

A.

INTERIM RESPONSE OF THE MINISTRY OF PUBLIC ORDER
TO THE REPORT OF THE EUROPEAN COMMITTEE FOR THE
PREVENTION OF TORTURE AND INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT (CPT)

ON ITS VISIT TO GREECE FROM 25 MAY TO 6 JUNE 1997



HELLENIC REPUBLIC
MINISTRY OF PUBLIC ORDER
HELLENIC POLICE
DIRECTION OF STATE SECURITY
DEPARTMENT C'

Athens, 18 October 1998

REPORT
ON THE OBSERVATIONS OF THE COMMITTEE
OF ARTICLE 1 OF THE EUROPEAN CONVENTION FOR THE
PREVENTION OF TORTURE AND INHUMAN
OR DEGRADING TREATMENT OR PUNISHMENT

We would like to inform you the following in regard to the observations forwarded to us by virtue of document Ref.No 9318/49.

1. PLACES OF DETENTION AT THE POLICE STATION OF DRAPETSONA

- a. The detention cells at the Police Station of Drapetsona are modern and built on the basis of the studies elaborated by the competent services of the Ministry of Public Order and the Piraeus Land Development Direction.
- b. The detention cells are divided into two (2) wards (men-women) and have a total capacity of (85) persons.
- c. There is a spacious corridor to each of the prisoners' wards (men-women), and prisoners are allowed to come out of their cells and spend time there, freely, in groups.
- d. The number of women prisoners is usually small, therefore the prisoners have adequate space to move in their cells and in their ward corridor.

- e. It is a fact that there is no secure area in this Police Station which would permit the physical exercise of prisoners.
- f. There is not water around the clock for the needs of all the prisoners (men and women). There are five (5) water boaters in total. In the case of any failures to the hot water supply systems, these are repaired as soon as possible.
- g. The above mentioned detention cells are cleaned daily by the Police Station's cleaning crews, while at fixed periods of time the area is disinfected by the State Hygiene Services or by private companies.
- h. The food offered to the prisoners is cooked at the police restaurant and it is exactly the same as that offered to police officers. It consists of two meals (lunch – dinner).
- i. No mistreatment charges have been brought by any prisoner to the Ministry Department up to this date. Note should be made here that prisoners are afforded all possible facilities, and the conditions of their dictation can be characterized as human, in general.
- j. The number of persons deprived of their liberty who are held in the above mentioned places very rarely exceeds the number set forth for that purpose.
- k. Finally, we would like to inform you, that the Committee's recommendations is regard to the supply of hot water, cleaning, replacement of mattresses e.t.c. have been implemented.

2. THE 7TH FLOOR DETENTION CELLS AT THE ATHENS POLICE BUILDING

- a. There are divided into two (2) wards (men-women) and consist of twenty (20) cells, with a total capacity of eighty (80) persons.
- b. There are four (4) persons hold in each cell as a rule. However in cases of increased numbers of detainees brought to the Department for various offences, there might more than four (4) persons, held in each cell, for very limited periods of time.

- c. The natural lighting of these places of deprivation of liberty is adequate and does not differ from the lighting in the offices of the Police Department housed in that building.
- d. The artificial lighting is also adequate and is constantly improving.
- e. The cells are equipped with a separate and efficient ventilation system.
- f. In general, all the regulations relating to the hygiene and cleaning of the cells are satisfied.

3. THE 3RD FLOOR DETENTION CELLS FOR JUVENILES AT THE ATHENS POLICE BUILDING

- a. These places of deprivation of liberty consist of three (3) cells, of a total capacity of six (6) persons.
- b. They are exclusively used for the detention of juveniles.
- c. As a rule, detainees do not remain long in these cells, due to their particular nature (children and adolescents). They are led before the court authorities as soon as possible, and therefore they are sent to correctional or therapeutic institutes.

4. THE 11TH FLOOR DETENTION CELLS AT THE ATHENS POLICE BUILDING

- a. These places of deprivation of liberty consist of five (5) cells, of a total capacity of five (5) persons.
- b. They are mainly intended for the detention before trial of prisoners until the completion of all the required formalities.
- c. The meals offered to the detainees is cooked at the police officers mess and it is the same offered to police personnel. It is adequate in its quantity and excellent in its quality.

6. PLACE OF DETENTION AT 23 ASKLIPIOU STREET, PIRAEUS

- a. These detention cells are only intended for male foreign nationals awaiting their deportation.
- b. This place of deprivation of liberty consists of fourteen (14) cells of a total capacity of fifty-six (56) persons.
- c. All the deficits noted by the Committee in regard to these cells have been restored, and in due time they will be operational.

7. DETENTION CELLS AT THE PIRAEUS TRANSFER STATION

- a. It is a fact that the building which houses the Piraeus Transfer Station is not suitable due to lack of grounds, the antiquity of the building and the number of detainees.
- b. The fact is that due to the antiquity of the building, no restoration can be undertaken effectively. Therefore, the Ministry Services have tried to locate a new suitable building. However, our efforts up to this date have been unsuccessful for various reasons (mainly social reaction).
- c. Finally, despite the current state of this place of deprivation of liberty, our undertakings in regard to the replacement of mattresses and blankets, the repair of the worm electrical and sewage installations and the painting of the building have been implemented, and there is a constant effort towards the improvement of the detention conditions.

8. PLACE OF DETENTION AT THE POLICE STATION OF THE EASTERN AIR TERMINAL OF ATHENS

- a. This consists of one cell, of an area of approximately 30 square meters, where only criminal offenders remanded by all the Departments of the Security Direction of Attica are held.
- b. This place is sufficiently clean and from time to time the walls are painted and the cell is disinfected. Furthermore, main tresses and blankets are frequently replaced.
- c. The natural ventilation cannot be improved, given the position of this place. The artificial lighting is entirely adequate.

