methodology

This study employs an interdisciplinary and **comparative methodology**, focusing on primary sources (laws and expert interviews) and secondary sources (academic literature and state reports on education and UAM integration).

This research employs a comparative analysis to examine and contrast the educational access and integration experiences of UAMs in the Greek and Spanish systems. It aims to identify shared structural and legal challenges, highlight divergences in implementation, assess whether similar efforts have been implemented, explore innovative practices, highlight the weaknesses and strengths of each system and what lessons can be learned from one another.

The methodology includes two main components based on empirical legal research. First, a legal analysis, based on an examination of International, European, Greek and Spanish national legal frameworks related to refugee protection and UAMs' right to education and the following assessment of each country's compliance with relevant human rights standards. Secondly, qualitative research was conducted through semi-structured interviews with different experts and stakeholders relevant to the reception, protection, and integration of UAMs in both Greece and Spain. The participants included legal professionals, child protection officers, guardians, mentors, and representatives from governmental bodies and NGOs, with diverse perspectives grounded in practical experience in both countries. Among those interviewed were Gelly Aroni, the Head of the Unit of Integration and Support for UAMs at the MoMA in Greece; Mohammadhadi Mohebi, a mentor working directly with UAMs in Athens; Nikos Alexiou, a child protection officer with UNICEF Greece; and Nikoleta Gerontaki, a guardian supporting UAMs. In Spain, participants included Eduard Tàpia Bertran, a coordinator of childhood and adolescence projects at SC Spain and Paco Estellés, the General Director of the Magone Foundation (Salesians Social Services), which provides shelter and educational support to UAMs and young migrants transitioning to adulthood. These interviews offered essential insights into the practical realities, institutional roles and cross-sectoral efforts involved in the integration of UAMs in both national contexts.

2. Why UAMs reaching adulthood?

This chapter aims to justify the selection of this specific age group, by highlighting the unique vulnerability of UAMs during adolescence, particularly in relation to educational gaps and their transition to adulthood.

Adolescence is already a complex period. For UAMs, this phase is marked not only by typical teenage struggles, but also by the difficulties of being refugees, asylum seekers, migrants, and often racialized or marginalized individuals. These challenges are intensified by the need to adapt to a new language, culture, and social system, at the same time as being expected to be independent.

A key component of this experience is the early transitional period at the age of 18, involving forms of detention, asylum centres or transitional houses as 'home', which frequently fails to meet UAMs' needs and are inconsistent with their rights (Karlsson 2019). Lietart, Derluyn and Vervliet (2020) point out that the living arrangements imposed on UAMs in this transition to adulthood puts too overwhelming responsibilities onto their shoulders to organise their own lives. In this line, researchers have documented the negative mental health impact of stressors inherent to reception facilities for UAMs in host or transit countries (Lietart, Derluyn & Vervliet, 2020). Additionally, they are expected to assume adult responsibilities, such as working to support families back home while dealing with trauma, instability, and exclusion. Hence, with little to no room for error, the pressure towards them is immense and minimum mistakes have high costs, generating more stress towards them.

Regarding the educational gaps, while access to education for compulsory school age children regardless of migratory status is similar across Europe, for migrant children and young people, *particularly undocumented migrants and/or asylum seekers, who are beyond the compulsory school age (15+) the situation is* ***worse*** (Marouda et al., 2023: 8). This, there must be a clear distinction between UAMs under the age of 15 and those over 15. Minors under 15 are subject to compulsory education, which provides a protective framework that offers significantly more support than what is available to those over 15, who are no longer covered by the obligations of the formal education

system. Additionally, where such children are undocumented they may be afraid to engage with the education system or the system may refuse to engage with them. Even if the documents are in order, access to education for refugee minors may be limited or resources that should be available cannot be provided. Additionally, they lack the support of parents to claim their rights, but are dependent on support organizations, if they exist, including NGOs providing support to refugee children in the education system (Palaiologou, et al., 2021). As Karlsson (2019) noted, *the implementation of their rights is often conditional because children have an uncertain citizenship status*.

As stated in the introduction, most UAMs arriving in Greece and Spain are 15 or 16 years old. As mentioned by Gelly Aroni in the interview, once they arrive, they typically need a year to learn the host country's language and by the age of 17, they have just one year left to complete their education as minors. One huge challenge occurs when UAMs turn 18 (the legal age), at which point they are no longer legally entitled to child protection services, to guardian's consent or to support from accommodation shelters. In other words, they lose all extra protection measures for minors, including access to education (Lietart, Derluyn & Vervliet, 2020), further hindering their chances of integration. Nikos Alexiou noted in the interview that while some are allowed to complete the academic year and remain in accommodation facilities until the end of it, reaching adulthood means the expulsion from reception centres, leading many into homelessness. For many, this abrupt change acts as a de facto sentence, as they are not individually prepared and they still have to face the structural barriers of the system. Consequently, some abandon school in search of irregular employment to financially support themselves and/or their families. Like this, many young adults end up in exploitative working conditions in sectors such as agriculture, factories, and construction. Mohammadhadi Mohebi, another interviewee, emphasized that due to fear and lack of knowledge about their rights, these young people are especially vulnerable to abuse. Reports from organizations supporting unhoused populations confirm a growing number of former UAMs living on the streets. In Catalonia, for instance, one-third of homeless youth were previously under state protection (Almodóvar et al., 2024). Nevertheless, despite these obstacles, many UAMs show a strong commitment to education, employment, and integration. For these youths, access to education and vocational training represents more than a right; it is an immense opportunity, which helps to break the prejudices from their surroundings.

In conclusion, the adolescence and more specifically the age of 18 represents a critical and overlooked gap in UAMs protection, as the available support services dedicated to them turned out to be extremely limited. This abrupt withdrawal of protection raises fundamental questions about the true intentions and effectiveness of state and institutional responses: What is the purpose of temporary protection if it ultimately leads to abandonment? As Gas et al. (2019: 74) argue, *the fact that there are children who leave the protection system without regularisation indicates a total failure of the protection system.* Hence, this thesis focuses in this specific group of UAMs, because, first and foremost, they are children and they need what all children need.

3. Theoretical framework

This chapter aims to explore the intersection between the right to education and the right to integration, by conceptually analysing how the right to education contributes to the integration of UAMs into host societies. To carry out this analysis, the research adopts the CCA as the lenses used in the analysis. Furthermore, a critical dimension of this framework also examines the barriers and limitations that arise when educational systems fail to support integration.

3.1. Immigration framework vs. Child-centred approach

The big influx of refugees and migrants back in 2015, led to a crisis of management for some European countries. While in the aftermath of the crisis the efforts were directed to provide basic emergency care on arrival, attention now has turned into controlling migration flows, to ensure the successful integration of children. In this line, the question of what successful integration means is a major challenge for European societies but even a more complex issue is how to identify adequate resources, strategies and plans for effective integration (Molinuevo et al., 2021).

The 2030 Agenda identifies refugees, internally displaced persons and migrants among the vulnerable people who must be empowered, and whose needs should be addressed (IOM, UN Migration, & SDC, 2018). However, there are many barriers for the integration of UAMs which lead people to view this group from an **immigration perspective** rather than from a **child protection approach** (OECD, 2018). Even before the refugee crisis, there were numerous studies and reports exploring how the conflict between migration management and rights protection has significantly affected the situation of UAMs and adolescents in Europe. The trend is that UAMs in European countries status face an institutional vulnerability, resulting in social exclusion. The legal classification of children as "UAMs" triggers institutional practices that limit protective measures for vulnerable children and promote the application of **restrictive** regulations for this category. Consequently, children's effective access to healthcare, education or housing is severely compromised due to their legal status (Palaiologou, et al., 2021). In fact, UAMs' dual status of being both a minor and a foreigner places them

at the intersection of immigration law and child protection law. Nevertheless, as children first, UAMs must be guaranteed equal rights, regardless of their migration background. This thesis emphasises the need to adopt a **CCA,** within which the principle of the **BIC** must serve as a guide for all the applicable regulations affecting UAMs.

This principle is based on a set of actions and processes aimed at ensuring the child's holistic development and a dignified life, as well as the material and emotional conditions that allow them to live fully and achieve the highest possible level of well-being. In the case of UAMs, although they hold this dual status as both minors and foreigners, the former must take precedence over the latter. Neither nationality nor administrative status (regular or irregular) is a relevant factor in determining a child's legal status. Therefore, the BIC must always prevail and *to guarantee that these children's rights are respected, and the best practices implemented, the different States should adopt a protection of the **CCA*** (Bajo, Rodríguez-Ventosa, & Molinero, 2023:7) to migrant children integration, which must apply both on the **educational level** as well as on the **policy level** (See Appendix B: CCA in Education and Policy).

In general, CCA combines a holistic view of children and societies with a rights-based perspective (Qvortrup, 2014). Applying this principle to conceptualising the integration and well-being of migrant children means considering multidimensional and multi-level factors (Amerijckx & Humblet, 2014) as well as socio-demographic features like age at arrival, gender or country of origin (Closs et al., 2001). In this approach, the adult-centred explanations are reduced to facilitate children's agency in defining migrant integration (Thorne 1993) so the focus is shifted from an adult-centred perspective to children's experiences (Fattore, Mason and Watson, 2007), placing the child at the centre of social interactions. The ultimate aim is to empower the children as a specific group and enable them to realise and exercise their rights, as well as skills needed to shape their well-being (McCarthy & Marks, 2010). This is achieved through the promotion of their informed control and influence over the factors affecting them (Solar & Irwin, 2010). Furthermore, a CCA brings new knowledge about how children experience integration. It places importance on understanding how children define integration, what aspects are crucial for their current wellbeing, their reflections on the past and future, the factors that contribute to their happiness and security, and the

significance they attribute to the physical environments they occupy, as well as the individuals and activities that are part of their lives (Fattore, Mason and Watson, 2007). From a CCA, this integration dimension is based on the fundamental principle that international and EU legislation gives priority to the status of the child rather than the status of the migrant when defining and granting rights. Additionally, this approach contrasts with the protectionist approach to migration that characterises migration management processes and hinders access to their rights. When the priority is to protect children, the measures implemented in the relocation process and in the accommodation where children will eventually live allow them to benefit from the same rights as any other child, such as social policies that protect them and facilitate their integration (Bajo, Rodríguez-Ventosa, & Molinero, 2023).

In conclusion, while immigration frameworks often prioritize control, regulation and national interests, they can overlook the specific developmental, emotional and social needs of UAMs. In contrast, the CCA offers a more holistic and ethical perspective, focusing in the best interest of UAMs and their integration. As Bajo, Rodríguez-Ventosa and Molinero (2023) argue, bridging the gap between migration control and child-centred integration requirements is critical to ensuring that migrant and refugee children are not only protected but also empowered.

3.2. The concept of integration in the context of migration and childhood

As previously highlighted, the successful integration of UAMs remains one of the central challenges faced by European countries in supporting their transition into accepted, active, and full members of society. However, despite this imperative, the integration of UAMs within protection systems remains the exception rather than the norm. Research has identified the existence of gaps between policy and practice in supporting these children, particularly related to the transition to adulthood, with clear consequences for their mental health and overall wellbeing (Bhabha & Abel, 2020). Alongside this research, these gaps are pointed and addressed, in both the theoretical and the legal framework, as well as in the research findings and the discussion section.

European sociologists have widely characterized integration *as the process of becoming an accepted part of society* (Penninx & Martiniello, 2006: 127). However, this interpretation remains a debated topic, influenced by the parties involved, the existing

relationships, and the aims of the integration efforts. According to the EC (2005) integration should be understood as a **two-way process** based on mutual rights and corresponding obligations of resident third country nationals and the host society which provides for full participation of the immigrant. Therefore, integration should be viewed as a process arising from intergroup dynamics that involves two distinct groups (natives and migrants) where *the relationships engage these two groups in a transformative interaction that bilaterally shapes their social categorisation, memberships, and ultimately identities* (Bajo, Serrano, & Fernández, 2024: 6). Despite emphasis on the responsibility of host societies to foster inclusion, *European and national policies have predominately put the burden of integration on migrants, to become true 'Europeans'* (Islam, Rohde & Huerta 2019: 7). However, successful integration has important benefits, both for individuals and society as a whole. Integration not only allows UAMs to fulfil their full potential and guarantees sustained social, economic, and political engagement within the community, but also, integration serves as a valuable resource for local communities by fostering tolerance, acceptance, and respect for diversity. In the long term, successful integration leads to successful management of cultural and ethnic diversity and a strong, cohesive society (Palaiologou, et al., 2021).

In practice, migrant integration refers to national or supranational decisions, programs, theories or models that influence real lives and social outcomes. In the case of UAMs, integration is a **multidimensional** phenomenon, involving different actors (UAMs, schools, teachers and peers, local community members, etc.) and affecting micro (children), meso (ethnic community, local community) and macro (state and society) levels of social life. Nevertheless, when discussing their integration, one must take into account that migrant children do not form a homogeneous social group. Rather, they are diversified in terms of past, present situations and future aspirations, as well as different cultural and linguistic backgrounds, ethnic groups, gender, age, socioeconomic status and cultural and social capital, as stated before. Consequently, *the heterogeneity of migrant children as a social group implies that their social integration must be understood as an intersectional phenomenon* (Palaiologou, et al., 2021: 19). Following this, Seligman (2011) noted that well-being is related to feeling engagement and connectedness, feeling socially integrated, cared for, and supported as well as having a sense of achievement in daily life. Yet, UAMs often face limited individual, cultural, economic, and relational resources, which can weaken their sense of agency and

belonging, undermining their wellbeing and integration (Andersson, Solheim & Jensen, 2020).

Thus, integration should not be viewed as either/or process, nor specific to any domain, but rather as a complex, on-going process that happens across multiple aspects of UAMs' lives: education, health, local community and multiple other areas (Arun, Bailey & Szymczyk, 2021).

3.2.1. Integration and inclusion, an on-going debate

The distinction between integration and inclusion continues to shape debates across policy, education, and social theory. While these terms are often used interchangeably, their meanings and implications differ.

Integration is often unidirectional: migrants are expected to "fit in" to society. The responsibility primarily lies with the migrant, and the focus is on adaptation (Islam, Rohde & Huerta, 2019). In this thesis, the term integration is adopted for analytical purposes, as the discussion focuses on the structural and functional aspects of the legal and policy framework. Conceptually, integration is more aligned with policy-making processes (Penninx & Martiniello, 2006). **Inclusion**, however, requires mutual effort, a bidirectional adaptation between migrants and the host society (CoE, 2017). Its focus is not only on access, but also on implementation, outcomes, and feelings of belonging. Inclusion assumes that everyone is part of society: not merely fitting in, but being accepted as they are (Dryden-Peterson, 2015). Hence, the responsibility shifts from being solely on migrants to a shared duty between migrants and the host community (IOM, 2021).

Inclusion and integration aim to build a cohesive society where all members can participate equally (Onsès-Segarra, Carrasco-Segovia, & Sancho-Gil, 2023). However, while integration ensures that UAMs gain access to education, housing, and healthcare, inclusion means that UAMs feel safe, accepted, and valued. Not just present, but truly part of society (Arun, Bailey, & Szymczyk, 2021). Inclusion implies equal rights, access, and choices for all.

This debate extends in the field of **education**, where the inclusive education model should apply, following the CCA. Due to migratory flows, this model has a broader

meaning, encompassing a wider group of students at risk of social exclusion (Rodríguez, 2016). It promotes coexistence, tolerance and respect toward individual differences, through an **intercultural education** framework that includes ethnic minorities (Labajos & Arroyo, 2013). Banks's (2010: 25) argued for a reform movement *so that students from all social-class, gender, racial, language, and cultural groups will have an equal opportunity to learn.* It requires a two-way process in which both foreign minors and members of the host society adapt to each other's characteristics (Ester, 2016) to prevent the segregation of students into homogeneous groups, which has proven detrimental over time (Arroyo & Berzosa, 2018). Therefore, student differences should not be seen as a problem, but rather as an opportunity to enhance teacher motivation and deliver an equitable and high-quality education (Ausín & Lezcano, 2014). This new paradigm highlights the need to create specific programs to address diversity and prevent exclusion (Souto, 2016). To do so, mentoring projects in an intercultural education context are important to help *immigrant pupils improve their academic results(…) and reduce their levels of ESL, absenteeism and grade repetition (*No-Gutiérrez et al., 2020: 1). To achieve this, Asadi (2016) emphasises the need to provide a welcoming school environment, holistic programming, evaluation programmes with explicit inclusion processes, and CCA in learning. With all these measures, UAMs would be able to develop a more secure sense of identity and confidence in their abilities and ideas, while being treated with respect inside the classroom (UNICEF, n.d.)

In conclusion, although the term "integration" is adopted throughout this thesis, it is important to clarify that it serves as an entry point for a broader discussion, which aims to argue for a more active and participatory approach of inclusion. Like most legal and policy frameworks "integration" is used as the main term, a description that does not adequately reflect the level of social belonging or mutual adaptation needed to support UAMs in host societies (EC, 2015). By focusing on the right to education, this research highlights how access must be matched by belonging, and how policy frameworks must evolve from mere integration goals to inclusive, child-centred outcomes.

3.3. Education as a Vector of Integration for UAMs

This section explores the direct relationship between education and integration, emphasizing how education acts as a foundational mechanism for supporting the social inclusion of UAMs.

Education equips UAMs with vital skills and is a powerful integration tool, enabling language learning, cultural adaptation, and peer connection (Ensor & Goździak, 2016). In this line, the EC (2019b: 9) highlights that *a student who is well-integrated into the education system, both academically and socially, has more chance of reaching their potential*.

In particular, **schools** and educational settings are among the most important factors supporting UAMs sense of belonging (Marouda et al., 2023). They serve as a bridge between the public system and the educational community, offering both emtotional support while also contributing to independence. Education is seen as vital for continuing "normal lives" and for ensuring children's safety (SC, 2016) and caregivers and teachers emphasizes the importance of education in terms of both the current well-being and the future prospects of UAMs. In this line, for many migrant children education is viewed not just as a present support system, but as an investment in future security (SC, 2016). Schools offer opportunities to learn the host language as well as the culture, to experience 'childhood' and to pursue education, with the ultimate aim of finding employment and earning a livelihood. Furthermore, schools plays a central role in helping UAMs to build peer relations and make friendships, providing them with a sense of security and belonging (Marouda & Koutsouraki, 2023:6). Therefore, schools are critically important drivers of integration for UAMs (EC, 2015) and early and effective access to inclusive education is one of the most important and **powerful** tools for integration (EC, 2017). Nevertheless, as Asadi (2016) suggests, long-term positive integration is difficult without a holistic policy focusing both on the areas of learning and the social and emotional needs of the students. In other words, integration is complex to achieve without the application of a CCA to education.

3.4. Barriers and Limitations: When Education Fails Integration

As highlighted in the previous section, progress in the integration is fundamental not only for the well-being of migrant populations, but also for the social and economic well-being of the host societies (IOM, et al., 2018). For instance, a student who is well integrated into the education system, both academically and socially, is more likely to reach their full potential. However, *UAMs face a series of obstacles that hinder this development* (Mahía & Medina, 2022: 53). Several studies have remarked the pervasive effect of multiple barriers that impact the integration paths and well-being of migrant children. This section discusses the main obstacles that prevent UAMs from their successful integration into education. There are divided into two main categories: the first relates to the **individual-level barriers** that UAMs face as young people navigating new environments; the second one is dedicated to the **structural barriers** UAMs face from the education system, state authorities and other institutional frameworks. The division is done like that because the resistance is not only coming from the minors, but also from institutional frameworks. According to Rutter (1996), some turning points in UAMs integration are driven by contextual, legal and structural factors, having a direct effect on UAM's right to education.

3.4.1. Individual-level barriers

One main barrier is the **financial** one. As mentioned in the previous chapter, many UAMs are pressured by their families from their country of origin to enter in the labour markets as they need to send money back to their families. Consequently, they frequently accept any type of work, even when such work is illegal, dangerous, and underpaid, and often become victims of sexual exploitation, forced labour, prostitution. As children, it is difficult to make them understand how dangerous this is, particularly when they view such opportunities as helpers. Another key barrier is **language acquisition**. A *large number of children consider the South European countries of first entry only a transit station to their final EU destination* (Ferrara et al, 2016: 2). Therefore, their motivation to learn the host language is low, as their engagement with learning environments. Additionally, UAMs tend to have a **lack of trust**, which would be fostered through referrals to service and care providers, appointment of a guardian and psychological support (Marouda et al., 2022). Another barrier is **mobility:** *a child*

that comes for a short period of time or temporarily, does not want to study or enrol in programs because does not feel motivated (Pasia, Spathari, & Gorevan, 2022: 13). Furthermore, as they are far away from their family, lacking this sense of belonging and bounded relationships, they have also the incentive to leave the country for family reunification.