9. PLACE OF DETENTION AT THE WESTERN AIR TERMINAL OF ATHENS

This is a specially arranged area leading to the Western Air Terminal Transit Hall, where foreign nationals to be deported are held. They only remain there for a very brief period of time, until their departure. Finally, we would like to inform you that this place belongs to the jurisdiction of the Civil Aviation Authority.

10. PLACE OF DETENTION AT THE EASTERN AIR TERMINAL OF ATHENS

- a. There is a special area in the Transit Hall of the Eastern Air Terminal, where foreign nationals who are characterized as “personae non gratae” remain under Police supervision, until they are repatriated or until they depart for another which grants them entry.
- b. Foreign nationals who are not permitted to enter the Greek territory and remain in the above mentioned area, are internationally characterized as personae non gratae and are never deemed to acquire the capacity of a prisoner.
- c. This area belongs to the jurisdiction of the Civil Aviation Authority, which is responsible for the cleaning, the meals e.t.c. at the expense of the airlines, or should the latter refuse to cover the relevant expenditure, at its own expense. The services offered by the Police are limited to the security of the area.
- d. The Committee’s recommendations for the installation of television, ping-pong, books and newspapers for reading etc have already been forwarded to the Direction of the Athens Airport.
- e. The above mentioned foreign nationals are not permitted to exercise outdoors, since all the open grounds in the Airport are characterized as strictly controlled grounds (taxi ways, take off strips etc).
- f. Both the Greek legislation and the Schengen Convention forbid the transfer of the above mentioned foreign nationals outside the airport. Any such action would constitute entry to the territory under the Schengen Convention.

- g. Ailing foreign nationals have access to medical care, both at the Western as well as at the Eastern Air Terminals, all around the clock. Should they be unable to go to the doctor, the doctor will come to the area where they are sent and will offer the required medical services. Furthermore, should any ailing foreign national need to be transferred to the hospital, this transfer will be effected immediately, with priority. Any such foreign national will remain under Police supervision during his/her hospitalization.
- h. After the above mentioned foreign nationals have been asked the necessary questions according to the internationally standard procedure, and after they have been characterized as personae non gratae, such characterization is announced to them in all confidentiality and they are offered the opportunity to communicate with their acquaintances or with any authority, whether in the Greek territory or not, their Embassies and, of course, with their chosen council.
- i. Given the existing building infrastructure at the Athens Airport, the conditions of the stay of the above mentioned category of foreign nationals in this area are considered acceptable, which with the construction of the new Airport there is a provision for comfortable rooms for this purpose, and the possibility that they will be allowed to stay at an Airport Hotel is still open.

11. PLACE OF DETENTION AT THE DEMOKRATIA POLICE STATION, THESSALONIKI

- a. This place of detention consists of four (4) cells of a total capacity of ten (10) persons.
- b. All the old mattresses and blankets have been replaced by new ones.
- c. There is adequate natural lighting and the area is regularly cleaned.

12. PLACE OF DETENTION AT THE CORFU POLICE STATION

- a. Extension and restoration works are in progress at the above place of detention (painting, water-sewage-electrical installations).

- b. Furthermore, this Department is going to proceed to the construction of a new place of detention, in order for the needs in this area to be fully covered.

In regard to the Committee's recommendations on this matter, we would like to inform you the following:

1. On the matter of the supervision by public prosecutors of the preliminary investigations undertaken by police officers in criminal cases (para.18, pp.23-24, CPT Report and page 58, Appendix I thereto), we would like to inform you that according to the investigation undertaken by investigating officers of the Hellenic Police Forces is subject to the directions of the public prosecutor of the Court of Magistrates, who is entitled to attend all investigating procedures, either in person or by one of the deputy public prosecutors under his command, and to take knowledge at any time of all documents refereeing to the investigation (articles 31 and 33). Therefore, the present statutory framework adequately covers this case. It stands to reason that the attendance of public prosecutors in all the preliminary investigation activities of the investigating police officers is practically impossible, given the limited number of prosecution officers.
2. With regard to the Committee's recommendation for the establishment of a separate formal Code of Behavior effective in the case of preliminary investigations conducted by investigating police officers (para.93, pp.64-65, CPT Report and page 65, Appendix I thereto). We would to inform you that this matter has been covered in detail in our document Ref.No 4803/22/1 of 22 May 1997 addressed to the Ministry of Public Order, Direction of International Police Co-operation, which is hereto attached.

Note is made, however, that given the current legislation (Code of Criminal Procedure articles 33 et.seq.), any special statutory regulation referring to such a Code would have to include the procedure of the judicial investigation and regulate the conduct of all investigating officers, without being limited to the conduct of police officers. We believe that both the review of this particular recommendation of the Committee and the overall handling of the matter as well as the recommended in the First C.P.T. Report (CPT/Inf (94) 20, par.46) supplementation of Article 137 of the

Criminal Code, are subject to the competence of the Ministry of Justice.