Most significantly, **trauma and mental health concerns** (from past, present and future experiences) affect their educational engagement. As shown in UNICEF Country Reports for UAMs in Europe's, because of their journey, UAMs are more likely than other child migrants to have experienced extreme situations such as war and other conflicts. Furthermore, as they have escaped, they are not independent, so it is a common trap to face another frame of abuse, making UAMs psychological vulnerable. Thus, they often have higher rates of mental health disorders including PTSD, depression and anxiety (Hall & Olff, 2016) as well as *general knowledge gaps because they are often out of school for many years* (Marouda et al., 2023: 43). During their current time in the host country, the uncertainty regarding asylum claims causes UAMs enormous stress, which undermines their ability to focus on their education (Pasia, Spathari, & Gorevan, 2022). While many are happy to be in host countries (Marouda et al., 2023) the uncertainty around their future, and the difficulty of their current circumstances creates frustration and tension, making the prospect of attending school hard to fathom (SC, 2016) and, in turn, hindering their integration.

3.4.2. Structural barriers

A study from Dorling et al. (2019) showed how youths emphasised the importance of **social support** for maintaining hope and the key influence of social bonds as an opportunity to form new relationships that resemble family bonds. This is further supported by Höhne et al. (2020), who highlights the importance of host competence with regard to both social support and feelings of self-efficacy. Nevertheless, in practice, this is often not fulfilled and this lack of institutional support and perceived social isolation puts UAMs at a great risk of developing mental health problems.

There is a clear lack of support in the tailoring of UAMs. For them, the involvement of employees, guardians and significant others are essential in their personal relations and evolution, as they advise, guide, and teach them to be independent. Specifically, *the role*

of teachers is one of the most important elements for the successful integration of students (Fabretti et al., 2022: 51). Yet, many schools suffer from a lack trained personnel, which is an essential condition, as *challenges arise in identifying accurately the needs of migrant or refugee children, taking account of their prior educational experience and their linguistic competencies* (Bhabha & Abel, 2020:13).

Another example in the lack of support is the **legal and administrative challenges** faced by UAMs when obtaining residency and citizenship (Marouda et al., 2023). This is a crucial initial milestone for UAMs, considered as a vital prerequisite for all future goals, particularly in education. However, for many, the residence permit is not seen as part of their identity, but as a window of opportunity to greater opportunities and other essential services. Furthermore, their current migration status or lack of status impacts their ability to register for education and the delays in school enrolment, the unclear procedures, the lengthy processes and difficult requirements, increase drop-out rates and distress*, discouraging children's integration and making them feel helpless regarding their future* (Marouda et al., 2023: 25).

Similarly, another issue is the **disrupted impact of frequent moves** in their schooling. Generally, UAMs face difficult transitions to school, due to lots of movement upon arrival in the host country and until settlement in a specific location, which have a disruptive impact on their engagement with education (Marouda et al., 2023). Furthermore, *the delays in relocation and family reunification processes have also a negative impact on their well-being* (Sakellariou, 2018: 25). Similarly, the age determination process is another significant barrier. Minors often find themselves waiting for results in an overcrowded emergency centre with limited resources and this delay of months hinders a minor's access to education, training, and asylum procedures.

Secondly, the **housing arrangements** frequently influence access to education and integration of UAMs. As Nikoleta Gerontaki noted in the interview, the housing insecurity UAMs face after turning 18 becomes the most pressing concern. Without stable housing or long-term support, it is extremely difficult to focus on integration, as there are many others barriers going on. Hence, many UAMs focus solely on survival and obtaining legal documentation, making integration efforts secondary. In this context, what appears to be integration is often a forced and premature process, where young people are expected to adapt without having the necessary foundations in place.

Furthermore, *both the location and the type of the building selected for accommodation facilities may mediate who is perceived to belong to the host society and who does not, through creating both practical and symbolic barriers for inclusion and equality* (Hauge, Støa, & Denizou, 2017: 17). On the one hand, the location of accommodation facilities plays a crucial role, as can either include minors in or rather separate them from the community, enabling or hindering their participation (Hauge, Støa, & Denizou, 2017). Yet, besides distance, the access to public transport is crucial as well. On the other hand, Watters and Hossain (2008) refer to the importance of the "location of care", namely whether the residents receive particular services (such as health care, education or leisure activities) in or outside the reception facility. When all services are provided inside the reception centre, the image of a 'total institution' is raised (Lietart, Derluyn, & Vervliet, 2020), implying complete separation from the host society. Generally, UAMs would prefer to stay with other children, in *accommodation arrangements in centrally-located places, which are not isolated, where they will be able to satisfy their basic needs and be able to attend school and recreational activities* (Marouda et al., 2022: 20).

Lastly, **discrimination** against UAMs further complicates their experience, as they face it due to their dual condition, both as teenagers and as migrants. Far-right political rhetoric, restrictive migration policies and the criminalisation of migrants amplify this issue (Kotsioni, 2016). However, the poor practices of public administration perpetuate the distinction between migrant children from non-migrant children. Despite common misconceptions, the overwhelming majority of UAMs does not come to host countries to engage in criminal activities and experience demonstrates that when they are given an opportunity, they take profit of it (Arun, Bailey, & Szymczyk, 2021). This discrimination against UAMs *shapes the social perception of their condition as subjects of rights and deservingness of resources as children* (Carrasco & Poblet, 2021: 16). According to the FRA (2019) such social isolation affects UAMs' access to basic rights, such as education. Within schools, the existence of stereotypes and negative views of "foreigners" can be materialised in several ways. Coming from the students, violence and bullying tend to affect the most vulnerable children (Pasia, Spathari, & Gorevan, 2022), rarely in explicit physical forms of violence, but more subtle forms of aggression such as verbal harassment and rudeness (Arun et al. 2019). Furthermore, educational institutions contribute to exclusion through denial of registrations, indifference towards

UAMs' attendance and lack of skills or inadequate training on intercultural education (Pasia, Spathari, & Gorevan, 2022).

In conclusion, the underachievement, poor school performance or dropout among UAMs is directly connected to all of these issues, limiting their basic capacity to exercise agency and influence their own development. Hence, for UAMs to succeed in the long run, it might be crucial to provide them with sufficient tools, support, social connections, language and cultures so that they are comfortable with fending for themselves and be integrated (Andersson, Solheim & Jensen, 2020).

3.5. Analytical Framework

Based on key literature and research, Pasia, Spathari, & Gorevan (2022) have identified **six interrelated dimensions** that are crucial for the successful inclusion of migrant children in education. These indicators are: (1) **Enrolment**: ensuring timely school registration for all migrant children. (2) **Attendance**: regular school attendance must be supported by stable living conditions, psychosocial support and early intervention for at-risk students. (3) **Access to inclusive education:** inclusion requires adapting the curriculum, teaching methods and classroom environments to include diverse linguistic and cultural needs. (4) **Transportation to schools**: safe and reliable transport is essential, especially for children living in remote areas. (5) **Adequate staffing and timely scheduling**: schools need trained personnel and flexible systems to integrate new arrivals quickly and provide tailored support. (6) **Action to end community hostility and xenophobia**: combating discrimination in and around schools is essential to create safe, welcoming spaces that support integration.

All these dimensions go beyond mere to access to education and emphasize the importance of systemic support to ensure a meaningful participation. As these indicators helps to develop a more accurate CCA of the socio-educational inclusion of migrant children, they are analysed later on**,** in the independent sections of Greece and Spain. Through a literature review, the implementation of qualitative case studies, and a systematic collection of good practices, this analysis serves to monitor both countries evolution and identify areas of improvement and future intervention. Additionally, they allow a comparative overview of the degree of integration experienced by UAMs in these two host countries.

4. Legal framework applicable to UAMs

4.1. General Overview

Before outlining the legal framework concerning UAMs, it is essential to clarify key definitions and characteristics that underpin their legal status.

The definition of **refugee** is provided in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. According to Article 1A(2), a refugee is a person who, *owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of their nationality and is unable or, owing to such fear, unwilling to avail themselves of the protection of that country* (UN, 1951). In relation to **children**, the CRC defines UAMs in GC No. 6 (2005): *UAMs are children, as defined in Article 1 of the Convention, who has been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so* (UN CRC-Com, 2005, paragraph 7). As defined in the CRC Article 1, children are *every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier* (UN General Assembly, 1989, Art. 1).

The legal framework relevant to UAMs consists of three levels: international, European, and national. However, it is marked by a lack of unity and legal clarity. Notably, there is no binding European regulation establishing basic guidelines on how to deal with this group. As a result, the treatment and educational rights of UAMs vary depending on the country of arrival and both Greece and Spain reflect this disparity in different ways, as discussed later. It is worth mentioning that both countries are members of the international and intergovernmental organisations referenced below, so they are either legally bound by their conventions or guided by their policy frameworks.

The structure of this chapter is organized as follows: it begins with the international legal framework, followed by the European framework, and finally the national legal frameworks of Greece and Spain. In Greece, the legal framework concerning the right to education of UAMs primarily consists of state-level legislation and ministerial decisions. In Spain, the fact of being a decentralized system means that there are: state-

level regulations; regional regulations, which may vary depending on the Autonomous Community where the minor is located; and even local regulations, where applicable. Thus, while a common national framework exists, each Autonomous Community must define its own Framework Protocol.

4.2. International legal framework

UNHCR was the first agency to focus on UAMs' needs, through its Guidelines on Policies and Procedures in Dealing with Unaccompanied Children Seeking Asylum (UNHCR, 1997). Others followed rapidly, including the EU, with its "Resolution on UAMs who are TCN", and the national authorities, including Canada, the United States and the United Kingdom. One finds a rich body of recent international work, setting out principles and implementing policies that improve the circumstances surrounding child migration (Bhabha and Abel, 2020).

4.2.1. Right to education in international law

According to Article 26 of the Universal Declaration (1948), education is a right – not a privilege – that should be guaranteed to all individuals without exceptions and discrimination. *The intercultural character of education is described in paragraph 2, which aims at education to strengthen respect for human rights, promote understanding, tolerance and friendship between different nationalities, racial and religious groups* (Stergiou & Simopoulos, 2024: 5). Furthermore, the right to education is anchored in other core international instruments, including Articles 28(1) and 29(1) of the CRC, and Article 2 of the First Protocol to the ECHR (Pasia, Spathari, & Gorevan, 2022). Complementary provisions, such as Article 22 of the Geneva Convention, Article 13 of the International Covenant on Economic, Social and Cultural Rights, and Article 17(2) of the Revised European Social Charter, further reinforce the obligation to ensure inclusive, non-discriminatory access to education for refugee and asylum-seeking children. To interpret the aims of education under the CRC, GC No. 1 (2001) emphasizes education's role in promoting respect for human rights, fostering participation in society, and cultivating values of equality and tolerance. Additionally, GC No. 11 (2009) highlights education as a tool for combating discrimination and nurturing children's full potential while respecting cultural diversity and human dignity.

4.2.2. Children's Rights Framework

The first international instrument applicable in this area is the UN CRC (1989). It is a binding international treaty for the States Parties. All MS are parties to the CRC, which also affirms children as rights holders and mandates protection from all forms of violence, abuse, neglect and exploitation (FRA, 2025).

The Convention comprises 54 articles outlining the rights of children in various areas (social, economic, cultural, civil, and political) and *describing the minimum requirements that the States should meet in the management of the situation of these children in their territories* (Bajo, Rodríguez-Ventosa, Molinero, 2023: 7). Article 22 specifically protects refugee and asylum-seeking children and article 3 enshrines the BIC, which should be the guiding principle in any decision regarding the minor, as *UAMs hold right to the same standards of treatment compared to 'national' children* (Lietart, Derluyn & Vervliet, 2020: 2). Under this framework, the CRC, responsible for monitoring its compliance, issues documents derived from the Convention. In the context of UAMs, the **GC No. 6** on the treatment of UAMs and those separated from their families outside their country of origin (Bhabha & Abel, 2020) and **GC No. 14** on the child's right to have their best interests considered as a primary concern (CRC, 2013) stand out. In these cases, the Committee explicitly addresses UAMs. These observations constitute recommendations for the State parties, which they should fulfil to comply with the Convention's standards. Thus, this Convention is a living instrument whose updates over time are articulated through the Observations, fulfilling a very important role, although they are not legally binding.

4.3. European legal and policy framework

The existing policies and legal instruments at the European level provide the framework for the protection of migrant children. It includes aspects such as the conditions for their reception, the treatment of their applications and their integration into society.

Below is an overview of the various European instruments that affect UAMs. There should be a differentiation between the CoE and the EU, as they are two separate international organisations with its own legal framework. As previously mentioned,

both countries are EU members and have also ratified the conventions of the CoE, having obligations coming from both systems. While these frameworks coexist and apply simultaneously within the same national contexts, they originate from different institutions and operate independently. As will be seen, none of them regulate the matter *ad hoc*; rather, it is mentioned in a scattered way throughout each of them. It should be clarified that there are other instruments within the EU that are not binding, but instead fall under what is known as *soft law*. This research focuses on the legally binding EU instruments only (See Appendix C: EU Soft Law Instruments on Migration and Children's Rights).

Nevertheless, the CoE's legal instruments remain significant. The right to education is enshrined in Article 2 of the First Protocol to the **ECHR**, as amended by Protocol No. 11 (CoE, 1952), which states that no one shall be denied the right to education. Both Spain and Greece have ratified this protocol and are bound by its provisions, meaning individuals in these countries can appeal to the ECtHR if they believe their right to education has been violated. Furthermore, the **European Convention on the Exercise of Children's Rights** (CoE, 1996) is based on Article 4 of the CRC, which requires state parties to take all necessary legislative, administrative, and other measures to ensure the implementation of the rights recognized in the Convention. Although this Convention does not explicitly mention UAMs, its application is possible in proceedings affecting them, as it allows state parties the flexibility to apply it to other procedures beyond those explicitly mentioned in the Convention (Article 1.5).

Under this EU system, several directives, as well as the Dublin Regulation and the EU Charter of Fundamental Rights are analyzed.

A. Directive 2001/55/EC on Temporary Protection

This Directive (Council of the EU, 2001) is a consequence of the increase in cases of mass influxes of displaced persons in Europe and the need to offer immediate and temporary protection to such persons. It is a measure of group protection, not individual, that foresees the adoption of measures to ensure a balance of effort among the different MS (Article 13.4).

Regarding UAMs, they are considered a group with specific needs who must be provided with the necessary assistance, whether medical or otherwise. They shall also

have access to the education system under the same conditions as nationals of that State (Articles 13 and 14). The Directive provides that minors must have necessary representation through a legal guardian or other figure, urging MS to adopt measures to guarantee this as soon as possible (Article 16).

B. Directive 2013/33/EU on Reception of Applicants for International Protection

This Directive (European Parliament and Council of the EU, 2013a) sets out standards for the reception of applicants for international protection. It is a recast of the repealed Directive 2003/9/EC of 27 January 2003, which established minimum standards for the reception of asylum seekers in MS.

Once again, UAMs are considered a vulnerable group whose specific situation must be taken into account (Article 21). Article 14 (1) indicates that children of compulsory school age seeking international protection, have the same rights and obligations to participate in education as those born in the host country. It states that education should preferably take place in mainstream educational institutions and MS shall not withdraw secondary education for the sole reason that the minor has reached the age of majority. Article 14 (2) protects children's right to education soon after arrival (no later than three months after an asylum application has been lodged) and highlights that preparatory classes and language support must be provided if needed. Additionally, article 24 is dedicated exclusively to this group and addresses the following issues: first, it requires MS to swiftly adopt necessary measures to ensure the representation of UAMs. This representative must act in the best interests of the minor. Second, it provides for the appropriate accommodation of minors while their asylum application is being processed. Third, it requires that persons working with this group must have, or receive adequate training on the specific needs of minors.

C. Directive 2013/32/EU on Common Procedures for Granting or Withdrawing International Protection

This Directive (European Parliament and Council of the EU, 2013b) sets minimum standards for the procedures that MS must apply when granting or withdrawing refugee status, in line with the 1951 Geneva Convention. It is a recast of the previous Council

Directive 2005/85/EC of 1 December 2005 (Council of the EU, 2005). The goal is to ensure fair and efficient procedures across the EU (Lorca, 2022).

Regarding UAMs, the Directive addresses two procedural aspects: the asylum application process and age determination. The attention will be directed solely to the asylum application. This Directive entrusts MS with establishing measures to ensure the representation of UAMs. This representative will assist the minor in exercising their rights, always in accordance with the BIC. Furthermore, it specifies that organizations or individuals whose interests conflict or could conflict with the minor's interests cannot act as representatives (Article 25.1.a) and MS must ensure that the representative informs the minor about the meaning and potential consequences of the personal interview and, where applicable, how to prepare for it (Article 25.1.b).

D. Directive 2011/95/EU on International Protection, Refugee Status, and Subsidiary Protection

This Directive (European Parliament and Council of the EU, 2011) addresses international protection and the requirements for being a beneficiary of it. It is a recast of the earlier 2004 Directive, which needed greater clarity. Briefly, international protection can be of two types: beneficiary of refugee status; or beneficiary of subsidiary protection (for those who do not meet the refugee criteria but qualify for other reasons). For UAMs, the structure mirrors that of Directive 2001/55/EC on temporary protection: they are recognized as vulnerable persons, and MS are obliged to grant them access to education, healthcare, and legal representation if they are beneficiaries of international protection (Articles 20.3, 27.1, 30.1, and 31). More specifically, regarding the right to education, children beneficiaries of international protection have an obligation to study at primary and secondary education institutions of the public education system, as well as further education and vocational training, under the same conditions as nationals (Article 27.1). In Article 28 (2), MS are required to facilitate the appropriate assessment, validation and accreditation of the prior learning of beneficiaries of international protection who cannot provide documentary evidence of their qualifications.

E. Regulation No 604/2016, "Dublin III Regulation"

The Dublin Regulation (European Parliament and Council of the EU, 2013c) establishes the allocation of asylum seekers among the MS, following the principle of "one asylum application, one competent state". The general rule is that the competent state is the first one in which the applicant enters, meaning that there is no system of solidarity between MS (Nonchev & Tagarov, 2012) and the burden of processing asylum requests mainly falls on border states. However, in the case of UAMs, the following rules apply: the responsible state will be the one in which a family member or sibling of the UAM is legally present, provided that this is in the BIC. Furthermore, if the minor has a relative legally present in another MS and can take care of the minor, that country becomes responsible. In cases where family members, siblings, or relatives are in more than one MS, the responsible state will be determined based on the BIC. Finally, if no relatives are present, the responsible state will be the one where the UAM has submitted their application for international protection (Article 8).

F. The EU Charter of Fundamental Rights

It is binding upon the EU and MS implementing EU law (FRA, 2025). Article 14 affirms that "everyone has the right to education, including access to vocational and continuing training". Article 24 enshrines children's rights and upholds the BIC as a primary consideration in all actions and decisions relating to children, whether taken by public authorities or private actors.

4.4. National Legal and Policy Framework

According to UNHCR, UNICEF and IOM, while the essential right of every child to receive basic education is acknowledged by international and European human rights legislation, *in practice, the type, quality and duration of schooling offered to asylum-seeking, refugee, and migrant children is influenced more by their situation in the migration or asylum procedure than by their educational needs* (Marouda et al., 2023: 7). Following this, the subsequent sections examine right to education for UAMs in both Greece and Spain. To address the current legislation, a dual approach must be taken due to the twofold condition of being both minors and foreigners. Thus, the sections are divided into three interrelated legal domains: asylum and immigration, child protection,

and education. A final section is dedicated to recent legal reforms within both systems aimed to reinforce the protection system and inclusion for UAMs.