3. With regard to the recommendations of paragraphs 82 (page 59), 85-87 (pages 59-61), 92, 94-96 (pages 64-67) of the CPT Report and pages 63-66 of Appendix I thereof referring to the matters of the communication of the detainees, both Greek and foreign nationals, with their family members of other persons (Consuls etc) and with the counsels of their choice, the attendance of counsels during the preliminary investigation procedure and the foreign nationals' deportation procedure, the legal aid accorded by to prisoners without means of their own (both Greek and foreign nationals), the leaflets informing prisoners and detained foreign nationals awaiting deportation of their rights, and the measures adopted by the Hellenic Police Force to secure that said persons can exercise their rights in practice, we would like to make the following observations:
 - a. On the basis of circular order No 4803/22/14-a of 3 November 1995 issued by the Chief of the Hellenic Police Force, the information forms detailing the rights of the persons destined by the Police Authorities were standardized, and their implementation was ordered according to the instructions contained therein.
 - b. These information forms are divided into two categories. Information forms intended for all detainees (Sample D-33) and special information forms intended for foreign nationals detained pending their administrative deportation (Sample KA-141). Both D-33 forms and KA-141 forms have been printed up to this date in 14 languages (Greek and 13 foreign languages). The foreign languages to which these information forms were translated are those recommended by the district Departments of the Hellenic Police Force, on the basis of the statistical data on the major languages spoken or understood by foreign nationals entering or staying in Greece.
 - c. The Ministry of Public Order has not been informed of any case in which the current information forms did not cover the information needs of foreign nationals in detention. Only isolated cases have been reported of either illiterate foreign nationals or foreign nationals who could not speak the official

language of their country of nationality, and who therefore were not in a position to read the information forms produced.

- d. Police officers deal with such cases with particular sensitivity, making every effort, according to the directions of section (j) of paragraph 12 of the above mentioned circular, to orally explain their rights to the detainees in any available way (with the assistance of an interpreter, the consular authorities etc). However, in these cases the relevant report drawn up by the police officers contains a special reference indicating the probable cause of the lack of full information (paragraph 12, section (k) of the circular).
- e. Paragraph 12, sections (4) and (e) of the above mentioned circular sets forth the additional obligation of the police officers to explain orally and explicitly their rights to the prisoners and to draw up a report proving the provision of the information form and the clear explanation of the prisoners' rights.
- f. Under paragraph 12, section (a) of the circular of the Chief of the Hellenic Police Force, all the persons arrested for any reason by the Hellenic Police Force are provided with information forms, immediately after they are led to a Police Establishment.
- g. On the basis of the same circular order, police officers are obliged to permit and facilitate the detained persons' communication with their family, in order to let them know where they are held, should they wish to do so, and their legal counsel (paragraph 12, section (e) of the circular).
- h. Police Authorities are required, under paragraph 1. section (f) of the circular, to facilitate the detained persons' communication with the area's bar association, thus permitting them to employ the services of the counsel of their choice, if they do not already have an attorney.

Article 18 of the relevant Bill proposed by that Ministry, in every case where there is a provision for the ex officio appointment of a counsel for the defendant by the court or a board or the investigating magistrate or an investigating officer, the counsel is selected by a list, drawn up following a

specific procedure. While a joint decision issued by the Ministers of Justice and Finance determines the calculation and payment of the attorney's fees. We would like to emphasize, however, that the legislation in effect does not provide for the ex officio appointment of a counsel by an investigating officer, a fact which our Department intends to airless to the above mentioned Ministry of Justice, which has forwarded said Bill for our information, with a view to covering this case as well.

- k. Note is made that foreign nationals arrested for violations of the legislation on foreign nationals (Act No 1975/1991), such as illegal entry into the Greek territory (article 4 para.3, Act No 1975/1991) are detained for criminal offences and are treated within the frame of the current criminal procedure. Such foreign nationals, and any person arrested for criminal offences, are provided with general information forms concerning the prisoners' rights (Sample D-33) immediately upon their arrival at the relevant Police Establishments, where all their rights are detailed, both concerning their period of detention therein, as well as concerning the procedure followed. The provisions of the legislation on foreign nationals (article 4 para.4 Act No 1975/1991) set forth that, in the frame of the criminal procedure, the public prosecutor of the Court of Magistrates can abstain, upon the consent of the public prosecutor of the Appellate Court, from to criminal proceedings against a foreign national for the offence of illegal entry into the Greek territory, in which case the foreign national is again immediately turned back to the country of his departure or origin. Until the relevant decision is issued by the public prosecutor of the Court of Magistrates, the foreign national in detention is treated according to the criminal procedural provisions.
- l. Stress should be put to the fact that the Ministry of Public Order has shown particular concern about this matter. In particular, circular order Ref.10 4803/22/14-εόδ of 31 March 1997 has been issued by the Ministry's Secretary General, offering clarifications to the Police Departments and underlining the police officers' obligations to offer information to foreign nationals detained for violations of the legislation on foreign nationals (Act No 1975/1991).

- m. The same circular order, in addition to all the other measures intended for the information of foreign nationals detained by the Police, ordered that the information forms (D-33 and KA-141) should be posted in the detention areas of the Hellenic Police Prisoner Transfer Departments, in all the languages, thus covering every aspect of every means of information possible. The same measure, of course, applies in the case of Greek detainees.
- n. In general, there are provisions for the adoption of all appropriate measures, in order to allow the detainees to exercise in practice all of their rights, within the frame of the existing laws and regulations.
- o. The following are noted in regard to how the measures referring to the information of detainees on their rights are ensured:
 - (1) The Heads and Captains of Police Departments have been assigned the supervision of the application of the above mentioned measures by police officers, according to circular order Ref.No 4803/22/14-a' of 3 January 1995 issued by the Chief of the Hellenic Police Force. The same officers are responsible for the training and instruction of police personnel leading to the full adoption and strict implementation of said measures in practice (para.18, section b' of the circular).
 - (2) Furthermore, according to paragraph 18, section a' of the same circular, all the hierarchically superiors to the Heads of Police Departments have been ordered to monitor the meticulous implementation of the measures set forth for the information of detained persons.
 - (3) The Ministry of Public Order, exercising constant control in all matters pertaining to the implementation of said measures, issued in addition the circular order Ref.No 4803/22/14-ke' of 5 November 1996 of the Ministry's Secretary General, where the intention for the further practical guarantee of the exercise of their rights by the detainees in re-established and the responsibility of their superior officers to monitor their strict compliance are emphasized.