4.4.1. Greek legal and policy framework

4.4.1.1. Asylum and Immigration

Greece's core legislative instrument for international protection is **Law 4636/2019** (Government of Greece, 2019) which transposes EU directives on asylum procedures and reception standards and *simplifies the procedures for integrating refugee children into the formal education system throughout Greece* (Jalbout, 2020: 20). Every minor beneficiary of international protection must attend public primary and secondary education under the same conditions as Greek citizens. For minor applicants who refuse to enrol or attend school, material reception conditions will be reduced (Greek National Commission for Human Rights, 2021). The law contains specific provisions for UAMs, including procedures for their identification, accommodation, and the appointment of a guardian. This legislation was later amended and expanded by **Law 4939/2022** (Government of Greece, 2022a) which codified the legal framework for the reception, international protection of third-country nationals and stateless persons and temporary protection in the event of a mass influx of displaced foreigners. Further details on the educational provisions of this law are discussed in the following "education" section. Additionally, **law 4375/2016** (Government of Greece, 2016) which transposes Directive 2013/32/EU redefined the competences of the Asylum Service and First Reception Service, aimed at improving the efficiency and fairness of asylum procedures. It plays a key role in the early screening and referral of UAMs, ensuring that their immediate protection needs are met and that they are placed in appropriate care settings.

4.4.1.2. Child Protection

The Greek government initiated the 'No Child Alone' policy in November 2019, coinciding with the presence of over 5,000 UAMs in the country. This initiative aimed to enhance the establishment of shelters, improve access to social services, and complement the Greek 'Guardianship Law' (**Law 4554/2018**) (Greek National Commission for Human Rights, 2021). This law (Government of Greece, 2018b) created a national guardianship framework specifically for UAMs including the

appointment of professional guardians (Mentzelopoulou, 2022). However, its implementation was limited and inconsistent and, as a response, a more comprehensive framework was introduced with **Law 4960/2022**, (Special Secretariat for the Protection of UAMs, 2023) which established the National Guardianship System and a structured Accommodation Framework for UAMs. Article 10 of this law (Government of Greece, 2022b) outlines the guardian's responsibilities, including ensuring the minor's access to formal and non-formal education, vocational training, and language learning. Guardians are also expected to liaise with school staff and support the minor's academic and social integration.

4.4.1.3. Education

Protecting the right to education of young refugees is a key concern in Greece (Scientific Committee of the MoE, 2017) and and national legislation guarantees access to compulsory education for all children aged 6 to 15, regardless of their legal status. Article 13 of **Law 4540/2018** first established this requirement for asylum applicants and refugee children to attend primary and secondary education under similar conditions as Greek nationals (Government of Greece, 2018a). Importantly, Greece also has taken specific steps to facilitate the educational inclusion of refugee children. This commitment was strengthened by **Law 4939/2022** (Government of Greece, 2022) which stipulates that all children, regardless of legal status or documentation, must be granted access to compulsory education (Article 27).

Building on this, **Law 3879/2010** (Government of Greece, 2010) established the EPZ programme to enhance UAMs integration into the school morning curriculum. As defined in the **Ministerial Decision no. 131024/Δ1** (MoE, 2016), EPZ aimed to support education of refugee children by learning Greek as a second language and organizing educational support activities. **Joint Ministerial Decision 139654/ΓΔ4/2017** (Government of Greece, 2017) introduced the RFREs, which offer transitional educational programs (primarily for children living in camps or shelters) and support language instruction and integration into regular public schools. Also, **Ministerial Decision Φ1/87810/D1/2023** (Government of Greece, 2023a) designated Special Educational Needs Areas in primary schools for Reception Classes, while **Decision 132877/Δ2** (Government of Greece, 2024a) and **90389/Δ2/2024** (Government of Greece, 2024b) extended this to secondary schools in Special Protection Areas.

Additionally, article 55 of this law requires enrollment within three months of identification (Pasia, Spathari, & Gorevan, 2022). The law also ensures that access to secondary education is not denied beyond age 18, and it further mandates that competent authorities are obliged to provide the necessary and adequate means to support and facilitate the relevant procedure (Oikonomou et al., 2024).

Similarly, Article 21(7) of **Law 5038/2023** (Migration and Social Integration Code) provides that "minors who are third-country nationals and attend all levels of education have unrestricted access to the activities of the school or educational community" (Pasia, Spathari, & Gorevan, 2022). *Unfortunately, there are no official data published regularly by the Ministry for Education* (Greek National Commission for Human Rights, 2021: 18) to oversee the impact of this reform.

4.4.1.4. Legislative Reforms

Firstly, the **legal abolition of Protective Custody** through Law 4760/2020 (Government of Greece, 2020), which eliminated the practice of placing UAMs in protective custody within police facilities and phased out of 'safe zones' and hotels as types of accommodation. The protective custody system was placed in Greece for about 20 years, as a temporary solution for the protection of UAMs. The CoE and other EU organizations had harshly criticized this practice, claiming human rights abuses. Additionally, the establishment of supported **independent living apartments** demonstrated a marked shift towards a more supported and empowering independent living. Hence, on 31 March 2020, all 331 UAMs under protective custody were finally transferred to long-term accommodation facilities (Mentzelopoulou, 2022).

Secondly, the establishment of the **Special Secretariat for the Protection of UAMs** to oversee the implementation of protective measures and coordinate care for UAMs. However, it was abolished in June 2023. Its responsibilities (under article 39 of P.D. 106/2020) were transferred to the new General Secretariat for Vulnerable Persons and Institutional Protection established with article 6(1) of P.D. 77/2023 (A' 130/ 27.6.2023), falling under the competency of the MoMA deputy (Oikonomou et al., 2024). This reform means that the General Secretariat for Vulnerable Persons and Institutional Protection, have under their umbrella several groups of vulnerable people,

not only UAMs, bus also victims of trafficking, survivors of gender-based violence, people with disabilities, among others.

Thirdly, the creation of the **National Emergency Response Mechanism in 2021,** to provide immediate support and accommodation for UAMs living in precarious conditions. This initiative has been recognized by the EU as a best practice in child protection (EU Agency for Asylum, n.d.).

Fourthly, one initiative highlights education as a pathway to both legal residency and social inclusion. This is reflected in a 2024 amendment to Article 161 of the Greek Immigration and Social Integration Code, introduced by **Law 5038/2023** (Government of Greece, 2023b). The amendment grants a ten-year residence permit to adult citizens who entered Greece as UAMs and have successfully completed at least three grades of secondary education at a Greek school in Greece, before reaching the age of twenty-three (par. 1, article 161). The objective of this law is the legal and institutional protection of minors in the process of transition to adulthood. By reducing the educational barriers and providing vocational training opportunities, the law aims to empower UAMs to become self-sufficient and to integrate into the Greek community though education (MoMA, 2024).

4.4.2. Spanish legal and policy framework

This section offers an overlook on how Spain implements international and European legal instruments within their national systems. Three main legal domains are relevant. Firstly, the framework concerning foreign nationals, shaped by Law 12/2009, the Organic Law 4/2000 and its corresponding Immigration Regulation. Afterwards, the child protection framework, grounded in the Spanish Constitution, the Organic Law 1/1996 and the Organic Law 8/2021. Finally, the last section is dedicated to the right to education, examined both in general terms and in its specific application to UAMs, where compulsory legal instruments as well as national strategies and policy initiatives are analysed.

4.4.2.1. Asylum and Immigration

Regarding the immigration legislation, there are two main provisions. Firstly, **Law 12/2009** which regulates the right to asylum and subsidiary protection**.** This law

(Government of Spain, 2009) transposes the European asylum legislation previously discussed (Directive 2011/95/EU, Directive 2013/32/EU, Directive 2013/33/EU and Dublin Regulation). Title V is dedicated to minors and other vulnerable individuals, with a particular focus on the inclusion of UAMs and the importance of the BIC. Article 47 guarantees that minor applicants for international protection who have been victims of any form of abuse, neglect, exploitation, torture, cruel, inhuman or degrading treatment, or who have been affected by armed conflict, receive appropriate healthcare and psychological assistance. Article 48 specifically addresses UAMs who apply for international protection. These minors are to be referred to the competent child protection services, and the case must be reported to the Public Prosecutor's Office.

Secondly, **Organic Law 4/2000** commonly known as "Law on Foreigners" regulates the rights, obligations and requirements for accessing the legal residence of foreign nationals in Spain and has the highest role in shaping the integration of UAMs, despite the existence of the Child Protection Act (Carrasco & Poblet, 2021). Although amended several times, it was fully reformed in 2009. This reform (Government of Spain, 2000) first introduced the term UAM in Article 35, urging the Government and the Autonomous Communities to promote cooperation agreements with the countries of origin, always guided by the BIC. The article leaves to the Regulation the development of the conditions (that UAMs under guardianship and who hold a residence permit and reach the majority age) must meet to renew their authorization or obtain a residence and work permit.

The most recent and relevant update of this legal framework is **Royal Decree 1155/2024**, (Government of Spain, 2024b) which came into force in May 2025 and replaces the previous Royal Decree 557/2011. While it introduces substantial changes, such as reducing the required period of residence for regularization from three to two years, expanding access to family reunification, and improving labour access for foreign students, it does not include specific provisions or updates related to UAMs. The issue of UAMs continues to be governed by the **Immigration Regulation** (Government of Spain, 2011) approved by Royal Decree 557/2011, which implements the Organic Law 4/2000 and regulates the issue of UAMs in Articles 189 to 198. These articles contain their definition and the procedure followed from the moment UAMs are identified by the security forces, whether their minority status is clear or uncertain, until they reach

the age of majority. This regulation went through a significant reform in 2021 through the **Royal Decree 903/2021**, having a direct impact on UAMs, as will be discussed further below.

Thirdly, the purpose of the **Framework Protocol on Certain Procedures Concerning UAMs** (Government of Spain, 2014) is to coordinate the actions of all institutions and administrations involved from the moment an UAM is located or presumed to be a minor, through identification, age assessment, placement under the public child protection service, and documentation. The Protocol establishes that all actions must be guided by the BIC and its main goal is to unify procedures across Spain by establishing basic operational guidelines and cooperation between Ministries. However, although this Framework Protocol is binding for the state institutions that sign it, it must be complemented by regional protocols developed by each Autonomous Community.

4.4.2.2. Child Protection

The **Spanish Constitution of 1987** (Government of Spain, 1978) does not explicitly mention UAMs, but it includes provisions relevant to them. Title I outlines fundamental rights, applicable to all children. Article 10 states that constitutional rights and freedoms must be interpreted in line with the Universal Declaration of Human Rights and international treaties ratified by Spain. This is especially important, as many rights of the child, as for UAMs, are found in international instruments. Additionally, in Article 39.4 is stated that children will benefit from the protection granted by international agreements safeguarding their rights. In this sense, the Constitution serves as a bridge between international child protection obligations and domestic law.

Among others, there are two organic laws dealing with the protection of minors. Firstly, the **Organic Law 1/1996** on the Legal Protection of Minors, partially amending the Civil Code and the Civil Procedure Law. The origin of this law (Government of Spain, 1996) lies in the concern to provide minors with an adequate legal protection framework, given the need to adapt the legal system to the requirements of the Spanish Constitution, various international treaties, and, above all, the CRC. This law establishes the BIC as a general principle. It also outlines a set of rights granted to minors, like the right to education, and defines the system of guardianship and protection for UAMs. Secondly, the **Organic Law 8/2021** (Government of Spain,

2021a) on the Comprehensive Protection of Children and Adolescents Against Violence, is the result of the evolution in the defence of the rights of minors, which began with the law mentioned in the previous point and its various amendments. However, in 2018, the CRC-Com considered the protection in Spain insufficient and reiterated the need for the approval of a comprehensive law on violence against children. This was based on the severe repercussions of violence and abuse suffered by children and adolescents. Therefore, this Law was passed to guarantee the fundamental rights of children and adolescents to their physical, mental, psychological, and moral integrity against any form of violence. Article 2 defines the scope of application to minors in the Spanish territory, regardless of their nationality or residency status, as well as to Spanish minors abroad as established in Article 51. Although this law does not include a specific chapter dedicated to UAMs, is clear that they are covered by the provisions of this law. It also includes several provisions regarding the support for education and labour market integration as well as the actions of public administrations and the prevention of violence within educational centres. Specifically, chapters IV and V are dedicated to the field of education and higher education, respectively.

4.4.2.3. Education

The legislative framework guiding the Spanish education system comprises the Spanish Constitution (1978), the LOE (2006) and the LOMLOE (2020), which develops the principles and rights established in it.

The general legal framework protecting the right to education in Spain can be divided into the constitutional provision and the general legislative system.

The **Spanish Constitution** (Government of Spain, 1978) recognises the right to education as one of the essential rights that public powers must guarantee to every citizen. The LOMLOE offers the legal framework to provide and assure the right to education and the Autonomous Communities can regulate the adaptation of this Act to their territories.

Regarding the general **legal system**, it is worth mentioning that the **Law on Foreigners** previously mentioned (Government of Spain, 2000) also guarantees the right to education for foreigners in Article 9. It establishes that foreign minors under 16 have both the right and the obligation to receive basic, compulsory, and free education.

Foreigners over the age of 18 also have the right to education under the same conditions as Spanish nationals, as set out in national education legislation. If they reach the age of 18 during the school year, they will retain the right to complete that academic year. In any case, foreign residents over the age of 18 have the right to access post-compulsory education, under the same conditions as Spanish nationals. It is mentioned that public authorities shall also promote access to education for foreigners to support their social integration.

The **Royal Decree 831/2003** (Government of Spain, 2003) concerning common teaching strategies in terms of linguistic integration in compulsory secondary education, provides (paragraph 2) that educational authorities should promote the integration of students who are not familiar with the Spanish language and culture. Additionally, **Royal Decrees 157/2022** (Government of Spain, 2022a) and **217/2022** (Government of Spain, 2022b) regulate the organization and minimum teaching requirements of primary and compulsory secondary education, respectively, and emphasize the importance of respecting the linguistic and cultural diversity of society to promote a more democratic coexistence. Both decrees recognize students who integrate late into the Spanish education system (articles 19 and 22, respectively). In both cases, the decrees emphasize the need for intensive measures to promote school integration, fill the gaps of foreign students and enable them to continue their studies (Asensio & Medina, 2023).

The LOE (Government of Spain, 2006) amended by LOMLOE (Government of Spain, 2020) grants the right to education to all minors, regardless of administrative status and reinforces this through strong non-discrimination clauses. LOMLOE introduces a cross-cutting, inclusive approach that seeks to guarantee educational success for all learners by promoting the continuous improvement of schools and the personalisation of learning processes (as stated in the Preamble). Article 4 highlights the need to address the diverse needs of all students and establishes inclusive education as a guiding principle, calling for organisational, methodological, and curricular adjustments to support diversity (Asensio & Medina, 2023). A central value of the Spanish education system under LOMLOE is equity—ensuring equal opportunities, inclusion, and the elimination of discrimination. Furthermore, article 5 highlights the promotion of lifelong learning both within and beyond the formal education system, encouraging access to post-compulsory secondary education and providing avenues for on-going

personal and professional development.). Non-formal education is also recognised in article 5 as a vital complement to formal learning, aimed particularly at children and young people, and encompassing areas such as social participation, cultural development, and community engagement (European Agency for Special Needs and Inclusive Education, n.d).

More specifically, the protection of the right to education **for UAMs** is addressed through a combination of binding legal instruments.

Firstly, in 2021, **Royal Decree 903/2021** (Government of Spain, 2021b) amending the Regulation of Organic Law 4/2000, approved by Royal Decree 557/2011 of 20 April (Government of Spain, 2011), introduced a significant reform concerning UAMs, *protecting this group from falling into irregularity by easing, among other aspects, the obtainment of a work permit once they become adults* (Molinero et al., 2023: 4) and, ultimately, improving their integration. The issue with the previous version of the Regulation was that minors under public guardianship who lacked documentation would find themselves in an irregular administrative situation upon turning 18, as they would lost this legal status. The procedures in place for obtaining or renewing residence permits were extremely demanding and failed to reflect the specific circumstances of this group, making it impossible for many to regularize their status. The new regulation aims to simplify administrative procedures and prevent them from reaching 18 without documentation. In this sense, the goal is to respect and preserve the public investment that has been made in their educational and social inclusion, facilitating the incorporation of these people into the labour market from the age of 16 (MISSM, n.d.). The reform aims to reduce the deadlines for obtaining residency, reduce the economic requirements and increase the length of validity of their residency permits (EC, n.d.). Before that, the requirements were impossible to meet and UAMs were experiencing an extremely abrupt transition from minor to adult status. The inability to obtain a work permit delayed independent living and led to great frustration. Some were offered jobs or temporary employment opportunities but were unable to take advantage of them, meaning that many UAMs were forced to turn to the informal economy, where they were exploited. Furthermore, the lack of formal employment experience hindered their migration paths and projects (Carrasco & Poblet, 2021). Therefore, in a context where there was already instability in the labour market and youth unemployment, this reform

eliminated significant legal barriers to employment and training, thereby supporting the educational continuity and long-term integration of UAMs.

Secondly and extremely recent, the **Royal Decree-Law on UAMs reception** (Government of Spain, 2025c) establishes a new model of solidarity, proportionality, objectivity and flexibility for the reception and distribution of UAMs across the Autonomous Communities, considering factors like population and unemployment rates. According to the official press release the plan outlines the criteria for the distribution and the establishment of a €100 million fund to support relocations (Government of Spain, 2025b).

4.4.2.4. Legislative reforms

In 2024, MoE has changed the admission process for schoolchildren by introducing some regulatory changes in the **Spanish enclaves** (Ceuta and Melilla) so that all children there can be enrolled in school. These reforms (Government of Spain, 2024; Government of Spain, 2025a) allow accepting alternative documentation such as private rental contracts, notarial deeds or health cards, for proof of enrolment in school. Like this, children irrespective of their administrative status are able to access education.

In May 2025, the Spanish government initiated negotiations on a significant reform of its immigration framework. The high number of undocumented migrants currently residing in Spain highlights the limitations of the existing system. The government's proposal aims to introduce a "transitional, exceptional, and time-limited regime", which would establish a new residence permit for exceptional circumstances. This permit would apply exclusively to foreign nationals who were present in Spain before 31 December 2024, and provided they meet a series of requirements that will be established in an upcoming Royal Decree (Vera, 2025).

4.5. Outcome assessment

The legal and policy landscape for UAMs has evolved significantly since the 2015 migration influx. Although the initial situation was deplorable, international frameworks have promoted stricter standards and more inclusive policies. These frameworks have shifted from viewing UAMs solely as vulnerable dependents to recognizing their resilience and agency. The reality is that international law has put the focus on the

state's duty to provide to UAMs *the opportunity to thrive and to achieve their full potential* (Ferrara et al, 2016: 2) during during their childhood and in their transition to adulthood. Hence, it can be said that there has been a shift from a purely immigration management to a more CCA. Nevertheless, the international scenario is far to fulfill a CCA both in the field of education and policy.

While the **EU** does not have a specific, dedicated legislation solely for UAMs, its legal framework prioritises the BIC principle, guiding the protection and safeguarding of minors' rights at both national and international levels. As highlighted, this is materialized in various guidelines, including (a) specific provisions on access to housing, food, clothing, health care, education and employment; (b) individual assessment of vulnerable people requiring special support; and (c) provisions ensuring full respect for fundamental rights (Bajo, Rodríguez-Ventosa, & Molinero, 2023). These measures are in line with the broader EU policy objective of achieving better and more harmonised standards of reception, especially in the case of UAMs (EC, 2019). Nevertheless, in practice, the European framework remains unfavourable to the protection of UAMs. Europe has an instrumental approach to UAM based on security and control issues but a neglect of social policies. Consequently, *European policies that go beyond providing resources are needed and should include more social perspectives* (Onsès-Segarra, Domingo-Coscollola, 2024).

At the **national level**, both Greece and Spain, as signatories of the CRC, are obligated to provide care and protection to all minors on their territory. Any child under the guardianship of public authorities must be attended to, and in theory, without distinction or separate category for UAMs, as when a person is identified as a minor, they must be placed under protection like any other child. In line with this, both countries have expanded their legal and institutional frameworks for UAMs over the past decade, establishing that minors are primarily minors, a principle that must prevail over the status of foreigner; and promoting CCA over a merely immigration framework. However, the effectiveness of these reforms is **uncertain**. In practice, gaps persist due to a partial and instrumentalised interpretation of the law by the administrations, as well as the lack of commitment from institutions responsible for care. In this sense, the absence of guarantee mechanisms and impunity for legislative non-compliance such as the failure to regularize or delay regularization of children, failure to express opposition

to deportation, and abandonment of minors in urgent need of help, *involves very serious events that could easily be described as institutional abuse* (Gas et al., 2019: 73). These systemic failures have a direct impact on the right to education provided to UAMs and suggest that the BIC, as regulated by laws and international conventions, is not entirely fulfilled.

On the one hand, in **Greece**, the legal provisions reflect Greece's commitment to upholding the educational rights of UAMs in accordance with international obligations. The law 4939/2022 and the establishment of supported independent living initiatives demonstrate a positive shift towards integration. Despite these efforts, the implementation of such measures remains inconsistent, often influenced by financial barriers, structural barriers (such as overcrowded camps, legal delays, and underdeveloped guardianship systems), or political factors. Regarding education, recent laws (Law 4960/2022, Law 5038/2023) incorporate educational and vocational goals aligned with the BIC principle, as the figure of the guardian as a key element safeguarding the rights of the individual. However, there are challenges blocking their realization, especially in regions with limited resources, such as frequent relocations, camp-based housing, and limited psychosocial support severely. Therefore, the Greek legal framework does not consistently ensure full and equal access to education for UAMs nationwide. As Nikoleta noted, there is a general lack of inclusivity, diminishing the expected CCA.

On the other hand, **Spain** has shown the commitment to ensure the protection of these rights. As Gómez and Pérez (2016) explain, the rights of foreigners in Spain, both for adults and minors, are governed by the Organic Law 4/2000, the Spanish Constitution, the Law 12/2009 and the Organic Law 1/1996 and all of them specify that minors have the right to education, regardless of their administrative status. The LOMLOE and the Royal Decree 903/2021 reflect a clear attempt to operationalize the BIC principle and recent educational inclusion measures, despite being punctual, scarce and recent, show a path towards not just immigration management but also CCA, where principles of solidarity and proportionality in the distribution of UAMs are being implemented. Nevertheless, in political terms, Spain has not yet developed a national integration plan UAMs, but only some Autonomous Communities have their own (Molinero, et al. 2023), particularly the Basque Country and Catalonia (Vinaixa, 2019). When it comes

to implementing the laws and regulations at more local levels, *the current disparity in the protection standards provided by each Autonomous Community has been particularly noted as a matter of concern by the CRC-Com report on Spain* (Perazzo Aragoneses et al., 2018: 106), resulting in a geographic inequality in access to education and protection services for UAMs.

In both countries, legal guarantees of access to education are insufficient without tailored legislation, individualized integration pathways, and structured support into adulthood, reflecting UAMs' specific vulnerability. Decisions rejecting UAMs' claims have troubling similarities such as absence of a guardians, legal aid and a proper assessment of the BIC; making it almost impossible for UAMs to obtain international protection (Oikonomou et al., 2024). Furthermore, the lack of monitoring mechanisms, particularly in education, and the absence of centralized data systemically published hinder transparency, making it difficult to identify gaps and undermining efforts to ensure UAMs' rights.

In conclusion, national protection systems must respect minimum quality standards and ensure that UAMs receive practical treatment, in line with the international obligations ratified by both countries. Nevertheless, real impact comes when the guidelines are not only established in theory, but also fulfilled in practice. Thus, despite clear commitments at international, European and national levels, practical and enforceable mechanisms, particularly concerning access to education for UAMs, remain inadequate.

5. The Greek context

5.1. Greece Institutional and Political Realities

In Greece (See Appendix D: Greece – Migration and Integration Context) several governmental ministries are involved in addressing the needs of UAMs in relation to their right to education and integration, by designing the policies, supporting the implementation supervising and evaluating them. The **MoMA** is the competent national authority for the protection of UAMs in Greece. However, its immigration policy has taken a more conservative turn, marked by far-right rhetoric that focuses on "illegal immigration" and deportations, with little mention of integration or UAMs in public discourse (Smith, 2025). Within MoMA, UAMs fall under the competency of the General Secretariat for Vulnerable Persons and Institutional Protection. As noted previously, prior to 2023 this responsibility was held by the Unit of Integration & Support for UAMs within the Special Secretariat for the Protection of UAMs, with Gelly Aroni as the head. Nikos Alexiou mentioned that Aroni, who previously worked at the MoE, has maintained strong inter-ministerial ties that help preserve continuity in strategies and initiatives. This unit was holding promising alternatives for UAMs through short, practical vocational training programs but it lacked the authority to create laws or provide vocational training. This responsibility falls under the **Ministry of Labour**, which operates under a distinct legal framework and is not obligated to align with the educational reforms recently introduced by the **MoE** to better serve migrants and UAMs.

Institutional support for UAMs includes a range of services designed to meet both basic and specialized needs. These covers accommodation for minors aged 12 to 18, as well as the provision of food, clothing, medical care, and access to social, legal, psychological, and educational support. Notably, UAMs over the age of 16 are housed in semi-independent living apartments across Greece, typically shared by four minors, to foster autonomy and independence, with non 24h staff with them. Aroni mentioned that these facilities are operated by NGOs, as well as municipalities. The supervision of these accommodation facilities, which was previously the responsibility of the Special Secretariat for the Protection of UAMs, has now been transferred to the General

Secretariat for the Protection of Vulnerable Citizens and Institutions. This agency is responsible for finding minors, placing them in reception centres, and monitoring their support through services to uphold their rights (Rizopoulou, Bolovina & Gerontaki, 2024). Several **housing programs** illustrate the evolving landscape of UAM accommodation. For instance, the *HELIOS Junior program*, launched in 2023 and led by the government in collaboration with the IOM, targets former UAMs turning 18 by offering up to 18 months of accommodation, integration planning, language training, and job support, but it has operated intermittently due to funding constraints. Moreover, *ESTIA II* housing program once housed over 27,000 asylum seekers but was gradually phased out due to government decisions, as the Minister of MoMA by then, Notis Mitarakis, claimed "the accommodation facilities are sufficient for the shelter needs" (Refugee Support Aegean, 2022).

NGOs play a crucial role in addressing gaps left by the Greek public sector, particularly in the education and integration of UAMs. According to Nikoleta, NGOs often operate in place of public ministries. This is due to the fragmented structure of Greece's social and public services, where there are services that the government cannot cover and delegates this competence to civil society actors. Several organizations, such as European Asylum Support Office, UNICEF, ODYSEA and METAdrasi apply integration and educational programs for UAMs, through informal initiatives. For instance, METAdrasi, in collaboration with PRAKSIS, runs programs related to guardianship, offers integration support with Greek and English language courses, job orientation programs and interpreters to support communication. Furthermore, METAdrasi offers two notable initiatives: *A Home for Human Rights*, which matches UAMs with culturally compatible host families, and *Supported Semi-independent Living*, a UNICEF-funded program for minors aged 16–18 that provides safe housing, education access, psychosocial care, and life skills training (Sakellariou, 2018). Another example is ODYSEA, which has collaborated with the General Secretariat to address the gap of vocational training.

5.2. Understanding the education system in Greece

Education emerged as the number one priority for child refugees residing in Greece (SC, 2016: 9) and *education in Greece is compulsory for five-to-fifteen-year-olds. It is divided into: nipiagogeio (pre-primary education) for those aged five to six; dimotiko*

sholio (primary education) for the six-to-twelve-year age group; and, gymnasio (lower secondary general education) for children of 12 to 15 (Nonchev & Tagarov, 2012: 238).

Greece has developed several **formal and non-formal education** initiatives (See Appendix E: Differentiation between Formal and Non-Formal Education for Refugee Children). Firstly, regarding formal education, in 2016, the Greek MoE began a series of mandatory afternoon and morning classes designed to help refugees better integrate in Greece and to prepare them for full engagement with the formal school system. On the one hand, refugee students living in urban areas were included in the morning mainstream school program, supported by Reception Classes. There, refugee students attended a 15-hour-per week parallel class in the Greek language (reception class) and the rest of the time mixed with their Greek classmates in common subjects. This proved to be an effective second step to integration in mainstream schools without making it too difficult for refugee students to attend (Palaiologou, et al., 2021). On the other hand, for refugee children residing in Accommodation Centres or camps, **RFREs** were established. RFREs operate in nearby Primary and Secondary Schools (compulsory school) during the afternoon (14:00-18:00), after the end of the regular school day. However, they were pretty limited in upper secondary schools, according to experts. These afternoon classes were introduced during the school year 2017–2018, to meet the needs of approximately 700 school-age refugee children who were lacking the necessary knowledge of Greek with the aim to help in their integration into the regular classes. This was translated into the creation of an additional system of evening classes within public schools for refugee students, which denied the school year 2016-2017 as "transitional" (Stergiou & Simopoulos, 2024). At that same time, *eight special **afternoon classes**, called DYEP primary school age, as well as two classes for children of secondary school age were established at the neighbouring state schools* (Palaiologou, et al., 2021). DYEPs were reserved for newly arrived children with no command of the Greek language, and their aim was to help children learn the basics of the language, adapt to school life and attend other subjects. According to MoE, in the school year 2021-2022, 110 school units with DYEP classes functioned (83 in primary and 27 in secondary education) (Pasia, Spathari, & Gorevan, 2022). Greece has also established **intercultural schools**, where teachers are hired based on their experience in intercultural education, knowledge of students' native languages and experience in

teaching Greek as a foreign language. There are 13 intercultural primary schools and 13 secondary schools in the country (UNHCR Greece, n.d.).

Secondly, regarding **non-formal education**, in Greece many refugee children are being educated on a non-formal basis provided by dozens of international NGOs. For children not enrolled or not attending classes in Greek schools, attending in-camp informal education centres or youth spaces is an option to find stability and opportunities for socialising. However, these centres are often underfunded, understaffed, and as they exist outside the formal school system, do not follow the official curriculum or offer children opportunities to interact with Greek peers. Additionally, the lack of recognised certification can have negative impacts for refugee students in the future, especially in regards to higher education or employment (Peirce, 2020). Despite these challenges, there have been improvements of the quality of non-formal education, due to *specialised training for staff working with UAMs in vocational orientation and employability guides organised by MoMA, UNICEF and other experts* (Marouda & Koutsouraki, 2023: 8). Nevertheless, from 2020, insufficient funding from the government prohibited non-formal education providers from expanding their offering. *Critically, programming by UNICEF and UNHCR were at risk of shutting down* (Jalbout, 2020).

After turning 18, UAMs can access adult education opportunities offered by the government, private institutions, non-governmental organizations and other organizations. These include Second Chance Schools, for adults who did not attend compulsory education, and Lifelong Learning Centres. Additionally, adult asylum seekers with secondary school education can take entrance exams to universities or higher technical education institutions, or attend vocational training institutions (Oikonomou et al., 2024). Nevertheless, the requirements to get access to the vocational training are difficult to meet for UAMs.

5.3. Measuring Inclusion: Applying Educational Indicators in Practice

This section analyses how the **six educational inclusion indicators**, presented in the theoretical framework, are applied in the specific context of Greece.

A. Enrolment

There has been a notable rise in the enrollment rate of refugee and migrant students compared to previous school years since 2020 (Oikonomou et al., 2024). For example, during the 2021-2022 school year, 16,417 refugee and migrant students were enrolled with a 75% attendance rate, representing 12,285 students (MoE, 2022). *At the end of 2023, 15,134 (8,527 boys and 6,607 girls) refugee and migrant children, were enrolled in schools* (UNICEF, 2023: 1). Non-enrolment is influenced by several factors: frequent relocations of children in temporary accommodations, schools refusing enrolment for those arriving late in the academic year, limited school capacity when the maximum number of students is enrolled and lack of reception classes when required conditions were not met (Oikonomou et al., 2024). Additionally, official data regarding refugee children in Greece and their enrolment rates in formal education are not always accessible, making it difficult to measure school attendance and dropout rates in an accurate way (Stergiou & Simopoulos, 2024).

B. Attendance

Although enrolment numbers have improved in the past years, when it comes to actual attendance, statistics are disheartening. While 8 out of 10 UAMs enrol in schools, *6 out of 10 UAMs leave the shelter before the end of the school year and therefore discontinue education. Out of the remaining 4 in the shelters, only 1 continues school until the end of the school year, whereas 3 leave schools eventually for different reasons* (Marouda & Koutsouraki, 2023: 3) According to a study of Foster Educators, school attendance during the academic year 2022-2023 decreased compared to the previous year 2021-2022. Approximately, three-quarters of enrolled children ended up dropping out of school during this period. Particularly, secondary education is where the dropout rate is more significant. Among children residing in the accommodation structures, 2 out of 5 dropped out, and of those who stayed, half were rejected due to excessive absences. Alarmingly, only 1 out of 12 children enrolled in secondary education were promoted to the next class (8.16%) with the other 11 out of 12 children (91.84%) either rejected or dropped out of school (Oikonomou et al., 2024).

Several factors contribute to this high dropout rate, such as the lack of language skills and difficulty in making friends due to discrimination faced by Greek classmates.

Another major issue is the *limited capacity of schools in urban areas* (Marouda & Koutsouraki, 2023: 2), especially in Athens and Thessaloniki and in other urban centres. In some instances, children move elsewhere in Greece or abroad (ethrough Dublin family reunification), but their school places remain occupied and unavailable to other children seeking to enrol because schools are not officially informed of these movements and are obliged to keep children registered for a certain period. Additionally, the schools' inability to create an efficient and attractive integration environment for refugee and migrant children, the administrative weaknesses of the accommodation structures, the deficits in personnel, material resources and educational know-how of both schools and accommodation structures and mobility, remain problematic issues. On the one hand, school directors often lack awareness that all children, including those without regular residency, have the right to enrol in schools (Marouda & Koutsouraki, 2023). On the other hand, there has been a significant increase (almost doubled) in the mobility of UAMs between accommodation sites, due to administrative procedures regarding their asylum or due to camps' closure (Oikonomou et al., 2024).

Conditions in the camps are even worse because refugees have no access to formal education, as presented previously. In several locations there are small initiatives providing learning opportunities. For instance, SC runs *Child Friendly Spaces* (8 out of 9), as well as basic Greek and English learning is included in the programme of recreational activities and psychosocial support. Just two sites currently have designated learning spaces (Idomeni Cultural Centre and Schisto restaurant area). As a result, there is no location where all children have access to non-formal education *on a regular basis in designated learning spaces, disaggregated by age, according to a structured timetable, and with access to essential teaching and learning material* (SC, 2016: 20).

C. Access to inclusive education

The main factor challenging inclusiveness in Greek schools is the language: not only the difficulty of Greek, but also the low motivation of UAMs to learn it. On the one hand, *refugee and migrant children in Greece reported high and medium levels of competence in Greek (57% high and 32% medium) mainly because of the* ***difficulty*** *of the language* (Marouda & Koutsouraki, 2023: 7). Similarly, the lack of language skills discourages children from migrant backgrounds from attending school. *Although children would*

prefer enrolment and receiving public school support within formal education, they often receive language support in non-formal education environments through language support classes and extracurricular activities (Marouda & Koutsouraki, 2023: 7). On the other hand, UAMs show a lack of interest in learning Greek as they perceive Greece merely as a transit country. Therefore, due to their living conditions and expectations for resettlement to other countries, they are not strongly motivated to learn the language (Stergiou & Simopoulos, 2024). Furthermore, as Nikoleta noted, the vast majority of these UAMs speak in Arabic, which makes it more difficult to them to have the basics to learn the language and to follow the lessons.

A study conducted by *IMMERSE* in 2023 shows the current level of inclusivity in schools. Among migrant children in Greece who are enrolled in schools and participated in the survey, results indicated that 48% of these children expressed high levels of belonging in school. On interconnections, 58% of these children declare a high level of support from friends and peers. This is above the average result across IMMERSE countries (Marouda & Koutsouraki, 2023). Additionally, nearly 60% of migrant and refugee students stated they receive strong support from teachers, which is the second highest percentage among IMMERSE participants, closely following Spain (68%). Furthermore, when asked about their trust in teachers and the educational system, 72% of older migrant background participants in Greece expressed high levels of trust (Marouda & Koutsouraki, 2023). According to this same study, a 51% of school principals stated that intercultural values (such as appreciation of diversity, cultural awareness, openness and tolerance) are one of the symbols of their schools, and 44% that it is very important. In contrast, according to teachers, intercultural values are a symbol for less than half (40%) of schools in Greece, while intercultural values are very important for 57% of them.

Several educational programmes have contributed to narrowing the education and integration gap for refugee and migrant children in Greece, such as ***ACE, Schools4All*** and the ***Accelerated Learning Program*** (See Appendix F: Educational Integration Programs in Greece).

D. Transportation to schools

Transportation is a big problem in Greece, as many camps and accommodations are outside the urban setting, *without any connection to public transport and forcing UAMs to make dangerous walks along busy highways to reach the city centre* (Lietart, Derluyn & Vervliet, 2020: 5). Thus, provision of transportation is essential in getting children to and from school safely. In this line, efforts have been done and, for example, the IOM's transfer program assisted students to attend DYEP or reception classes at schools near refugee camps (Palaiologou, et al., 2021).

The school year 2021-2022 shows an improvement from previous years, but some areas remained affected by the lack of transportation (Pasia, Spathari & Gorevan, 2022). For instance, GCR observed that none of the children accommodated in Sindiki structure (camp) were attending school (even if enrolled) from the beginning of the school year 2023-2024 due to lack of transportation (Oikonomou et al., 2024). The MoE highlighted the unsuccessful tenders for transportation as the main concern. Related to this, the unexpected departures of refugees with the closure of structures continue to deter prospective transport contractors to participate in tenders, due to the risk of financial loss. Furthermore, the MoE is often not consulted or notified of these closures. Another concern is the on-going shortage of escorts necessary for transporting students, as the competent authorities do not want or cannot hire and train a sufficient number of escorts (Pasia, Spathari & Gorevan, 2022).

E. Adequate staffing and timely scheduling

As highlighted in the theoretical framework, teachers are an essential piece in the integration of UAMs, especially in Greece, *where teachers can autonomously apply innovative methods in their classes (*Fabretti et al., 2022: 52*)* and *support in the form of additional specialized teaching staff is available to schools* (Marouda & Koutsouraki, 2023: 2). Most recently, the MoE has increased the number of teachers serving refugee children, *bringing the total number of primary education teachers to 1,441 for the 2019–2020 school year and 225 teachers in DYEP and 1,216 in reception classes in priority zones* (Jalbout, 2020: 20). In secondary education, the number of teachers has increased to 413. Despite this increase, the MoE anticipates that they will need

additional teachers and teaching assistants to cope with the continuous influx of new entrants.

In spite of this, the system is full of inefficacies and there is an evident **non-inclusive school culture** in Greece. The reality is that professionals and practitioners supporting UAMs face also numerous challenges. A significant issue is the shortage of trained guardians, staff, and volunteers dedicated to assist UAMs and have the necessary intercultural competences to be in multicultural environments. These individuals *have never had the time to be trained and be fully prepared, given the sudden arrival of refugees and migrants in Greece* (Sakellariou, 2018: 24). For instance, reception classes and DYEP are often critically understaffed and unable to operate for much of the school year. In particular, according to the study of Foster Educators, most supportive reception classes started in November 2022, with schools even starting reception classes in February, March or even April 2023, with a number of them stopping very early (February or March) due to teacher transfers or placements (Oikonomou et al., 2024) making it difficult to establish trust with UAMs. Teachers from the study *Refugee Education – Teachers' Perspective* expressed the need to hire specialized teaching, to have access to specialized teaching materials and to raise intercultural awareness of all school members in Greece (Stergiou & Simopoulos, 2024). It is also worth mentioning the challenges faced by shelter staff in their efforts to provide primary mental health and psychosocial support for UAMs, as outlined in the assessment by the Institute of Child Health (2017). Firstly, there was a lack of coordination and an insufficient sharing of information regarding children's previous educational, psychosocial and mental health backgrounds. Secondly, there were several structural challenges due to the management of different age groups in the same shelter and the lack of harmonized operational procedures (Sakellariou, 2018).

F. Action to end community hostility and xenophobia

According to a report by the Greek Ombudsman in 2021, children in more than half of the camps reported facing negative attitudes and reluctance from the local communities. This hostility has a negatively impact on the inclusion of children in schools, affecting not only their educational opportunities but also their relationships with other students and their enjoyment of the right to education (Pasia, Spathari, & Gorevan, 2022).