- (4) On the basis of the above mentioned circular order of the Secretary General of the Ministry of Public Order, the Heads of Police Directions, Security Directions and Traffic Police Directions as well as the Directors of Prefect Ural Police Directions, have conducted and are in the process of conducting controls, and have reported that all Police Departments perform painstakingly their duties referring to the information and the exercise of the detainees' rights.
4. The guarantee in full of the fundamental rights of every person, and particularly of those persons detained in Police Departments, and the social sensitivity which is part of the duties of police officers, consist the essence of the policy of the Ministry of Public Order. The Hellenic Police Force strives constantly and unflinchingly to ensure the universal and unswerving implementation of the measures regarding the provision of information forms and the exercise of the detainees' rights.

B.

FOLLOW-UP RESPONSE OF THE MINISTRY OF PUBLIC ORDER
TO THE REPORT OF THE EUROPEAN COMMITTEE FOR THE
PREVENTION OF TORTURE AND INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT (CPT)

ON ITS VISIT TO GREECE FROM 25 MAY TO 6 JUNE 1997



FINAL REPORT
On the observations of the Committee of Article 1
of the European Convention
for the
"Prevention of Torture and Inhuman
or Degrading Treatment of Punishment".

1. The Hellenic Police, according to the Constitution of the country and the Organic Laws governing its function, have as duties:
 - the fortification and function of Public Order,
 - protection of the public and state security,
 - combating of any type of crime,
 - participation in the safeguarding of the country's National Defense in co-operation with the Armed Forces and, finally,
 - protection of the personal freedoms and social rights of the Greek citizens as well as all rights provided by the constitution in the Greek territory.

2. The respect of the man's value and the protection of human rights and freedoms for every person living in the Greek territory, irrespectively of race, nationality, language, religions or political beliefs, are fundamental obligations of the State and important Constitutional order.

**RESPONSES ON THE OBSERVATIONS
OF THE COMMITTEE**

1. Places of detention - in general

According to the existing provisions, the following persons are detained at the places of detention:

- a. The persons who are arrested as perpetrators of flagrant crimes or for whom the competent judicial authorities order their detention only for the period requested for their transfer to the prison or bringing forward the court.

- b. The persons who are sentenced to imprisonment 1-30 days and if the sentence is not possible to be served at special sections of prisons. It happens very rarely.
- c. A decision for deportation is still pending against them.
- d. The persons who are under protective custody (insane, drunkards, etc.) until they will be able to leave or to be received by their families.

The regulations of the Hellenic Police provide in detail and clarity what concerns places of detention as well as duties of Police Officers and their behavior to the detainees.

According to these regulations, the places of detention must fulfill the necessary health and security conditions in order to prevent escapes and suicides or self-injuring of the detainees.

The places must be adequate, clean, disinfected and supported. For this purpose, constant controls are carried out and the competent Health Department gives clear orders and guidelines.

2. A. The 7th floor detention cells at the Athens Police Building.

- a. These are divided into two (2) wards (men-women) and consist of twenty (20) cells, with a total capacity of eighty (80) persons.
- b. There are four (4) persons held in each cell as a rule. However, in cases of increased numbers of detainees brought to the Department for various offences, there might more than four (4) persons held in each cell, for very limited periods of time.
- c. The artificial lighting is of these places of deprivation of liberty is adequate and does not differ from the lighting in the offices of the Police Department housed in that building.
- d. The artificial lighting is also adequate and is constantly improving.
- e. The cells are equipped with a separate and efficient ventilation system.
- f. In general, all the regulations relating to the hygiene and cleaning of the cells are satisfied.

B. The 3rd floor detention cells for Juveniles at the Athens Police Building.

- a. These places of deprivation of liberty consist of three (3) cells, of a total capacity of six (6) persons.
- b. They are exclusively used for the detention of juveniles.
- c. As a rule, detainees do not remain long in these cells, due to their particular nature (children and adolescents). They are led before the court authorities as soon as possible.

C. The 11th floor detention cells at the Athens Police Building.

- a. These places of deprivation of liberty consist of five (5) cells, of a total capacity of five (5) persons.
- b. They are mainly intended for the detention before trial of prisoners, until the completion of all required formalities.

3. Places of detention at the Police Station of DRAPETSONA.

- a. The detention cells at the Police Station of Drapetsona are modern and built on the basis of the studies elaborated by the competent services of the Ministry of Public Order and the Piraeus Land Development Direction.
- b. The detention cells are divided into two (2) wards (men-women) and have a total capacity of (85) persons.
- c. There is a spacious corridor to each of the prisoners' wards (men-women), and prisoners are allowed to come out of their cells and spend time there, freely, in-groups.
- d. The number of women prisoners is usually small, therefore the prisoners have adequate space to move in their cells and in their ward corridor.
- e. It is a fact that there is no secure area in this Police Station, which would permit the physical exercise of the prisoners.
- f. There is hot water around the clock for the needs of all the prisoners (men and women). There are five (5) water heaters in total. In the case of any failures to the hot water supply systems, these are repaired as soon as possible.

- g. The above mentioned detention cells are cleaned daily by the Police Station's cleaning crews, while at fixed periods of time the area is disinfected.
- h. The food offered to the prisoners is cooked at the police restaurant and it is exactly the same as that offered to police officers. It consists of two meals (lunch-dinner),
- i. No mistreatment charges have been brought by any prisoner to the Ministry Departments up to this date. Note should be made here that prisoners are afforded all possible facilities, as regards communication with their advocates.
- j. The number of persons deprived of their liberty who are held in the above-mentioned places very rarely exceeds the number set forth for that purpose.
- k. Finally, we would like to inform you, that the Committee's recommendations in regard to the supply of hot water, cleaning, replacement of mattresses etc. have been implemented.