Critical issues remains and racism, xenophobia, the general stigmatization of the migrant population and the lack of a national integration policy mean that there is no systematic governmental effort to address these issues. However, as Mohammadhadi mentioned, in 2025 the MoE, in cooperation with the European Asylum Support Office, has taken steps to address the problem by conducting field visits to secondary high schools to foster more acceptance and inclusion of UAMs within local school communities. Additionally, there have been efforts from the *ACE project* and the MoE, with informative sessions carried out throughout Greece. These sessions involve all relevant authorities and aim to ease resistance, raise awareness, and reinforce legal and institutional obligations regarding the inclusion of refugee and migrant children.

6. The Spanish context

6.1. Spain Institutional and Political Realities

In Spain (See Appendix G: Spain – Migration and Integration Context) the political context is determined by the model of autonomous regional management. Each autonomous region dictates its own laws and criteria for managing UAMs protection, depending on the political colour of the government at the time. Thus, we find great differences in criteria and approach in social policies on UAMs that differ in institutional responses (Carrasco & Poblet, 2021). Furthermore, Eduard Tàpia mentioned in the interview the administration and governance at local level, as the youth departments of municipalities are quite strong and offer services focused on youth training, originally designed for so-called "NEETs" (young people not in education, employment, or training), which UAMs also access.

At the state level, several ministries are involved in addressing the needs of UAMs in relation to their right to education. The Ministry of Social Rights, which from 2023 includes the Ministry of Childhood, playing a central role in the protection and welfare of minors, including UAMs. Migration management is a shared responsibility between two key ministries: MISSM and the Ministry of Interior. Nevertheless, the needs of migrant children fall under the Ministry of Childhood, given their status as minors rather than just migrants. Furthermore, although education is largely decentralised in Spain, the MEFD retains authority over national education policy, setting basic regulations, curriculum guidelines and coordinating vocational programmes.

NGOs play a crucial role in supporting UAMS, not only in accessing the labour market but also in achieving administrative regularization. They offer courses, certifications, and guidance throughout the process. In many cases, the state outsources the management of reception and care services to third sector entities, making NGOs essential partners in the implementation of public policies. According to Eduard, NGOs in Spain play diverse roles in supporting UAMs: some NGOs are primarily responsible for the direct care and protection of UAMs through the management of shelters and reception centres; others focus on promoting social inclusion through education,

training, and integration initiatives; while advocacy organizations amplify the voices of UAMs, working to defend their rights and influence policy.

Regarding the **institutional support** offered to UAMs, are three basic modes of reception occurring in the 17 Autonomous Communities. These structures may vary in name, but ultimately the same system is present in all territories through different forms of hosting *(*Gas et al., 2019: 34) and, most importantly, the situation in which UAMs find themselves upon reaching adulthood is largely the result of these types of protection (Vinaixa, 2019). Firstly, **first reception shelters** are the initial destination for UAMs entering the protection system via emergency reception. These centres tend to have a high turnover of children and staff, who usually do not stay in their positions for long. In theory, the stay in these centres is temporary (up to three months) but in practice, they usually stay until they turn 18 (Gas et al., 2019). Secondly, the **large or small residential centres** are the second phase shelters. In these centres, there are professionals including reference guardians, social educators and psychologists. UAMs go through an administrative regularization process and an action plan is developed for their education and autonomy (Gas et al., 2019). However, UAMs living there face more challenges in achieving integration, as these centres are segregated mostly based on the country of origin. Eduard noted that in many Autonomous Communities, the main way to assist UAM after they leave residential centres is by offering them the possibility to live in **assisted housing**, starting at the age of 16 (the minimum legal age to work in Spain) where a maximum of four people live and with an educator making periodic visits. Thirdly, **host families** are the natural alternative to residential centres and, in fact, *the law states that residential centres should be the last option* (Gas et al., 2019: 37). UAMs who were under family guardianship generally tend to find it easier to integrate into society, as they had the opportunity to experience family life (Vinaixa, 2019). In any case, in Spain this protection model is non-existent regarding UAMs: *it is the responsibility of the autonomous community and there is no instrument for homogenisation or unification of criteria in this area* (Gas et al., 2019: 37). Furthermore, Eduard highlighted that is challenging for UAMs to find families willing to host teenagers who do not speak the language and are older.

6.2. Understanding the education system in Spain

The defining feature of Spain's education systemis is its decentralised structure. Educational competences are shared between the central government and the Autonomous Communities. While the central government executes the general educational policy and regulates core aspects, regional authorities have executive and administrative powers to manage their school systems (De Gasperis et al., 2023).

As outlined in the legal framework, basic education is mandatory and free in public institutions and guaranteed for of all minors regardless of the residence situation (European Agency for Special Needs and Inclusive Education, n.d.). It comprises ten years which includes several stages: primary school (ages 6-12), followed by ESO, which takes place in secondary schools for students aged 12 to 16, which leads to the ESO Graduate diploma,, *which gives access to upper secondary education or to the labour market* (Asensio & Medina, 2023: 4). Thirdly, upper secondary lasting two academic years and generally attended by students aged 16 to 18. This stage offers two pathways: bachillerato and intermediate vocational training (Asensio & Medina, 2023).

The **formal and non-formal education** alternatives vary greatly depending on the Autonomous Community. Despite differences observed in the legislative framework, there are similarities in the type of measures and strategies for the implementation of formal education. The most widespread measures among the Communities are: reception programs and preparatory classrooms; specifically, reception classrooms for linguistic competence, *implemented in those educational institutions that enrol a significant number of immigrant pupils whose lack of knowledge of the Spanish language* (EC, 2010: 356); programmes for teaching the language and culture of origin, providing access to all pupils; support services for intercultural and school mediation and support services for translation and interpretation (EC, 2010). Furthermore, there are specific projects being carried out in certain Spanish schools in partnership with governmental and educational institutions, NGOs, or organizations focused on non-formal education. Among these initiatives are: (a) Social mentoring, which includes both traditional and reverse mentoring. (b) Supporting UAMs in their integration into the school system. (c) Enhancing the intercultural strategies of school teachers. (d) Acknowledging the cultural identity of immigrant children. (e) Strengthening

community-based educational leisure activities within neighborhoods (Onsès-Segarra, Carrasco-Segovia, Sancho-Gil, 2023).

Normally, UAMs struggle to pass their courses and obtain the ESO certificate. Once they turn 16, child protection institutions are required to enrol them in vocational training or non-formal education courses to support labour market integration. The problem arises with the recent reform of **FPB**, which replaces the Initial Vocational Qualification Programs and introduced new admission requirements. The new FPB allows progression within the education system toward qualified professional employment and has the same legal effects for employment as the ESO certificate. However, the new access requirements are as follows: (1) Be at least 15 years old, or turn 15 during the current calendar year, and not be older than 17 at the time of enrolment or during that same year; (2) have completed the first cycle of ESO or, exceptionally, have completed the second year of ESO; (3) a recommendation from the teaching staff to the legal guardians for the student to join a FPB program (Perazzo Aragoneses et al., 2018). As a result, many UAMs are excluded from a key educational and professional pathway, limiting their prospects for long-term integration.

6.3. Measuring Inclusion: Applying Educational Indicators in Practice

A. Enrolment

Data indicates that UAMs do not have the same opportunities to access education as native children: *the gross enrolment rate for migrants (49%) is more than one-third lower than that of Spaniards (73%)* (Mahía & Medina, 2022: 44). Furthermore, migrants face greater difficulties in accessing the final stages of the education system, registering much lower enrolment rates than native students in higher-level vocational training and higher education. These figures reflect greater barriers to accessing these educational stages and should be interpreted as an indicator of a lack of integration of UAMs into the education system.

Although *asylum seeking children are usually enrolled in school, even during the first reception phase, during which they are accommodated in asylum facilities* (De Gasperis et al., 2023: 118) there are some shortcomings. Firstly, due to administrative delays, children often face extended waiting periods before they can enrol in formal education, integration programs or vocational training. Additionally, in some cases, children over

16 are left out of the educational system altogether (Accem, 2024). Secondly, some reports still highlight deficiencies in the educational access for UAMs residing in Centres for the Temporary Stay of Immigrants during overwhelming periods. In August 2019, an association of immigration lawyers denounced the intentional denial of schooling for children in Melilla. Denounces came also from Ombudsman, UN entities and NGOs and *in February 2022 the Minister of Education changed the legislation to guarantee the access to education for all children residing in Ceuta and Melilla* (De Gasperis et al., 2023: 118). Furthermore, in 2021, when hundreds of UAMs were waiting to undergo the age assessment procedures on the Canary Islands, they were unable to access education. According to a UNICEF report in July 2021 about it, not all the reception centres guaranteed the immediate access to schooling for migrant children, due to lack of preparation *in managing such situations and to the lack of available places in schools* (De Gasperis et al., 2023: 118).

B. Attendance

Although school attendance among UAMs is generally achieved, many gradually disengage from the education system, eventually leading to academic failure or dropout. *The lower academic performance of immigrant youth results in a repetition rate (50%) that is more than double that of native students (22%), leading to a higher ESL rate* (Mahía & Medina, 2022: 81). Specifically, *for every Spanish student who drops out of the education system, slightly more than two foreign students do the same* (Mahía & Medina, 2022: 53). Some persistent **weaknesses** contributing to less attendance include: an inadequate level of Spanish language proficiency, the methods used for age determination, delays in the Spanish administrative system, poor conditions in protection centres (Fundación Raíces, 2017), insufficient application of an inclusive approach to education, a high turnover of teachers in particularly difficult schools, segregation and scarcity of resources, absence of role models, the need to enter the labour market quickly, the availability of low-qualification jobs or a shortage of vocational training offers or second-chance schools (Government of Spain, 2022).

C. Access to inclusive education

Although many initiatives have been set up, there is a significant problem of school segregation. *In 2018, according to a report by SC, 9% of Spanish schools had more*

than 50% of socio-economically disadvantaged students. To eliminate school segregation in Spain, 31% of the most vulnerable pupils would have to move from one school to another (Onsès-Segarra, Carrasco-Segovia, Sancho-Gil, 2023: 7). Furthermore, Eduard mentioned in the interview that local families can choose schools so that schools with a high percentage of migrant children are the last ones to be chosen, due to an unresolved social issue of stigma and invisible micro-racism. Similarly, the public-private school distribution of economic immigration becomes a relevant factor when analysing the integration of foreign students.

The language barrier is one of the most challenging issues for UAMs, being more problematic in those Communities with two official languages (Onsès-Segarra, Carrasco-Segovia, Sancho-Gil, 2023). Many UAMs experience difficulties with Spanish (Escarbajal et al., 2017). When asked about their Spanish proficiency, many minors reported that they understood the host country's language, but serious difficulties were encountered in maintaining fluent conversations with them (López, Fuentes & Pozo, 2018), which often leads to curricular deficiencies, as noted by other experts (Martín & González, 2013). Nevertheless, according to an IMMERSE study in 2023, most Spanish school principals surveyed (86%) declare that intercultural values are one of the insignias of their schools and a *large majority (60%) of migrant-background children declare a high level of belonging in their schools* (…) *and nearly two-thirds declare high support from teachers (68%) and peers (61%)* (Molinero et al., 2023: 5). According to the minors, teachers are aware of the problems linked to curricular gaps and adapt most of the classroom activities accordingly (López, Fuentes & Pozo, 2018). Nevertheless, there is a contrast in reception centres, as they have very little material and support for language teaching. These courses rarely take place every week and have a slower pace in relation to the need for "rapid integration" of UAM (Carrasco & Poblet, 2021).

Given the different programs designed by the different Communities and municipalities, Spain offers several programs and projects aimed at supporting the educational and social integration of UAMs in a holistic and community-based approach, such as the Second Chance Schools, the Cambalache project, the Mus-e program, open schoolyards in schools, In Crescendo, Projecte Rossinyol, the Sant Joan de Déu Terres center in Lleida (See Appendix H: Educational and Social Inclusion Projects in Spain).

D. Transportation to schools

The location of protection centres, often determined by land availability and costs, can lead to young people being housed far from educational institutions and essential services. *Building residential centres in large cities was impossible due to the lack of available spaces or empty facilities, and the DGAIA authorities began to open several emergency centres and long-term protection centres in various towns and villages with low resourcefulness* (Carrasco & Poblet, 2021: 19) raising questions about the minors' right to the city and access to its opportunities. Hence, the long distances to services and public transportation difficulties, especially in rural and populated areas (Government of Spain, 2022c), is hindering UAMs' school attendance and integration.

E. Adequate staffing and timely scheduling

As underlined by SC, the Canary Islands and Ceuta continues to face pressure from increased UAMs arrivals. Responses often reflect negligence, encouragement of hate speech, indifference and mismanagement or lack of resources due to lack of budget (Carrasco & Poblet, 2021). Furthermore, physical and digital spaces make no provision for the special needs of UAMs, limiting their access to protective and inclusive environments (Government of Spain, 2022c). While a national contingency plan for relocationg children from regions facing a large burden to other Autonomous Communities is partially implemented, challenges persist (Accem, 2024).

Firstly, insufficient resources in reception centres. On the one hand, *many centres have been established on a temporary basis and have changed municipalities, so they have to change services and language teaching programs* (Carrasco & Poblet, 2021: 26). On the other hand, *most of the classes are taught by volunteers with a proper education, but they only have few hours in a week for this matter* (Moreno, 2019: 10). Additionally, many newly built accommodation facilities do not meet minimum standards, leading to overcrowding and poor living conditions. Some centres in the Canary Islands hold more than 300 children, exceeding legal and safety standards (Accem, 2024). *This is a consequence of a lack of centralised strategy, a lack of planning and a lack of official resources* (Carrasco & Poblet, 2021: 24).

Secondly, a major concern arisen by Eduard was the current privatisation of the Protection System. The transformation of Spain's child protective services system into a

privatized model poses severe difficulties in the care of UAMs. Competition among operators of the 'for profit' residential centres has led to a lack of collaboration, which fragmented care models and professional practices. Often, the economic criteria for awarding tenders force many organisations to reduce costs, which mean reducing professional staff with the consequent poor quality of childcare services. In turn, this generates degrading conditions of employment and short-term contracts, leading to hiring young inexperienced staffs that have barely completed their studies. Many staff lack specialisation to be in these complex environments, leading to ill-treatment, complaints and failures. All of the above leads to a high turnover of staff, leaving due to work stress. Moreover, the training and oversight remain inconsistent, as they depend on private organisations rather than public authorities (Carrasco & Poblet, 2021).

Thirdly, a fragmented national coordination, as the distribution of UAMs across Spain's Autonomous Communities lacks a standardized approach, leading to disparities in care and access to essential services (Accem, 2024).

Lastly, previous research has revealed a lack of cultural and linguistic teachers addressing multicultural issues (López, Fuentes & Pozo, 2018). Therefore, teachers tend to implement limited measures and actions that are scarcely aligned with the principles of intercultural and inclusive education (Buendía et al., 2015). Like this, the shortage of trained professionals capable of understanding the specific needs of UAMs hampers their ability to communicate effectively and feel safe in these environments (Accem, 2024). Similarly, there is a lack of specialized psychosocial support. As stated in previous sections, many UAMs have suffered trauma and violence during their migratory route and/or in the country of origin, but do not receive the necessary psychological assistance upon arrival (Accem, 2024). Nevertheless, UNICEF's 2021 report recognised the *Transcultural Psychiatry Unit at Vall d'Hebron Hospital* in Barcelona as a pioneering service for its work in culturally adapted mental health care. It acts as a unit of the public health of Catalonia, addressing patients whose cultural backgrounds limit access to conventional psychiatric services. The objective is to improve intercultural competencies among professionals as well as to ensure equitable care for migrants. They further support in the diagnosis, treatment, and prevention of illness through community engagement, supported research projects, and training (CoE, 2023).

F. Action to end community hostility and xenophobia

Although Spain is often considered a progressive society, a hostile climate persists regarding immigration, and public opinion remains divided. On the one hand, a big part of the population supports inclusive actions; on the other hand, there is a widespread sense of rejection to see the minor as a right-holder; instead, fear towards immigrants is being fostered by the right-wing parties. In the interview, Paco Estellés mentioned that the political left is afraid of losing voters if they speak openly about immigration, so they tend to maintain a discreet position. Consequently, discrimination and hate crimes against UAMs continued to be a reason of concern in 2025 (Accem, 2024). These unfriendly practices are materialised in unfair public policies, restricted eligibility criteria, long and complex bureaucratic procedures, long waiting lists, occasionally rude or unadapted treatment and limited dissemination of information (Government of Spain, 2022c). Several organisations has denounced the increase of racism against migrants in different contexts (De Gasperis et al., 2023) such as education; and cases of verbal abuse and insufficient supervision have been reported, particularly in emergency reception centres (Accem, 2024). According to the 2023 IMMERSE study, one third of children from migrant families in Spain who participated in the study avoid places for fear of being mistreated. The same applies to those who have been victims of bullying; about one third of them have suffered from it (Molinero et al., 2023).

In Spain, the acronym “MENA” is commonly used to refer to UAMs. Over time, it has become a label and a stigmatising name, mainly promoted by far-right discourses. In their 2018 report, both SC and UNICEF criticized the use of this label, arguing that it depersonalizes children, makes their reality invisible and promotes that they are treated as a threat of public order. This perception can lead to institutional and social rejection, including in school environments (Carrasco & Poblet, 2021). During 2018 and 2019 the perception of UAMs as being related to crime extended to Spain's large cities like Madrid and Barcelona and their metropolitan areas, where reports of crimes, thefts, fights, and even rapes began to increase, often linking these incidents to UAMs. In Catalonia, local authorities preferred to *stop using the acronym MENA and to promote social integration programmes under the umbrella label of "youth", including young people in general but with the intention of combining specific interventions aimed at UAMs* (Carrasco & Poblet, 2021: 17).

7. Research findings and discussion

Based on all the assumptions provided before, this section presents a comparative analysis of the right of education of UAMs in Greece and Spain. The analysis is based on **six key thematic areas** and highlights not only similarities in legal obligations and systemic challenges but also national differences in implementation and results. Additionally, this comparison examines how both countries align with a CCA to migration and the protection of educational rights, while also exposing critical barriers that continue to hinder the effective integration of UAMs.

7.1. Education system and governance structures

Aroni indicated that both countries struggle with quality issues in their general education systems, raising concerns about their ability to adequately support UAMs. Nevertheless, differences exist in the structure of their education systems. As previously mentioned, the Spanish decentralized model gives more control to Autonomous Communities over education, leading to regional variations in UAMs' integration policies. In contrast, Greece's maintains a centralised educational system, which can facilitate nationwide policy strategy but often results in slower responsiveness and a lack of flexibility at local level.

A common feature shared by the two countries is the **coordination challenges among ministries.**

Ten years after the beginning of the refugee influx, Greece continues to experience a sense of failure among the ministries embarked in this journey, as Aroni mentioned. The absence of coordination and communication between the ministries is a major obstacle to integration. As shown, education, integration and vocational training are essential prerequisites for a successful transition into society. However, this lack of coordination often leads to inconsistencies and fragmentation across these critical sectors. The absence of a clear and comprehensive national plan weakens the position of the MoE as the leading agency in the refugee education response. Without adequate funding, the MoE struggles to *increase its capacity to integrate refugee children into public schools*

effectively (Jalbout, 2020: 26). True integration is a two-way process; it requires the involvement of broader society and cannot be achieved in isolation by a single ministry. Nevertheless, there are positive examples of cross-ministerial cooperation. For instance, the *ACE* program was a successful collaboration between the MoMA and the MoE. However, despite its success, the programme was discontinued due to political tensions and the government considered that UNICEF's involvement was no longer necessary**.** This decision reflected a move towards establishing state authority over refugee services. In the same line, this centralization, influenced by the MoMA's far-right orientation, has resulted in the closure of many programs such as *ESTIA II*, as well as camps like Leonas and the relocation of facilities to areas outside Athens.