4. A. Place of detention at the Police Station of the Eastern Air Terminal of Athens.

- a. This consists of one cell, of an area of approximately 30 square meters, where only criminal offenders remanded by all the Departments of the Security Direction of Attiki are held.
- b. This place is sufficiently clean and from time to time the walls are painted and the cell is disinfected. Further more, mattresses and blankets are frequently replaced.
- c. The national ventilation cannot be improved, given the position of this place. The artificial lighting is entirely adequate.

B. Place of detention at the western Air Terminal of Athens.

This is a specially arranged area leading to the Western Air Terminal Transit Hall, where foreign nationals to be deported are held. They only remain there for three hours maximum, until their departure.

C. Place of detention for undesirable foreigners, at the eastern Air Terminal of Athens.

- a. This is a specially arranged area at the "*TRANSIT*" Hall of the

eastern Terminal. Consisting of 3 cells of a capacity of three (3) persons each, where the "*undesirable foreigners*" are under police supervision for seven days maximum, until their removal to the country of origin or other country where their entry is acceptable.

- b. The foreigners who are not permitted entry in the Greek territory and stay in the above place, are simply characterized as undesirable persons and do not possess the detainee status.
- c. These facilities belong to the jurisdiction of the Civil Aviation Authority which is responsible for cleaning of the places, offering meals to the foreigners at the expense of the air companies or, in case that they refuse, at expense of this service. Our services are only responsible for the custody of the foreigners.
- d. The recommendations of the Committee for television, Ping-Pong, books, newspapers, etc, cannot be realized at the moment, due to inadequacy of the existing places.
- e. The staying foreigners are not permitted to be in open area for exercise, since the open airport areas are characterized as strictly controlled areas (airport ground, runways, etc.)
- f. The transfer of foreigners outside the airport's area is not possible (since it implies entry in the country).
- g. The access of sick foreigners to a doctor, at the western as well as to the eastern Air Terminals, is possible all around the clock. Should they be unable to go to the doctor, the doctor will come to the area where they are seated and will offer the required medical services. Furthermore, should any ailing foreign national need to be transferred to the hospital, this transfer will be effected immediately, with priority. Any such foreign national will remain under Police supervision during his/her hospitalization.
- h. After the above mentioned, foreign nationals have been asked the necessary questions according to the internationally standard procedure, and after they have been characterized as *personae non-gratae*, such characterization is announced to them in all confidentiality at they are offered. The opportunity to communicate with their acquaintances or with any authority, whether in the Greek territory or not, their Embassies and, of course, with their chosen counsel.
- i. Given the existing building infrastructure at the Athens Airport, the

conditions of the stay of the above mentioned category of foreign nationals in this area are considered acceptable for the new Airport, There is a provision for comfortable rooms for this purpose, and the possibility that they will be allowed to stay at an Airport Hotel is still open.

5. Places of detention at HELLINIKON.

The above places are not temporarily in operation, however the procedures for their repair and operation are being in development. They have capacity for 40 persons (men) and meet all necessary requirements concerning security and health.

6. Places of detention at 23 ASKLIPIOY Street, Piraeus.

- a. These detention cells are only intended for male foreign nationals awaiting their deportation.
- b. This place of deprivation of liberty consists of fourteen (14) cells of a total capacity of fifty-six (56) persons.
- c. All the deficits noted by the Committee in regard to these cells have been restored and in due time they will be operational. Especially, in order to replace all these deficits, the said places were not used for detention of foreigners for almost one year.
It should be noted that, due to objective difficulties, from the recommendations it was not possible to find a place for sports. Two (2) card telephone sets have been installed; all mattresses and blankets were substituted. The offered meal is the same offered to the police officers, there are five washrooms and respective showers with hot water and, finally the places are regularly are disinfected and visited by a doctor.

7. Detention cells at the Piraeus Transfer Station.

- a. It is a fact that the building which houses the Piraeus Transfer Station is not suitable due to lack of grounds, the antiquity of the building and the number of detainees.
- b. The fact is that due to the antiquity of the building, no restoration can be undertaken effectively. Therefore, the Ministry Services have tried to locate a new suitable building. However, our efforts up to this date have been unsuccessful for various reasons.
- c. However, despite the current situation, the deficiencies here

eliminated regarding the replacement of mattresses and blankets, the repair of the worn electrical and sewage installations and the painting of the building have been implemented, and there is a constant effort towards the improvement of the detention conditions.

8. A. Place of detention at the CORFU Police Station

- a. Extension and restoration works are in progress at the above place of detention (painting, water-sewage-electrical installations).
- b. Furthermore, this Department is going to proceed to the construction of a new place of detention, in order for the needs in this area to be fully covered.

B. Place of detention at the Security Sub-Direction of CORFU

It should be noted that the above service would be transferred, during the next three months, in "*Alikes Potamou of Corfu*".

The new building is modern and houses three detention places, two for men and one for women, with total capacity for thirty (30) persons.

9. Place of detention for foreigners in PERAMA - IOANNINA.

The above place definitely stopped to operate since July 1999.

10. A. Place of detention at the DEMOKRATIA Police Station, Thessaloniki.

- a. This place of detention consists of four (4) cells of a total capacity of ten (10) persons.
- b. All the old mattresses and blankets have been replaced by new ones,
- c. There is adequate natural lighting and the area is regularly cleaned.

B. Detention places for foreigners at the Security Direction of THESSALONIKI

New ones replaced all old mattresses and blankets and the small cell, without window, was closed so that not to arise suspicions that it is used for place of detention.

11. Places for temporary residence of foreigners in AMIGDALEZA, Attiki.

In "Amigdaleza" area of Attiki, places are created for temporary residence of foreigners.

In particular, four rooms, of total capacity of 100 persons, are being created which will be in operation in the near future.

In addition to the above, it should be noted that the overall facing of the problems will be achieved only with the construction of public buildings at the seat of the Police Directorates in which detention cells for the detention of persons under secure and healthy conditions, will be created as well.

In cooperation with the Public Land Association a project for the upgrading of the building infrastructure of the Hellenic Police is under way; we hope that in this way the problem of the detention cells will also be dealt with successfully.

In the context of this project, a building of 9.000 m² for the housing of Aliens and Transfers Services of Attiki will be bought.

Detention cells for 468 persons will be created in this building.

For the purchase of this building, on 25/10/1999 the process will be terminated, we will let you know accordingly.

The ban of torture and other cruel, inhuman, of humiliating treatment or punishment is ensured through the basic provisions of the existing constitution and a series of other laws by which the relevant international convention and a series of other laws by which the relevant international conventions have been ratified.

Any violation of the above provisions is examined thoroughly through judicial and administrative procedures by the competent bodies. In particular, the Police officers, in addition to the penal proceedings, are controlled by their disciplinary law.

In regard to the Committee's recommendations on this matter, we would like to inform you the following:

1. On the matter of the supervision by public prosecutors of the preliminary investigations undertaken by police officers in criminal cases (par. 18, pp 23-24, CPT Report and page 58, Appendix 1 thereto). We would like to inform you that according to the

provisions of the Code of Criminal procedure, the preliminary investigation undertaken by investigating officers of the prosecutor of the Court of Magistrates, who is entitled to attend all investigating procedures, either in person or by one of the deputy public prosecutors under his command, and to take knowledge at any time of all documents referring to the investigation (Articles 31 and 33). Therefore, the present statutory framework adequately covers this case. It stands to reason that the attendance of public prosecutors in all the preliminary investigation activities of the investigating police officers is practically impossible, given the limited number of prosecution officers.

2. With regard to the Committee's recommendation for the establishment of a separate formal code of Behavior effective in the case of preliminary investigations conducted by investigating police officers (par. 93, PP 64-65, CPT Report and page 65, Appendix 1 thereto), we would like to inform you the following :

a. With regard to the recommendations of paragraphs 82 (page 59), 85-87 (pages 59-61), 92, 94-96 (pages 64-67) of the CPT Report and pages 63-66 of Appendix 1 thereof, referring to the matters of the communication of the detainees, both Greek and foreign nationals, with their family members or other persons (Consuls etc) and with the counsels of their choice, the attendance of counsels during the preliminary investigation procedure and the foreign nationals' deportation procedure, the legal aid accorded by to prisoners without means of their own (both Greek and foreign nationals), the leaflets informing prisoners and detained foreign nationals awaiting deportation of their rights, and the measures adopted by the Hellenic Police Force to secure at said persons can exercise their rights in practice.

On the basis of circular order No 4803/22/14-a of 3 November 1995 issued by the Chief of the Hellenic Police Force, the information forms detailing the rights of the persons detained by the Police Authorities were standardized, and their implementation was ordered according to the instructions contained therein.

These information forms are divided into two categories. Information forms intended for all detainees (Sample D-33) and special information forms intended for foreign nationals detained pending their administrative deportation (Sample KA

141). Both D-33 forms and KA-141 forms have been printed up to this date in 14 languages. The foreign languages to which these information forms were translated are those recommended by the district Departments of the Hellenic Police Force, on the basis of the statistical data on the major languages spoken or understood by foreign nationals entering or staying in Greece.

The Ministry of Public Order has not been informed that the existing information forms did not cover the information needs of foreign nationals in detention. Only isolated cases have been reported of either illiterate foreign nationals or foreign nationals who could not speak the official language of their country of nationality, and who therefore were not in a position to read the information forms produced. Such cases are dealt with particular sensitivity, making every effort, according to the directions of section (j) of paragraph 12 of the above mentioned circular, to orally explain their rights to the detainees in any-available way (with the assistance of an interpreter, the consular authorities etc.) However, in these cases the relevant report drawn up by the police officers contains a special reference indicating the probable cause of the lack of full information (paragraph 12, section (k) of the circular).

Paragraph 12, sections (d) and (e) of the above mentioned circular sets forth the additional obligation of the police officers to explain orally and explicitly their rights to the prisoners and to draw up a report proving the provision of the information form and the clear explanation of the prisoners' rights.

The mentioned information forms are provided to any person arrested by the Hellenic Police for whatever reason, immediately after he is taken to the Police Station, according to par. 12a of the Hellenic Police Chiefs circular.

It is noted that foreign nationals arrested for violations of the legislation on foreign nationals (Act No 1975/1991), such as illegal entry into the Greek territory (article 4 par. 3, Act. No 1975/1991), are detained for criminal offences and are treated within the framework of the current criminal procedure. Such foreign nationals, and any person arrested for criminal offences, are provided with information forms on the prisoners' rights (sample D-33), immediately upon their arrival at the Police Stations. In these information forms all their rights during their detention are set out in detail; moreover, the followed procedural process is also analyzed.

The provisions of the legislation on foreign nationals (article 4 par. 4 Act No 1975/1991) provide that in the context of the criminal procedure, the Public Prosecutor of the Court of Magistrates can abstain, upon the consent of the Public Prosecutor of the Court of Appeal, from criminal proceedings against a foreign national regarding the offence of illegal entry into the Greek territory; in this case, the foreign national is immediately turned back to the country of his departure or of his origin. Until the relevant decision is issued by the Court of Magistrates Public Prosecutor, the foreign national in detention is treated according to the criminal procedural provisions.