In Spain, the biggest obstacle is the ineffective model of of autonomous regional management with 17 different protection systems. The heterogeneous nature of services at Autonomous Communities and at local level exacerbates the inequalities of access to those services and the quality and availability of them. Moreover, the procedures for exchanging information between administrations are insufficient and unwieldy (Government of Spain, 2022c) and, like in Greece, there is no nationwide strategy or common guidelines for the implementation of policies in practice, just the Framework Protocol for UAMs. Moreover, there is no specific legislative framework or system for tracing UAMs, which would ensure continuity in their guardianship, documentation management and education, but instead they are forced to begin their integration process again in another reception phase (Carrasco & Poblet, 2021). As seen in the legislative framework, there is heterogeneity on the regulations of the different actions (EC, 2010). The reality is that the high mobility and specific features of UAMs require a more far-reaching strategy and, *the Spanish MoE has recognized the need for a territorial cooperation plan with the Autonomous Communities for educational inclusion and school coexistence* (Onsès-Segarra, Domingo-Coscollola, 2024: 12) to set the minimum standards in a CCA.

7.2. Access to education in law and in practice

As mentioned before, there are barriers for the inclusion of UAMs into the society beyond the law. On paper, both countries operate within a shared European legal framework, legally guaranteeing the right to education for all minors, regardless of legal status, as well as they strive to integrate UAMs into the formal education system, with

language support and preparatory classes. However, despite the recent legislative reforms, the access is often undermined by practical barriers, mainly, huge institutional discrimination, unrealistic requirements to access vocational training and administrative barriers that hinder the enrolment of UAMs without discrimination (Ombudsman of Spain, 2025). As an example, according to EU law, child asylum applicants should have access to compulsory school within three months of their arrival. However, the waiting times to access formal schooling are often much longer in both countries. Therefore, both face systemic capacity issues and share many practical challenges, despite differences in national legal and social welfare structures.

According to the most recent AIDA reports, both in Greece and Spain the law provide for access to education for asylum-seeking children. However, the questions considering if children are able to access education in practice, in Spain the answer is yes whereas in Greece is "**not always**". This can be explained through three main differences: the first difference is that in Spain there are regional disparities, whereas in Greece, the structural mismatch is more systemic and widespread. The second difference is that while the Greek government is not fully meeting its obligation to enrol all refugee and migrant children, in Spain this obligation is broadly met. The third difference is about the language. In Spain UAMs often know Spanish or learn the language easily than in Greece, as Greek is more difficult, has its own alphabet and it is only spoken in Greece. Consequently, as being able to understand the language is a window of opportunity for further individual wellbeing, this feeling varies in both countries.

7.3. Formal vs. Non-Formal Education pathways

Greece and Spain rely on transitional or parallel education structures to introduce UAMs into mainstream education. Nevertheless, these models often result in segregation within schools, which ultimately harms the overall educational performance, becoming a problem for equal opportunities and the efficiency of the education system (Mahía & Medina, 2022). As noted by the CoE (2017), school segregation is the starting point for a lifetime of segregation. Compounding this issue is the fact that **multiculturalism** remains a contested and undervalued concept in both Greek and Spanish societies. Thus, when UAMs arrive to the host countries, they are

subject to assimilation pressures, as state policies rarely support the maintenance of their ethnic identity and language. Consequently, even when UAMs attend schools, a large number still show signs of low self-esteem and experience school as a place of failure and exclusion (Nonchev, & Tagarov, 2012).

The key difference regarding the parallel education structures is the overreliance on non-formal structures in Greece versus Spain's more formalized, although still segregated, system.

Although in the last decade several innovative interventions and measures have been introduced in the Greek educational system to facilitate the access of UAMs to the formal education, it seems that their performance has been hindered by several factors, proving the failure of the system to support UAMs' education.

Firstly, a paradox lies in the provision of differentiated educational services to UAMs, based not on educational or social needs, but on the children's place of residence: in urban areas or rural areas. Those living in the urban area have access to the formal morning school (with all the educational facilities provided in it), while the children who live in the Accommodation Centres attend the afternoon, educational program of RFREs, with a part-time program of reduced subjects-thematic areas, providing just a certification of attendance (Stergiou & Simopoulos, 2024). Another issue is the mismatch between accommodations and schools. On the one hand, some overcrowded shelters are located in neighbourhoods where schools are insufficient to meet the demand. On the other hand, other shelters are situated in remote and isolated areas with no schools nearby, making access to education extremely difficult. Additionally, the lack of available buildings for renting apartments further complicates the situation, as integration cannot be achieved if accommodation centres are too far from schools. Hence, some consider that the integration of the refugee children in the education system was designed *on the basis of division and creation of two parallel systems, depending on the place of residence of the children (*Stergiou & Simopoulos, 2024: 7).

Secondly, regarding the formal education system, the fact that **RFREs** supporting classes run in parallel with regular classes hindered UAMs' integration, limiting the interaction between the communities and promoting as "us versus the others"

behaviour. Furthermore, these classes often start late due to understaffing or lack of students, so UAMs who do not understand Greek are practically excluded from the educational system, unable to follow the subjects taught (Greek Council for Refugees, 2024). Similarly, the implementation of **DYEP** remains controversial. Despite the increasing number of DYEP classes in recent years, it is argued that instead of enabling educational integration of refugee students, they have created segregation and stigmatization towards UAMs. Also, as DYEP classes do not apply to youths over 15 years old, older children are left out, raising concerns about equity in access. Hence, DYEP were considered by many as "not being school". Nevertheless, as Aroni noted, such criticisms may overlook the historical and logistical context in which DYEP emerged. DYEP were necessary and successful as a first step to introduce newly arrived refugee children to the Greek state education system. When DYEP started it was a ministerial administrative need, because accommodation centres and shelters were overcrowded and there were no available school buildings, being necessary to use the existing buildings to host the arriving number of students. That is how a parallel system of morning classes and afternoon classes was created. According to Aroni, DYEP was never intended as a permanent alternative but rather as a mandatory, temporary preparatory course (typically one to two years) for the morning classes. It helped both refugee and local children familiarise themselves with each other and aided a smoother transition to integration with local communities. In this sense, DYEP served not only as a transitional bridge for UAMs, providing them with foundational Greek language skills and familiarization with school norm, but also as a preparatory phase for the schools and the Greek education system itself. It allowed schools in rural areas to be revitalized and serve as entry points for inclusion. Thus, while imperfect, DYEP served as a crucial bridge for integration. Nevertheless, Alexiou noted that the fact that not all schools offer these specific classes oriented to help UAMs and that the Greek society *view itself as monolingual and mono-cultural* (Nonchev & Tagarov, 2012: 245) explains the lack of a harmonised education system in Greece.

Thirdly, another issue is the big weight attributed to **non-formal education systems**. While non-formal education is not intended to replace formal education, providers are under pressure to address the massive learning gap of refugee children without the necessary resources. The impact of some non-formal initiatives such as *Schools4ALL*

and ACE, have been crucial. Both of them aim to integrate refugee children into Greek schools and create an inclusive school environment by supporting teachers, equipping school directors and teachers with the necessary tools and confidence to manage discrimination in school and local community (Marouda & Koutsouraki, 2023). In a study conducted with UAMs in 2018, the children rated non-formal education courses higher than formal education optins, as these courses gave them more structure in their daily lives and they could enjoyed a wider variety of activities (Sakellariou, 2018). However, non-formal education initiatives face significant limitations. Their heavy reliance on external funding makes them highly unstable, often resulting in interrupted support once funding ends. Furthermore, these programmes frequently lack adequately trained educators and many centres rely on volunteers or recent graduates with no prior teaching experience. *Class sizes are overcrowded and can go as high as 50 children compared to an average of 18 in Greek public schools* (Jalbout, 2020: 26).

In Spain, although the access to formal education is powerful, guaranteed and more formalised than in Greece, with the LOMLOE promoting inclusive education, there is still no national strategy specifically targeting the access to education of UAMs. This gap is reflected in some data results, as of 31 December 2023, only 1,663 UAMs recorded in the Registry of UAMs held a qualification, compared to 44,994 without any educational certification (Ombudsman of Spain, 2025) (See appendix X for more information). Overall, in Spain there has been little knowledge transfer or academic progression. At most, some UAMs have become intercultural mediators, but beyond that, the training provided has mostly been focused on manual jobs, not on the continuation of education to upper levels.

Furthermore, as highlighted in the "access to inclusive education" section, segregation remains present both in schools and accommodation centres as they use a system of distribution based on origin, generating *an uneven distribution of enrolments* (Onsès-Segarra, Carrasco-Segovia, Sancho-Gil, 2023: 10). Therefore, the Spanish protection system is segregated as *there is a circuit only for UAMs and another for local children, ignoring the obligation that public administrations have of ensuring the BIC* (Gas et al., 2019: 73). Carrasco (2008) argues that schools must assume a communitarian role, guaranteeing school experiences of quality instead of focusing on an egalitarian

percentage of migrant and non-migrant children enrolled, and offer students a critical approach to their own social and cultural context.

7.4. Integration management

In this section, both positive and improvable aspects are analysed. One the one hand, there are two positive achievements applied in both countries: a holistic integration approach in the programs and a big community engagement.

Firstly, although more extensively in Spain than in Greece, most programs show **holistic integration approaches**, including educational, psychological and social support services**.** Some aim to guarantee refugee and migrant children's access to and completion of compulsory and non-compulsory education, while others attempt to promote improvement in their academic abilities. Moreover, many aim to improve children's language adquisition and try to guarantee that children preserve their cultural identity while adopting new cultural values and intercultural competencies; they also focus on improving their relationships with friends, peer, teachers and trust in institutions (Molinero et al., 2023). Furthermore, most initiatives involve more than one category of professionals (mainly from educational and social sectors) and can activate a *diversified network of stakeholders, such as governmental and local authorities, school communities, NGOs, universities, and research centers* (Molinero et al., 2023: 6).

Secondly, as highlighted throughout the research, both countries have a strong presence of **community-based initiatives** and NGO involvement in UAMs' integration. Although Greece is more reliant on government programs than Spain, the situation has gradually improved due to the regularization of asylum procedures and educational integration efforts by the government in partnership with UNICEF, UNHCR and IOM (AIDA, 2023) and other Greek organizations. In Spain, a similar approach can be observed, where programmes and initiatives by NGOs offer support to young refugees. However, the high degree of privatization and outsourcing of protection services has proven to be a significant obstacle to the system functioning in the BIC. *It is often an issue that goes unnoticed in reports and analyses, since all the agents involved participate in creating this system and/or live by it* (Carrasco & Poblet, 2021: 37). As

Monteros (2018) refers, the privatization of social services has led to discretion and inequality, directly affecting UAMs' access to resources and equal opportunities. Overall, this has created a profit-driven system that often fails to protect the BIC (Carrasco & Poblet, 2021).

On the other hand, the reception capacity, the integration monitoring and the resource allocation suggest some weaknesses for both countries.

Firstly, the **reception capacity** of both countries, as the geographical situation of several Autonomous Communities and the case of the Aegean Islands and Athens in Greece means they bear a greater burden from irregular arrivals, which disproportionately affects their child protection systems. Spain generally offers more stable shelter and education programs for UAMs in certain regions. However, in high-pressure areas such as the Canary Islands and Melilla, where reception centres tend to be overcrowded, the capacity and the quality provided is lower. In Greece, as Aroni highlighted, there has not been a fair and equal distribution, as there are certain regions that has taken the entire burden and other regions has not seen no one refugee. Due to that, Greece suffers limited shelters capacity and administrative delays, leading to *an overstretched Greek Asylum Service* (Sakellariou, 2018: 25). The instability in the lives of UAMs has a direct impact on their school enrolment and attendance. On the one hand, when they are housed in shelters or temporary facilities, they often have no access to nearby schools and the education provided in these places is scarce. On the other hand, when UAMs are transferred from one accommodation centre to another, they are forced to change schools, further disrupting their learning continuity and weakening their chances of successful integration. This calls into question the adequacy of the existing protection framework and contributes to UAMs arriving to adulthood in extreme vulnerability.

Secondly, the **integration monitoring** is another deficient issue. Despite the obligation that binds all public authorities to promote the integration of UAMs, challenges persist in ensuring their full education rights. Estellés highlighted that, unlike Greece, many UAMs arrive in Spain with the intention of staying permanently, even if initially they are considered to be in transit. Hence, in this sense, Spain is putting more efforts

towards UAMs' inclusion rather than Greece, so that they can remain long-term and build a meaningful path to citizenship.

Spain has regional mechanisms to monitor UAMs school attendance and education success, as highlighted, based on a public ownership but private management. However, deficiencies persist such as lack of coordination between the competent authorities involved; lack of knowledge and information about UAMs; and insufficient official data, coming from two official sources (Eurostat and the Ministry of the Interior) and being categorized differently, resulting in significant discrepancies (Plataforma de Infancia, 2024). Furthermore, the national UAMs register does not accurately reflect minors' mobility between regions, along with the differing local practices, highlights the deficiencies of the database tool for administrative and policy decision-making (Ombudsman of Spain, 2025).

In contrast, Greece has weaker monitoring mechanism and more frequent school discontinuity due to transfers or age-out. One main problem is the limited availability of shelters, the long waiting lists for shelter together with the expectation for relocation has, as a result, children's placement in short-term care arrangements or worse, meaning that UAMs lack the access to provisioned services, especially formal education. Even though, as already mentioned, there has been an increase in the number of shelter spaces available; there are no common minimum standard procedures for all shelters to ensure consistent quality of care (International Rescue Committee and METAdrasi, 2017). Additionally, *the absence of family-based care system in Greece is a major gap as regards the provision of care and protection to UAMs* (Sakellariou, 2018: 24), in comparison with Spain.

Thirdly, the **resource allocation** to ensure UAMs' right to education is insufficient. As presented before, in terms of management, neither Greece or Spain were prepared to receive the big influx of migrants and refugees since 2015, so this directly affected the provision of support and the absence of coverage of UAMs basic needs (Sakellariou, 2018). While Spain faces challenges with resource distribution in some islands, Greece's financial constraints impact the scalability of integration programmes. It is worth noting that two key factors greatly influence the decisions regarding the allocation of funding in Greece. Firstly, the country's hard financial conditions and the fact that is has by far the largest public debt in Europe and hosts a large proportion of Europe's refugees

(Peirce, 2020), places it in a constrained economic position. Secondly, despite the lack of means for the provision of services, there is a lack of political will and prioritisation by the administration, as well. The MoE consistently falls short in allocating adequate funding for teacher training and educational support for refugee children.

7.5. Support for the transition to adulthood

Access to education, whether it be formal or non-formal, access to vocational training and the opportunity to enter the labour market are key pillars for the identity construction of UAMs transitioning into adulthood (CoE, 2023). Unfortunately, several gaps still hinder the continuing education and training for UAMs when reaching adulthood in both countries.

Regarding Greece, Nikoleta highlighted the complex challenges that UAMs face upon turning 18, particularly in relation to housing. The first main issue is that the lack of official strategy to manage the transition to adulthood. While some NGOs and programs such as *Helios Junior* exist and offer support, they are limited in scope. Additionally, the government tends to prioritise UAMs aged 14-15 and they invest less on those nearing 18, as they are seen close to adulthood. Secondly, the amount of UAMs these programs can support is limited, and every shelter has a different approach so, in many cases, the pressing needs inside the shelters made the staff not prioritise access to education. For instance, the Helios program establishes eligibility requirements and restricts access to recognized refugees, excluding asylum seekers. Additionally, when UAMs turn 18, they have to leave their accommodation in 10 days. They may be transferred to adult accommodation, usually far away their network which often results in school drop-out or school disruption. Hence, in some cases UAMs prefer living on the streets rather than relocating to camps and, renting an apartment is extremely difficult due to discrimination by landlords. Thirdly, the Helios program is permanently closing and opening, causing frustration towards UAMs, as they lose their house, their applications are pending and they are left without support. Considering this context, the continuation of education is not always possible. While school-age children have the right to attend public schools, the practical or logistical barriers highlighted thought the research may prevent them from attending and thus receiving the formal education that can be continued after the age of 18.

In Spain, this support has its last say on economic purposes and labour market needs. Eduard mentioned that, as the current economic situation is favourable, the obstacles are being reduced, since there is a labour demand. For instance, the Spanish Royal Decree 903/2021 was designed to facilitate the integration of migrants into the labour market and society, addressing Spain's demographic challenges and labour shortages, in sectors like agriculture, construction, and care services. The reform reflects a shift towards a more inclusive and pragmatic approach to migration policy, but also with a utilitarian balance of economic needs with social integration objectives. The same happens with the access to vocational training. In Spain, there is a high demand for low-skilled workers and manual labour, which is why UAMs are economically welcome for these positions. However, the requirements to enter FPB make it almost impossible for UAMs to access, as noted before. This turns out to be a "discriminatory" FPB system that prevents this group from accessing education, undermining their educational goals and, therefore, their migration plans. As a result, *these minors are left with no choice but to resort to non-formal education* (Perazzo Aragoneses et al., 2018: 95).

Hence, the Ombudsman of Spain has consistently documented in successive annual reports the precarious situation faced by UAMs upon reaching the age of majority. For years, complaints mainly focused on the lack of available places in emancipation programs, the absence of valid documentation when turning 18, and the requirements for its renewal, which were unattainable for the vast majority of these young people. Despite the Spanish Royal Decree 903/2021, complaints continue to be received, particularly regarding the restrictive interpretations applied by various immigration offices, which hinder their social inclusion and may prevent access to social rights (Ombudsman of Spain, 2025). Overall, transition programs to adulthood for UAM are often unrealistic and put more pressure on them than on the national young adults. Since the average age of initiating and independent adult life in Spain is 25, even enjoying family and social networks, it is unreasonable to expect UAMs, who face more challenges, to manage their own and meet ideal conditions for independency at the age of 18 (Carrasco & Poblet, 2021).

To sum up, although programs addressing the transition period of UAMs reaching adulthood exist in both countries, UAMs still face a protection gap upon turning 18, with limited opportunities for continuing education, vocational training, or housing

support, causing dropouts or precarious living situations. This is dangerous, as the barriers that UAMs face in accessing education affect their motivation to continue their studies as adults (CoE, 2023).

7.6. Approaches to the legislative reform

In this section there is an explanation of two main legislative reforms adopted recently in both countries: the Spanish Royal Decree 903/2021 and the Greek Law 5038/2023, both presented in the national legal framework of each country.

The 2024 amendment to Article 161 of Law 5038/2023 is inspired by the Spanish Royal Decree 903/2021 (explained in more detail later on) which grants UAMs a residence permit upon reaching adulthood. While agreeing on the amendment, the Spanish practice was the initial proposal put forward by Gelly Aroni to the MoMA. However, the final version of the law imposed a strict educational requirement (completion at least three years of secondary school before the age of twenty-three), not part of Aroni's original proposal. Nevertheless, the Law 5038/2023 seemed to be a progressive step forward, as few EU countries have such a measure. Previously in Greece, education and integration were entirely separate issues, with no structured support. The asylum process focused solely on proving persecution, and without it, the Greek state took no further action. This new approach combined education and integration efforts, so, the law offers more flexibility in the residence permit, offering greater room for UAMs to adapt to changing personal and professional circumstances. This 10-year residency permit, however, is a double-edged sword for UAMs: it offers significant benefits but also represents legal and administrative challenges.

A **contradiction** exists between (1) the law and the context of UAMs in Greece and (2) the law and the structure of the Greek educational system; two factors preventing this law to success.

On the one hand, one major challenge is that many UAMs struggle to meet the educational requirements established in this law, especially in Greece. As Mohammadhadi noted, this law is not adequately tailored to the reality that most UAMs arrive at age 15 or older, just as compulsory education ends. Those arriving at 16 or 17 years old face significant obstacles in accessing and continuing their education. While

they may enrol in language support classes or formal schooling, it often takes some years to learn Greek and achieve the necessary qualifications to continue into upper secondary or vocational education. Furthermore, unlike in regular secondary schools, there is no systemic provision for intensive language support within vocational schools and any transitional measures for late-arriving minors. These challenges are exacerbated for those with interrupted or no prior education, placing them at greater risk of educational marginalization and legal scarcity. Therefore, while this law may benefit younger UAMs who have the time to complete secondary education before turning 23, achieving the law's academic milestone for those arriving at 16 or older is **unrealistic.**

On the other hand, the Greek educational system is not aligned with the particularities of this law. Once Greek students graduate from secondary school at the age of 15, they can decide to go work, to attend upper high school, to follow vocation training careers, and so on; but these options are not available for UAMs. Firstly, the content level of upper high school courses is extremely difficult and taught in Greek. Furthermore, the vocational training requirements are: to have a residence permit, a good command of Greek language and a high school diploma. Hence, the unavailable options left for UAMs force them to stay at the secondary school system, something perhaps not appealing for them, as they are older than the rest of their classmates and incentivised to find a job. Furthermore, it is worth bearing in mind the barriers they face from the system, exposed before in the theoretical framework. These factors *hinder the harmonious integration of UAMs in school and lead to their early dropout* (Oikonomou et al., 2023: 212).