- Stress should be put to the fact that the Ministry of Public Order has shown particular concern about this matter. In particular, the circular order Ref. No 4803/22/14-1st' of 31 March 1997, has been issued by the Ministry Secretary General providing clarifications to the Police Departments and stressing the police officers' obligations to provide the necessary information to the foreign nationals detained for violations of the legislation on foreign nationals (Act No 1975/1991).

- I. The same circular order, in addition to all other measures intended for the information of foreign nationals detained by the Police, ordered that the information forms (D-33 and KA-141) should be hung up in the detention areas of the Hellenic Police Prisoner Transfer Departments, in all languages, thus covering every aspect of the information field. The same measure, of course, applies in the case of Greek-detainees.

- II. On the basis of the same circular order, police officers are obliged to permit and facilitate the detained persons' communication with their families, in order to let them know where they are held, should they wish to do so, and with their legal counsel (par. 12, section (e) of the circular).

Police Authorities are required, under par. 12 g of the circular, to facilitate the detained persons' communication with the area's bar association, thus permitting them to employ the services of the counsel, of their choice, if they do not already have an attorney.

- III. Of course, foreign nationals have the right to employ an attorney during the procedure for their administrative deportation as well; the above right is made known to them, having to sign a relevant document, since the moment they are arrested and taken to the police station.

The current legislation, in the framework of the criminal preliminary inquiry, does not provide for the free employment of a counsel to the defendants (nationals-aliens). However, it must be noted that relevant provisions are promoted by the Ministry of Justice; namely, according to the Draft Law of this Ministry, in every case where there is a provision for the ex officio appointment of a counsel for the defendant by the court, by a board, or by the examining magistrate or an investigating/examining officer, this counsel is selected from a list drawn up according to a specific procedure. A joint decision by the Ministers of Justice and Finance determines the calculation and payment of the attorney's fees. We would like to emphasize, however, that the legislation in force does not provide for the ex officio appointment of a counsel by an investigating/ examining officer, a fact which our Department intends to stress to the above mentioned Ministry of Justice, which has forwarded to us the Draft Law in question for our information, with a view to covering this case as well.

- IV. In general, there are provisions for the adoption of all appropriate measures, in order to allow the detainees to exercise in practice all of their rights, within the framework of the existing laws and regulations. The following are noted in regard to how the measures referring to the information of detainees on their rights are ensured:

- (1) The Heads and Captains of Police Departments have been assigned to supervise the application of the above mentioned measures by police officers, according to the same circular order of the Chief of the Hellenic Police. The same are responsible for the training and instruction of police personnel leading to the full adoption and strict implementation of said measures in practice

(par. 18, section b' of the circular).

- (2) Furthermore, according to par. 18, section a' of the same circular, all the hierarchically superiors to the Heads of Police Departments have been ordered to monitor the meticulous implementation of the measures set forth for the information of detained persons.
- (3) The Ministry of Public Order, exercising constant control in all matters pertaining to the implementation of said measures, issued in addition the circular order Ref. No 48/22/14-ke', of 5 November 1996, of the Ministry's Secretary General, where the intention of the further practical guarantee of the exercise of the detainees' rights is re-established and the responsibility of the Heads and Captains of Police Departments to guide police personnel in the implementation of the measures and the responsibility of the senior officers to monitor their strict compliance are emphasized.
- (4) On the basis of the above mentioned circular order of the Secretary General of the Ministry of Public Order, the Heads of the Police, Security and Traffic Police Divisions as well as the Directors of Prefectural Police Directorates, have conducted and are in the process of conducting controls, and have reported that all Police Departments perform painstakingly their duties referring to the information and the exercise of the detainees' rights.

The guarantee in full of the fundamental rights of every person, and particularly of those persons detained in Police Departments, and the social sensitivity which is part of the duties of police officers, consist the essence of the policy of the Ministry of Public Order. The Hellenic Police Force strives constantly and unflinchingly to ensure the universal and unswerving implementation of the measures regarding the provision of information forms and the exercise of the detainees' rights.

Provisions of Meals to persons under Police detention.

In accordance with Legislative Decree 116/14-02-1969 and Decision No 2062661/7617/0022, of 22/11/1995, detainees are provided with meals immediately after their arrest and not after the elapse of 24 hours.

The provision of food to detainees is carried out twice a day (at noon and in the evening) at the State's expense, in accordance with existing regulations. Most of the times, the food comes from the Police Officer's Clubs and it is of the same quantity and quality as the one offered to Police personnel.

Detention time for foreign nationals awaiting deportation.

The detention time for aliens awaiting deportation can vary for each person. In general, it lasts for a few days but in some cases it is extended for a much longer time. Prolongation of the detention time is usually caused by the aliens themselves, who, in order to avoid deportation, employ passive-resistance tactics, refuse to be taken to their countries' consular authorities for the issuance of travel documents, refuse to fill out the necessary forms or to get in contact with their Consul provide false information about their identity or nationality, and submit asylum applications which have nothing to do with the Geneva Convention.

In addition, some consular authorities, in order to prevent the deportation of their own citizens, exercise delaying tactics, or refuse to issue travel documents under various pretexts.

The delay of the deportation is also sometimes caused by the fact that there is no frequent air connection with some countries.

Medical care.

Medical care is provided to the detainees by the medical services of the Police or by contracted physicians.

If a detainee gets sick and medical care is not possible in the place of detention, he/she is taken immediately to the hospital, where he/she is subjected to medical tests and if he/she needs hospitalization, he/she remains there under guard.

General remarks

1. With the present final report our Ministry, wishing to cooperate and responding immediately, places all the impartial and objective data concerning proposals, suggestions and recommendations at the Committee's disposal.