In contrast, the Spanish reform of October 2021 (Royal Decree 903/2021) was designed to facilitate access to residence and work permits for UAMs, including those who arrived as children and "aged out" during the process but are between 18 and 23 years old. It also enables minors to access employment from the age of 16. This reform takes more into account UAMs realities, by making sure they are not left undocumented, as well as to avoid situations of homelessness, providing them with greater flexibility and legal clarity. The reform has had a significant positive impact: within a year, nearly 17,000 current and former UAMs had their documentation processes simplified. Data shows that the reform has brought greater stability to legal procedures and that employment among this group has tripled as a result (MISSM, n.d.).

In conclusion, although the 2024 Greek law has yet to show concrete results, its practical impact remains highly **limited** due to the nature of its effectiveness. While the law offers an incentive for UAMs to pursue education by linking it to residence status, this link remains problematic considering the current educational situation for UAMs in Greece. At first sight, it seems that the reform is facilitating UAMs' right to education, but the Greek system has not been modified to attend their needs. It is precisely this educational requirement as well as the frequent rejection of asylum claims that tend to undermine UAM's motivation to remain in school and continue their studies. In this sense, Aroni mentioned that the MoMA was aware that this age group would struggle to meet this educational requirement. This raises the concern that the ministry is adopting an "out of sight, out of mind" strategy, which avoids creating a pull factor that could attract more UAMs. Instead, the government seeks to present the appearance of progress through new laws and amendments, while in practice; these measures bring little practical change. The result is a framework that effectively excludes many minors from the pathway to legal status, education, and integration. Hence, without adapting the educational system to the needs of UAMs, the law remains a symbolic gesture rather than a functional tool for integration.

This case highlights a broader tension in Greek immigration policy: the conflict between immigration management and the protection of fundamental rights. In contrast, the Spanish reform places more emphasis on labour market integration than on obtaining residency through the educational requirement. This highlights one difference between this legislative reform in both countries, as well as the limitation of Greece's approach, which fails at implementing a CCA in migration and education policy. Hence, unless education in Greece is not improved, in terms of being more "welcoming" towards UAMs and if current education system deficiencies are not eliminated, this new law will remain ineffective (Oikonomou et al., 2023).

8. Conclusions

Migration is a reality so, the more important question is: should migration be something to be managed, or something to be supported? Do we approach it from the lens of management, or from the ones of rights protection? The reality is that UAMs are human beings with strengths and dreams. They are as vulnerable as they are courageous. Generally, in the host communities, their "success stories" are due to the support networks provided and their own ability to seize every opportunity available to them. While the arrival of UAMs has been treated an emergency that caught national governments and EU institutions off guard, the arrival and presence of these migrant children has taken on structural characteristics that demand long-term responses to provide a dignified life.

In response to the research question guiding this thesis — To what extent do legal and policy frameworks in Greece and Spain effectively ensure access to education for UAMs during their transition to adulthood?— the findings suggest that, despite legislative and policy developments in recent years, both countries fall short of fully meeting the educational needs of UAMs during the critical transition to adulthood. Recent reforms in Spain have significantly improved legal clarity and access to documentation, residence, and work permits, improving the environment for educational and vocational inclusion. In contrast, Greece continues to have systemic implementation gaps, where legal rights exist but are compromised by structural inefficiencies, poor coordination, and a lack of long-term planning. In both countries, educational inclusion is hindered by several structural barriers: bureaucratic delays, language barriers, lack of tailored vocational training and an absence of transition policies after 18 years old. Although there is growing recognition of the importance of integrating UAMs through CCA, current systems still operate largely under a short-term, emergency logic rather than a rights-based, long-term integration model.

Therefore, neither Greece nor Spain fully ensures UAMs' access to education and integration opportunities in a consistent, inclusive, and sustainable manner. Encouraging progress has occurred, such as increased multi-stakeholder engagement in improving the protection of UAMs, the development of practical policy development

guidance, strengthened cross-sector collaboration among the professionals and growing activism and leadership development within migrant child communities. Nevertheless, serious protection challenges remain and are likely to persist without concrete actions. For UAMs, education and integration strategies must prioritize stable environment to build resilience, amplify their voices and expand their future prospects. Ensuring that UAMs are not only protected, but empowered, is not just a legal obligation—it is a moral imperative and the system must guarantee it without exception.

Before exposing the main conclusions, some **limitations** encountered should be considered. Researching such a sensitive and complex phenomenon as the inclusion of UAMs in the educational and social systems of the host countries is not easy. Although this thesis has gathered plenty of evidence from Greece and Spain, the issues involved are so complex and contextual that it is impossible to cover all realities. Finally, another limitation is that the full scope of the problem has not been explored. Therefore, this study is partial (as it focuses only on two countries) and has a contingent nature (as it is a complex and constantly changing issue). However, its value lies in amplifying the voices and experiences of Greek and Spanish actors who are actively working to integrate migrant children into educational institution in a dignified manner and, by extension, into society as a whole.

Following, the main **conclusions** are presented.

Firstly, vulnerable groups such as UAMs require a more efficient system of protection, given the structural barriers that continue to hinder their full integration. This thesis has demonstrated that the absence of an integrated system for UAMs' protection leaves them exposed to significant protection risks and unable to exercise their fundamental rights (EC, 2022). While protective legislation for UAMs exists both in Greece and Spain, significant gaps remain regarding the implementation of concrete measures and the provision of adequate services. As outlined in the legal framework, both national systems formally prioritise the status of the individual as a minor over their migration status, promoting a CCA rather than one based solely on immigration control. Nevertheless, despite differences in their institutional models, a common problem is that these minors are still too often treated primarily as migrants. For host countries, UAMs are still considered a problem to be solved. This trend exists because Spain and Greece have only recently become countries that receive immigrant, as historically they have

been emigration nations. As such, they need to reconsider their approach and start seeing UAMs as children with rights to be guaranteed.

Secondly, inclusion is a complex process that involves not just UAMs, but the whole educational community. Considering the **multifaceted** landscape of educational integration for UAMs in Europe (ensurement of proper documentation, access to healthcare, housing, language acquisition, and the opportunity to develop a life project) while there are positive trends, there are several structural barriers that *hinder UAMs' integration into the education system and, consequently, the development of their potential* (Mahía & Medina, 2022: 79). As previously noted UAMs often come from different cultures, face greater economic difficulties, lack of support networks and suffer exclusion. Hence, it is understandable that this pressing environment let them feel resistance towards the system. Moreover, many arrive not only seeking for a better future but also carrying the expectations of their families back home. As a result, UAMs find themselves navigating dual responsibilities: the obligation to meet their families' expectations by finding work as well as the obligation to meet the expectations of the state and the host community. However, without a clear roadmap, defined opportunities, or a structured support system, how can they be expected to trust the integration process?

Thirdly, since most UAMs arriving in Greence and Spain are aged 15 to 18 years old, the **transition to adulthood** remains one of the most challenging and overlooked issues. Turning 18 is like an "out of the game" for them, being extremely detrimental for their integration. This sudden withdrawal of protection harms their integration, especially in education. Former care systems focus more on job readiness than continuing studies, showing that education is not a real priority (Ombudsman of Spain, 2025). Across Europe, migrants often have conditional rights, mainly economic. Unless they are needed for workforce, other social and cultural rights are often ignored by host communities. According to Eduard, this dynamic is superficial and utilitarian, based on an economic value and, unfortunately, when labour rights are valued more than social and human rights, it shows the system's failure to be truly inclusive.

Fourthly, although Greece falls short of international and EU standards for UAMs, it has made significant progress through new laws promoting education and future prospects, but these provisions are still inadequate and demand improvement. For years,

the prevailing approach in Greece has been one of passive management, allowing UAMs to move onward rather than building mechanisms to support their long-term integration. This perception continues to shape public policy, with the assumption that Greece does not need to invest in integration frameworks, as these minors are expected to move to another MS. According to Alexiou, unlike other European states where there is an obligation for UAMs to learn the language and attend school, Greece lacks a structured framework to guide minors to build their futures.

Fifthly, in Spain UAMs' actions should *guarantee legal residence and access to essential social services but also pursue broader social integration* (Molinero et al., 2023: 8). A major current challenge is the increasing number of UAMs arriving in Spain due to on-going armed conflicts, which is causing a collapse in the system, particularly in the Canary Islands. In this region, the lack of available accommodation has reached critical levels. Nevertheless, since the child protection falls under the jurisdiction of each Autonomous Communities, neither the central government nor other regions have the authority to decide what should happen with these minors. This fragmented governance structure, where cooperation remains voluntary and non-binding, prevents the implementation of effective responses into this humanitarian need.

Sixth, the EU has failed to demonstrate **solidarity** in sharing migration responsibilities, leaving frontline countries like Greece and Spain to accommodate a disproportionate number of refugees, including UAMs. A fairer distribution of UAMs across EU countries would have made their integration more sustainable and MS should consider increasing the number of UAMs within their borders or investing in educational initiatives in countries suffering this influx. However, delays in responses from destination MS on family reunification and MS' refusal to accept UAMs has had a negative effect for these children (Sakellariou, 2018). To improve this, the EU should adopt a unified European policy framework to facilitate the inclusion of UAMs within national child protection systems and promote their full integration as future contributors to EU society (Bajo, Rodríguez-Ventosa, & Molinero, 2023). Related actions are presented in the recommendations section.

Finally, in relation to the **theoretical framework**, integration is vital for migrants as well as for host communities to build peaceful societies. As noted, integration is harder

for UAMs, due to physical and psychological changes during adolescence. As such, they need all the necessary tools to achieve their social, cultural and educational inclusion (Asensio & Medina, 2023). This thesis highlights that schools are critically important drivers of UAMs integration, offering opportunities to learn the language, make friends, improve educational skills and support future employment opportunities. However, these opportunities are limited by barriers such as inadequate schooling, frequent moves, and discrimination in school environments. Generally, there is a willingness to support ethnic diversity and respectful interactions in communities and schools and many promising projects in Greece and Spain support integration through language help, teacher training, and inclusive programs in a holistic manner (Marouda & Koutsouraki, 2023). Nevertheless, the intersectional vulnerability of this group often goes unaddressed in institutional responses, due to the systemic barriers and intrinsic racism. Without this tension between migration policies and protection systems, UAMs could better pursue their careers and transition to independent adulthood under optimal conditions (Carrasco & Poblet, 2021). Therefore, the current approach to integrate UAMs into the education system focuses on adaptation rather than true inclusion. It remains a "one-way process", where integration is expected only from the minority culture, rather than as bidirectional between host and migrant communities. Overall, despite the recognised need to develop a CCA (Bhabha & Abel, 2020), it is still **imperfectly realized** in both educational and policy fields. Although in both countries inclusivity in schools is poorly implemented, Greece is in a worst position, with an evident non-inclusive school culture. Nevertheless, the barriers identified in the theoretical framework exist to a greater or lesser extent in both countries.

9. Recommendations

The recommendations are structured across three levels: the theoretical framework, the international and European context and the national level.

Firstly, considering the **theoretical framework**, to support UAMs' integration into educational, several key recommendations should be followed. First, it is essential to address the structural barriers through a joint and cross-sectorial approach. Second, the implementation of an inclusive and intercultural education model is essential to ensure the effective social and school integration of UAMs, through a multidimensional pedagogy that encompasses different approaches (López, Fuentes & Pozo, 2018). This will encourage participation, reduce work-related anxiety and ease pressure to enter the labour market. To achieve this, schools must be equipped with adequate resources and support. Furthermore, a multidisciplinary and coordinate approach that involves professionals from a range of disciplines (CoE, 2023) is needed: not only teachers, school directors and education staff, but also other qualified professionals, policymakers and the society is crucial, as schools alone cannot compensate for existing individual, cultural and socio-economic inequalities. Additionally, preventing segregation is key so UAMs should be in the same classrooms as their peers, and their formal education should be complemented with non-formal education such as after-school activities, sports and art, supporting their personal development during free time.

Secondly, at the **international and European level**, these are the key recommendations.

A general rethinking is necessary. The far right is on the rise, and the idea of having a unified European approach to care and reception is becoming increasingly challenging. Hence, a *radical transformation aiming to stop the reproduction of a model of permanent exclusion and condemning children to exploitation* (Gas et al., 2019: 75) is needed. This transformation should be grounded in a less individualistic and more cooperative, human-centred approach, where a burden-sharing across MS occurs. There is a need to view that phenomenon in a transnational way, not national, regional or, even less, local. Furthermore, as seen before, the international community must

recognize the pressure on Spanish and Greek education system and more actively support the countries efforts to expand refugee education (Jalbout, 2020).

The EU must ensure UAMs' rights and needs by guaranteeing access to legal documents, education and labour formation through EU legislation transposed into national legislations. Hence, a pressing recommendation is to align migration management and child protection systems. All European legal instruments should recognize that UAMs are primarily children and must uphold the principle of the BIC as the primary consideration. This should be complemented by specific protection measures and a CCA towards the dimensions of education and policy-making. Currently, as there is no EU Directive defining the procedures, objectives and requirements for hosting and promoting the integration of UAMs in the MS, the EU Commission should start negotiations aiming to develop a Directive to integrate a CCA and be aligned with the CRC (Bajo, Rodríguez-Ventosa, & Molinero, 2023).

Another key element is reception centres, which should not function merely as temporary shelters but as integrative spaces, where UAMs receive support to gain legal status, educational qualifications and labour skills. To this end, a specific **EU fund** targeting the European reception and hosting system for UAMs is required (Bajo, Rodríguez-Ventosa, & Molinero, 2023). Such fund would prioritise mechanisms to protect teenager UAMs and ensure continuity of care beyond age 18. However, funding alone is not enough so it would be essential to **strengthen cooperation** between countries of origin, transit, and destination. This way, the responsibility for addressing the challenges related to the protection of this group would not fall entirely on the host country (Vinaixa, 2019).

Within schools, it is pertinent to reduce the *existing educational disparities between natives and migrants* (Mahía & Medina, 2022: 79) and implement non-discrimination obligations towards UAMs across EU jurisdictions (Bhabha & Abel, 2020). Equally important is to empower educators who work in the centres. They should be encouraged *to participate, feel empowered to raise their voices when situations of injustice and exploitation of children occur* (Gas et al., 2019: 75) and find spaces for their personal and professional care, to avoid burn out or feeling of isolation (Gas et al., 2019). Like this, these professionals would have more tools to take into account the specific needs and situation of each UAM based on an individualised, flexible, multidisciplinary and

participatory approach (CoE, 2023). Finally, the EU should promote coordination and information sharing between the institutions, to ensure that UAMs have access to the needed services (CoE, 2023). In this respect, an exchange of best practices would facilitate the transferability of successful initiatives across MS (Molinero et al., 2023) both for formal and non-formal education settings.

Thirdly and on the basis of the above considerations, the following recommendations aim to address key barriers and improve the situation of UAMs in the **two host countries**:

First and foremost, Greece and Spain have the obligation to facilitate UAMs' right to education, through strong legal frameworks and real access to education or vocational training. UAMs must be placed at the centre of national policies. As highlighted in the EC's Recommendation of 23 April 2024, the strengthening of integrated child protection systems must be guided by the BIC, ensuring their well-being, development, and inclusion in society. Moreover, investing in this is a long-term investment in the future of democratic, inclusive, and rights-based societies (EC, 2024). Similarly, UAMs should be included among the groups entitled to special protection, giving them preferential access to social programmes related to housing, employment, training, and financial assistance (SC, 2016). Moreover, **regularisation** is essential to ensure a dignified life for these children. As Gas et al. (2019: 74) argue, *irregularity has many levels of consequences for children and hinders access to education activities or programmes*. It also prevents access to work and increases the possibilities of expulsion from the country at any time upon reaching adulthood. Thus, regularisation is needed in the form of citizenship, residence permits, rights and security (Ager & Strang, 2008; Unterhitzenberger et al., 2019). Additionally, a reduction of delays and bureaucracy in all related to asylum, relocation and family reunification procedures should be achieved and a possible way to do it is through fast and flexible technological procedures.

The **creation of specialised resources** for UAMs is fundamental. Firstly, a National Framework should be developed to make the educational systems in both countries more intercultural and to improve coordination among NGOs and other IOs efforts at local levels. This requires strong political will and specific funding. Furthermore, an effective CCA policy cannot be built without involving the affected community at all

stages in designing and implementing education programmes (SC, 2016). Secondly, a broader inter-ministerial coordination across social services, education, labour, and housing, is also necessary through a shared funding mechanism based on long-term financial responsibility. In parallel, there is a need for a better optimization of resources, to avoid duplicate practices within same districts and, instead, tailor responses to the specific needs of UAMs. To achieve this, stakeholders call for a *more rigorous research in order to propose better grounded and demonstrated practices that allow the proposal of more effective programs and inclusive plans* (Onsès-Segarra, Domingo-Coscollola, 2024: 16). In this regard, one urgent priority is to improve data collection related to UAMs' educational access and outcomes, to guide policy with accuracy and accountability. Thirdly, it is crucial to guarantee the **development of an individualised follow-up and support plan** for UAMs, to achieve the goals identified with the minor and prevent SLE (SC, 2016) by considering the intersecting factors of age, gender, and migration status (Marouda et al., 2023).

Equally important is that UAMs are recognised as part of the host country's youth. However, if local communities do not accept them, they will feel alienated, aggravating the division between migrants and the local community; hence, efforts should be made to **minimize the gap** between them and promote real inclusion. On the one hand, is highly important to create safe spaces for the positive interaction, in order to break down barriers and combat xenophobia. This can be achieved through social and educational activities that promote **multiculturalism**. In schools, this could include *multilingual classrooms and value learners' individual linguistic backgrounds as key skills in teaching curricula* (EC, 2020: 10). On the other hand, improving the quality of public services in both Greece and Spain is crucial. As Aroni noted, much of the frustration among the native population is based on the perception that they are not receiving adequate services. When people feel that UAMs are being granted privileges that their own children are denied, it inevitably creates tension and resentment between communities. Therefore, it is fundamental to ensure equitable access to quality services for all, regardless of origin.

Another key recommendation is to strengthen **support systems for UAMs in their transition into adulthood**. Preparation for independent life must be an integral part of child protection planning (Vinaixa, 2019). In order to prepare them for

deinstitutionalization, the expansion of emancipation resources is essential, such as granting a special legal status to UAMs who reach adulthood without documentation (Marouda & Koutsouraki, 2023). Equally important is to prepare for such transition in advance, through academic support, access to vocational training, and personalized mentoring (EC, 2020), as well as to develop inclusive policies and increase the number of places available within the child protection system. As Nikoleta noted, many UAMs remain in school primarily to maintain access to housing. Youth themselves have expressed the need for extended stays linked to educational preparedness, suggesting that securing stable housing and combining it with access to school and part-time work would better support their transition to adulthood and long-term integration. Hence, institutional support should be extended until **the age of 21**. To ensure educational continuity, recommended actions include: expanding residential and housing programmes, increasing budget allocation to invest in facilities, promoting employment initiatives and training of specialized personnel (Vinaixa, 2019). Furthermore, to address school disruption for UAMs who are close to completing their studies when they turn 18, *transfer to adult facilities could be postponed until completion of their education cycle and they should receive sufficient income to avoid having to drop out of school to work* (FRA, 2019: 16).

The outcome assessment of the 6 indicators (enrolment, attendance, access to inclusive schools, transportation to schools, adequate staffing and timely scheduling and action to end community hostility and xenophobia) was weaker in Greece than in Spain. Here are some recommendations to generally improve the **6 indicators** and ensure a quality learning environment**.**

Firstly, to improve effective UAMs' enrolment into education, more efforts should be dedicated to *facilitate access to post-compulsory education, notably secondary education* (FRA, 2019:16). Similarly, there is the need to connect housing benefits and educational realities in school enrolment. This can be achieved by increasing the number of shelters and alternative types of accommodation as well as improving accommodation structures and children's living conditions (Sakellariou, 2018).

Secondly, school attendance rates should be reinforced and UAMs remaining on the islands and in remote camps should also have access to education (Greek Council for Refugees, 2024). In fact, *schooling in reception centres should be only a temporary*

emergency measure (FRA, 2019: 16). Furthermore, both Greece and Spain should try to integrate children in mainstream education systems as early as possible into national school settings.

Thirdly, both countries should increase the number of places for UAMs in the schools and offer a wider range of qualifications at all levels (primary, secondary and higher education) as well as with measures to facilitate linguistic and financial support. In parallel to this, efforts should be made to improve the efficiency of their procedures to recognise previous educational attainment, including in the absence of documentary evidence.

Fourthly, there is a need not only to increase the number of staff but also to provide **specialised** and **adequate training** to all actors and stakeholders who provide services or come in direct or indirect contact with UAMs. Some actions that can be done are to allocate the necessary resources and provide capacity-building among professionals working with and for UAMs (Sakellariou, 2018)**,** as well as to train them to fight discrimination and promote tolerance and inclusion in schools. Regarding the teachers, one strategy can be to *hire teachers with migrant backgrounds* (Onsès-Segarra, Domingo-Coscollola, 2024: 13).

Fifthly, **schools** must be more accessible for UAMs, in several aspects. In terms of interpreters and professionals adequately trained (Marouda & Koutsouraki, 2023) and in terms of psychological support, to treat UAMs' trauma and stress. For instance, part-time psychologists can be established to enhance the trust of UAMs in schools and better understand their realities. In terms of language learning, instead of using the language of the host countries from an assimilationist perspective, the educational environment should promote multilingualism by introducing the UAM language into everyday practice, as this is beneficial not only to improve students' performance but also to their well-being (Onsès-Segarra, Domingo-Coscollola, 2024). However, as mentioned previously, schools alone cannot do it, so there should be a wider ***involvement of the whole educational community****, along with social and academic actors and professionals in charge of reception centres for UAMs* (Molinero et al., 2023: 8).

Sixthly, fostering inclusion broadly requires an enhancement of sensitivity not only in the educational community, but also in other social areas. While education is vital, it is not enough on its own: UAMs should also feel a sense of belonging in their neighbourhoods and communities. As previously mentioned, a cross-sectorial approach to strengthen the inclusion of migrant children in the education system is essential. This requires interdepartmental collaboration, ensuring that schools are linked with *social and health services, leisure associations, and companies that offer extracurricular activities* (Onsès-Segarra, Domingo-Coscollola, 2024: 13). Ultimately, the education system must move beyond a narrow focus on access to education and adopt a truly intercultural perspective. Current policies fail to take into consideration UAMs' sense of belonging, well-being, and life satisfaction, essential to prevent school dropout, which, as it is well-known, may derive into broader social problems. In this light, national education strategies should incorporate this broader intercultural perspective that instead of solely focusing in traditional education, should extent into a more robust **vocational training** education. This enhanced system of vocational training would fill the skills gap and create jobs in industries that require new technical skills. For UAMs who have missed years of school and need to begin earning a living soon, vocational education may be one of the best solutions. As in both countries vocational training opportunities are extremely limited, especially for those who do not speak Greek and Spanish, both Greece and Spain should help UAMs to *overcome practical obstacles to accessing vocational training* (FRA, 2019: 17).

Lastly, it is a must to promote **awareness-raising** initiatives within host community in order to foster empathy, reduce discrimination and prevent harassment. This can be achieved with school visits, intercultural thematic events and educational workshops to inform teenagers about migrants and UAMs. Fundamental rights must never be subordinated to economic interests, particularly when legal frameworks demand that the BIC must be upheld as a guiding principle. Furthermore, raising awareness should involve the host communities as well as UAMs, fostering their participation in education and bolstering their sense of trust in the system. Providing them with real, tangible incentives to engage in their education will not only benefit them in the long term, but also brings broader benefits for the host society.

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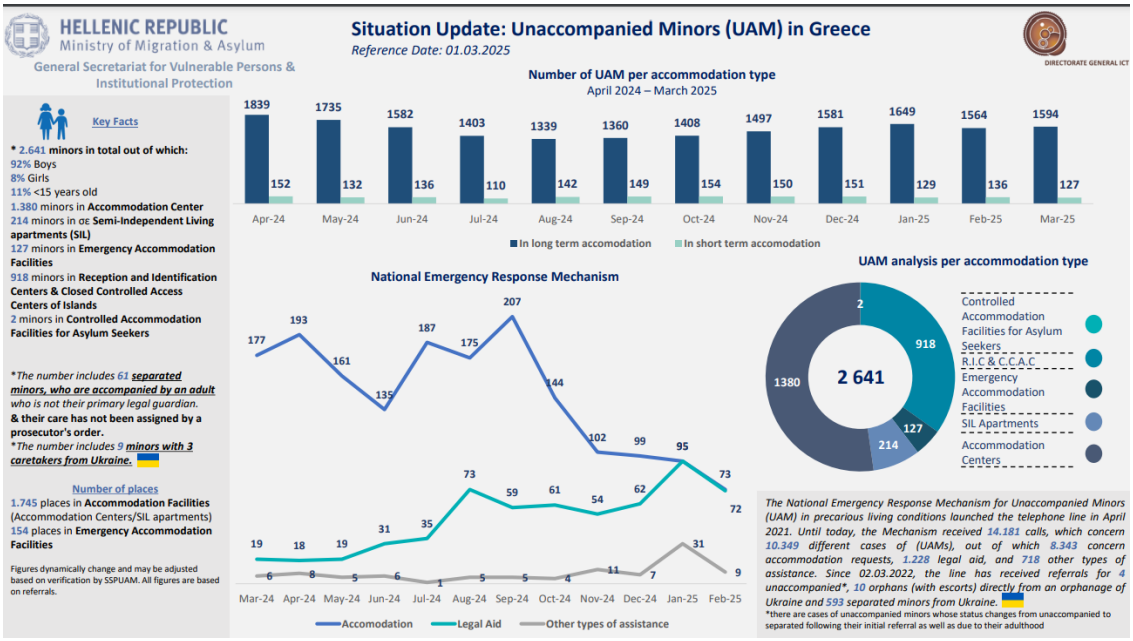
11. Appendices

Appendix A: May 2025 Migration Statistics (MoMA)



Source: MoMA – General Secretariat for the Protection of Vulnerable Persons. (2025). *Monthly statistics: May 2025*. Government of Greece. https://migration.gov.gr/wp-content/uploads/2025/05/SGVP_Statistics-May_EN-1.pdf

Appendix B: CCA in Education and Policy

For the CCA to be effective, it should be applied at the **educational** level as well as at the **policy level.**

On the one hand, according to Sedmak et al. (2021), the child-centred education aims to apply the principles of a CCA to education (both conceptually and practically) in schools, in order to stimulate the integration of diverse groups of migrant children into education. Schooling and education are necessary experiences that empower children, as providers of tangible opportunities for people in terms of development, growth and integration into the society (Dryden-Peterson, 2016). Child-centred educational practices are characterized by an understanding of how to effectively promote children's learning and development, considering the child's individual needs and development level. This approach is based on deconstructing the usual way of conducting class and

the design of educational practices that prioritise the child over the school curriculum, *in order to consider the participation and interests of children* (Sedmak et al., 2021: 28). The focus is on learning methods rather than on the content covered, and adapted to the child's abilities and needs (Perren et al., 2017) associated with their specific circumstances, including duration of residence, ethnic and cultural heritage, religious beliefs, age, gender, socioeconomic and legal status, and other personal characteristics (Gay, 2002). This approach considers children as active participants and the most reliable source of information on all issues that concern them (Mayeza, 2017). The basic principle is that considering their perspectives and allowing them to generate and exchange their own interpretations will enhance their self-esteem and well-being. As a result, prioritising these notions will enhance the understanding on how UAMs, through education, become established in local contexts while simultaneously fostering belonging and attachment (Sedmak et al., 2021).

On the other hand, a CCA to migrant integration policy positions children's *wellbeing and participation as guiding principles and main objectives to be attained* (Sedmak et al., 2021: 109). This policy framework is grounded in five key aspects: (1) knowledge generated through the lens of a CCA; (2) emphasis on children's present wellbeing; (3) involvement of children in policy development; (4) their participation in the broader social context; and (5) the adoption of child-centred education principle (Sedmak et al., 2021). In this sense, such a policy can be considered a materialization of the child-centred approach, at least in its design, as it seeks to place children's rights and agency at the core of integration efforts. However, significant challenges remain in practices, particularly when the child, although recognised as a rights-holder, is not simultaneously acknowledged as a moral agent empowered to act (Pupavac, 2001). *This often leads to treating children as objects of adult socialisation; in proposing that 'we' know the best interest of the child, we deny children's rights as well as their right to participate in structuring their childhoods* (Sedmak et al., 2021: 113). Nevertheless, adopting a CCA in the examination of migrant children's integration proves valuable, as it brings forward their views, experiences, and arguments, frequently overlooked or marginalised in policymaking processes (Sedmak et al., 2021).

Appendix C: EU Soft Law Instruments on Migration and Children's Rights

Since its reform in 2015, the **Common European Asylum System** also acknowledges the vulnerability of UAMs. On 23 September 2020, the Commission proposed a **New Pact on Migration and Asylum** (EC, 2020b), which is expected to commence in June 2026. This pact introduces the Asylum and Migration Management Regulation, which replaces the Dublin III Regulation, as sets out improved and accelerated procedures across the EU asylum and migration system. In addition, the pact emphasizes the need to implement and strengthen EU legal safeguards and protection standards for migrant children. The new rules aim to ensure that the Best Interest of the Child is taken into account during decision-making, while the child's special needs are taken into account during the screening process. They strengthen family reunification procedures and establish stronger solidarity mechanisms for the resettlement of UAMs. Under the new pact, representatives for UAMs will be appointed quickly and provided with adequate resources. The new agreement also provides for a stronger role for guardians in assessing the Best Interest of the Child in cases where transfers between MS may occur (Mentzelopoulou, 2022).

Furthermore, in September 2021, the EC proposed important policy initiatives such as the new comprehensive **EU strategy on the rights of the child (2021-2024)** *(EC, 2021a)* and the **European Child Guarantee** (EC, 2021b), aiming to ensure that the rights of all children are protected and that vulnerable children have access to basic services such as early childhood education and care as well as free education (including school activities and at least one healthy meal every school day).

Appendix D: Greece – Migration and Integration Context

Greece geographical position as frontline state in the EU's migration landscape means that it will continue receiving a major influx of people in search for jobs, a better way of life or international protection (Nonchev & Tagarov, 2012). According to data from April 2025, the UAM population arriving in Greece totals 2,375. The breakdown by nationality is as follows: Egypt (57%), Somalia (11%), Syria (10%), Afghanistan (10%), Pakistan (3%), and others (8%) (MoMA, 2025).

It is worth mentioning that Greece's complex and unstable economic and political situation, as well as their lack of institutional organisation and experience on how to

integrate minors, has had a profound impact on the response of state institutions. While Greek integration strategies have aimed to improve school participation and living conditions for refugee and migrant children (Marouda & Koutsouraki, 2023), practical implementation remains uneven. In the same line, there has been criticism from the international community *for Greece's inherent lack of a functioning asylum system* (Nonchev & Tagarov, 2012: 247). For instance, the Human Rights Watch has remarked the unsafe living conditions of children in the Greek refugee camps and the detention centres for migrants (Human Rights Watch, 2016). Further comments were made by the Council of Europe Commissioner for Human Rights, Michael O'Flaherty, in his visit to Greece in February 2025. He *calls for adequate reception facilities, in line with international standards, and for rapid transfers, especially of UAMs, from the islands to the mainland* (Council of Europe Commissioner for Human Rights, 2025).

Socioeconomic indicators also reflect broader challenges. Although the share of children at risk of poverty or social exclusion decreased from 28.1% in 2023 to 27.9% in 2024 (ELSTAT, 2025), the number is still high. Furthermore, 15.3% of young people (15-29) were NEET neither in employment, nor in education and training (ELSTAT, 2023). In terms of legal protection, data further illustrates the vulnerability of UAMs. In 2023, the Greek Asylum Service recorded 2,937 applications for international protection by UAMs, yet only 1,163 resulted in positive decisions. As some decisions spill over from previous years and the number of negative decisions was not publicly available, nor was this number shared by the Greek authorities despite GCR's request, one cannot estimate the actual scale of the issue (Oikonomou et al., 2024).

Appendix E: Differentiation between Formal and Non-Formal Education for Refugee Children

It is important to clarify the distinction between two key terms used throughout the thesis: **formal education** and **non-formal education**. On the one hand, formal education is the structured, graded educational system running from primary school through to university. Most EU countries have been facing challenges in guaranteeing equal access and integrating UAMs into formal education for several decades, but these challenges have intensified since 2015 (Koehler & Schneider, 2019). Nevertheless, it is considered that formal educational systems of host countries and traditional cognitive

teaching models are often inadequate to address the needs of refugee children (Marouda et al., 2023). On the other hand, non-formal education refers to any organized learning activity outside the formal education system, with defined objectives and outcomes. Sometimes, it is suggested as the only viable education option for refugee children when children are excluded from national education systems. They may be offered as supplementary to formal education, tend to focus on the practical and can contribute to broadening the child's development (Sirius, 2018). *Non-formal education provided in refugee camps and centres for refugee children and UAMs is best considered as short term, because in the long term it has the potential to deprive children of interaction with local communities and can delay integration in host countries* (Marouda et al., 2023: 9). Additionally, non-formal education is commonly provided by NGOs and *may have a positive impact through focusing on addressing psychological barriers, in supporting their learning the language of the host country and initiate a smooth integration process and school performance* (Marouda et al., 2023: 9).

Appendix F: Educational Integration Programs in Greece

The ***ACE*** programme, led by UNICEF was initially planned as a two-year initiative (September 2021 – August 2023), but it was extended for an additional year, running until June 2024. It aimed to facilitate the integration of refugee and migrant children in formal education through non-formal education services, such as interpretation services in schools, Greek language courses and psychosocial support for students and teachers' empowerment (MoMA, n.d.). During the school year 2022-2023, ACE program was provided in up to 38 locations and accommodation facilities. At the end of 2023, *a total of 21,137 children had benefitted from access to formal and non-formal education. In addition, 837 refugee and migrant adolescents participated in job readiness workshops* (UNICEF, 2023: 4). This progrmme has provided high-quality non-formal education across the country, filling a critical gap in a context where such opportunities are scarce and largely privatized. In addition, the program ensured that children in refugee centers had continuous access to educational activities, even during the summer months as well as supplemental Greek language lessons, skill strengthening activities and access to infrastructure for creative work (UNICEF, 2023). According to Aroni, it was the best example of cooperation between two ministries and an international organisation and, hopefully, it will start again but not as big as the original one. In the same line, more

than 5,000 teachers were trained in the methodologies and pedagogy of inclusive education through *Teach4Integration*, a 400-hour certified capacity building programme applied for the first time in Greece, being considered the *best educational year for refugee children since the inception of the refugee crisis* (Voultepsi, 2022).

The project ***Schools4All***, which ended in 2024, has as a main objective the integration of refugee children in Greek schools. The training aimed to equip school directors and teachers with the tools, competence and confidence to manage controversy and deal with issues concerning intolerance, discrimination, racism and hate speech in school and the local community. The outcome was that 125 schools with reception classes were involved (The European Wergeland Centre, n.d.).

The ***Accelerated Learning Program*** was developed by a tripartite cooperation between the University of Thessaly, UNICEF and the Institute of Educational Policy, in order to address the issues of educational inclusion in lower secondary education for adolescents with refugees. Most students, in addition to the challenge of learning the language, faced significant obstacles in attending other subjects, often due to more or less extended periods of time spent out of education in their country of origin, during the refugee route and during their first period of residence in Greece (Oikonomou et al., 2024). This program helped in providing this assistance.

Appendix G: Spain – Migration and Integration Context

The geopolitical position of Spain and the State's organization in 17 Autonomous communities and 2 autonomous cities in northern Africa make clear the existence of three different situations regarding the integration services for UAMs. Firstly, the southern border: the cities of Ceuta and Melilla, sharing borders with Morocco, are the only land borders between Europe and Africa (with special emphasis on the situation of the Canary Islands). Secondly, the arrival coastline and transit area in Andalusia, the region with the largest number of arrival ports for UAMs. Thirdly, the northern autonomous regions as a transit-destination: the Basque Country, Aragon and Catalonia. However, every region has its own peculiarities; for example, Barcelona is an indisputable pole of attraction of many UAMs. These different situations mean that not only the policies and resources allocated in each territory are different, but also, they have different objectives (Carrasco & Poblet, 2021).

As of March 31, 2023, UAMs represented 31% (10,880) of the total population benefiting from the reception system in Spain (Ministry of Inclusion, Social Security and Migration, 2023). The estimated UAM population disaggregated by nationality arriving at Spain in 2023 were from Ukraine (51%), Colombia (10%), Venezuela (8%), Afghanistan (8%), Syria (6%), and Peru (4%) (MISSM, 2023). From 2019 to 30 September 2024, a total of 20,332 UAMs arrived in Spain. Additionally, it informed that a total of 318 asylum applications were lodged by UAMs between 2019 and 2023 (98 in 2019, 43 in 2020, 50 in 2021, 94 in 2022 and 31 in 2023) (Accem, 2024). This low numbers of asylum applications is due to the fact that although UAMs stay in Spain, the vast majority of them do not apply for asylum, due to multiple factors, such as the lack of information of the right to asylum they have and the lack of identification of their international protection needs by the authorities competent on child protection. Therefore, given the increasing numbers of arrivals in Spain, the low numbers on UAMs seeking asylum highlight the existence of shortcomings concerning their access to protection (Accem, 2024).

Due to these migratory circumstances, Spain has become the second country within the OECD receiving the highest number of immigrants. Although *most UAMs travel to Spain to access the labour market and to earn a salary that helps improve both their own standard of living and that of their families* (Vinaixa, 2019: 18), they also engage with the education system. In response, educational institutions had promoted the development of various action plans in schools to provide adequate educational support for UAMs (Grau & Fernández, 2016). Nevertheless, reports by UNICEF and SC in Spain, among others, and academic research agree that the protection system and integration services for UAMs have a great deficit (Carrasco & Poblet, 2021). In this same line, various national reports (such as the Harrda Report and 2011 and 2018 Reports to the Parliament by the Ombudsman, Síndic de Greuges) highlight that the professionals in the centers where some UAMs lived before reaching adulthood, had not provided sufficient support to them: they have failed to adequately assist them in leaving the centers or in accessing the necessary mechanisms for a successful transition to adult life, ensuring that their basic needs are met and that they are able to integrate into society. Additionally, research on the socio-educational integration of migrant students in Spain shows the persistent inequalities that UAMs experience. While the

number of migrant children residing in Spain has exponentially grown over time, representing about 10% of total students in formal schools, in comparison to natives, they are three times more exposed to ESL (EC, 2015), with lower academic achievement and lower educational attainment at tertiary educational levels (Molinero et al., 2023).

Appendix H: Educational and Social Inclusion Projects in Spain

Second Chance Schools are a social initiative run by nonprofit organizations that offer courses aimed at young people who have left the education system, helping them either to find work or to return to their studies. These courses are unofficial but focus more specifically on a particular job. The shorter training programs are helpful because students can complete them and gain practical skills for a specific position. Each year, these schools assist around 8,000 students aged 15 to 29 who have dropped out, helping them to obtain their compulsory secondary education or learn a specific position. There are 48 such schools in the country (RTVE.es, 2024). Another notable initiative is the ***Cambalache project*** which aims to improve the socio-educative process of inclusion of children from diverse sociocultural origins by engaging the whole educational community, starting from schools and connecting with other contexts of socialization. Additionally, the ***Mus-e program***, run by the Yehudi Menuhin Foundation, which through art seeks to maintain the cultural identity of immigrant children while helping them with adaptation issues. Additionally, the Barcelona City Council promotes open schoolyards, where schools are opened up as a more communitarian space in the neighbourhood beyond class time. Other examples *include Abraza África*, the Egeria Program for immigrant integration in schools; *In Crescendo*, the Kairós Majadahonda Association, and support projects such as Multitasking Cooperative Classrooms. Other notable efforts include *Projecte Rossinyol*, an intercultural mentoring initiative, *Prollema*, which empowers young migrants to teach their native language, and the Sant Joan de Déu Terres center in Lleida (De Gasperis et al., 2023).