2. For once more, this report demonstrates and proves our dedication to the principles of humanism and to the unswerving observance of the international conventions and laws regarding the protection and the securing of the rights and the freedoms of those being in the Greek territory, regardless of their nationality, origin, religious or ideological beliefs, economic or social situation.
3. As to remarks regarding maltreatment, once more we would like to point out the following:
 - a. The existing legal framework related to the protection of human rights and freedoms and to the ban of every form of inhuman treatment or punishment is adequate and meets absolutely the spirit of the UNO declarations and the international Conventions, which have been concluded for this reason.
 - b. The cases of police officers whose behavior/conduct is not the one provided for by the law and the regulations of the Police Corps, are very few and can be characterized as isolated. These cases are investigated from a judicial and a disciplinary point of view and penalties are imposed without any cover-up intention.
 - c. As regards detention, we would like to point out that the existing legislative framework fully ensures the detainees' rights.
 - d. Finally, we would like to inform you that the imperfections of the detention areas (except for the building infrastructure) ascertained by the Committee, are owed to some extent to the conduct of the detainees who many times cause wanton damages. In every case determined efforts are made to make the detention areas more functional and serious steps have been taken to this direction either with repairing or with the creation of new areas. Moreover, areas which didn't meet the necessary specifications and were not susceptible of improvement and repairing, are not in use anymore.

A.

**INTERIM RESPONSE OF THE MINISTRY OF JUSTICE
TO THE REPORT OF THE EUROPEAN COMMITTEE FOR THE
PREVENTION OF TORTURE AND INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT (CPT)**

ON ITS VISIT TO GREECE FROM 25 MAY TO 6 JUNE 1997

B. Institutions subject to the competence
of the Ministry of Justice

Par. 98: The issue of overpopulation has unfortunately returned as a phenomenon in the Greek prisons, despite its almost successful confrontation after the Committee's previous visit (in 1993). It is mainly caused by the large number of foreign prisoners and the continuously (and universally) growing crime. A strenuous effort is made to face it, on one hand by the development and promotion of a large building project for the construction (and reconstruction) of 10 new prisons, which are expected to be completed within the next two years and with 300 new places for prisoners, per prison, on average. By this time, the Correctional Institution is already being moved, from the Koridallos Prison complex to new installations in Avlona, Attica, in formerly military prisons, assigned by the Ministry of National Defence. Thus 200 places are freed at the Koridallos Judicial Prison (where adult prisoners will expand). Furthermore, the Centre for the Detoxification of Drug-Addict Prisoners will operate (at any rate within 1999), with a capacity of 360 places in a building of 17.000 square meters, located in an area of 216.000 sq. m. in Thiva, Viotia, recently purchased against Greek drachmae 5.000.000.000. This Centre will relieve the congestion from all Prisons detaining today drug-addicts, who meet of course the requirements for their transfer to it, depending on the number of the places available.

Par. 100: Law 2479/1997 provides for the application of the work statute both in the Prison and the accused, provided of course that they are convicted and request this in writing, at which time the beneficial calculation of work days is taken into account on their behalf. In addition, the accused (detained in custody) participate in any educational or vocational training project, applying in the Prison where they are detained.



As far as the general application of educational and vocational training projects within the Prison are concerned, these apply to any Prisons having the relevant infrastructure (workshops, training rooms etc.) and to the degree permitted by overpopulation. Besides, in several prisons and Correctional Institutions, projects funded by the European Union, in many productive fields (informatics, carpentry, jewellery etc.), apply.

Par. 102: As regards the case of maltreatment of prisoners in the Judicial Prison of Thessaloniki (in Diavata), we herewith inform you that, following a thorough investigation of the subject and the assurances given by the Supervising Public Prosecutor, it was evident that no maltreatment of a prisoner took place in the said prison, since no report -whether oral or in writing- was filed during the period from 1990 up to 1997. It is understood that the prohibition to apply any form of violence or maltreatment, on any prisoner, is continuously reminded to any prison of the State.

Par. 103: During 1996 -and following a publication in the «Apogevmatini» newspaper related to the maltreatment of prisoners in the said Prison- a disciplinary preliminary examination was ordered by the Secretary General, which was carried out by the Public Prosecutor, Court of First Instance, Thessaloniki. It was evident by the findings that the accusations were unfounded, aiming at the intimidation of the correctional staff. Besides, the Supervising Public Prosecutors praise their moral standards. As a result, the case was put in the files.

During 1997, two complaints were reported related to maltreatment of prisoners by correctional staff:

- a) When examining the first one, it became evident that a prisoner was only slapped and the correctional staff of the Judicial Prison, Thessaloniki, involved were indicted to the competent Official (Disciplinary) Council.



b) When examining the second case (complaint filed by prisoners of the Koridallos Women's Prison against a member of the correctional staff), the issue has been referred to the Public Prosecutor's Office, Court of First Instance, Piraeus, instructed by the Secretary General to carry out a preliminary examination, the findings of which are expected to be published.

Par. 105: The Governors of any Prison and the correctional staff certainly see immediately to cases of fights between groups of prisoners (mainly foreign ones) and on the condition, of course, that such a fight is perceived by them promptly because, sometimes, unforeseen circumstances cannot be faced immediately and absolutely effectively. A general use of violence has not become evident up to this day in the cases of fights within a Prison, only isolated incidences of fights. In the case of injuries, medical assistance is immediately provided.

Finally, in case a petition is filed by a prisoner requesting his transfer, due to the danger hanging over his personal safety by fellow-prisoners, this takes place immediately.

Par. 107: The problem of overpopulation at the Koridallos Judicial Prison continues to be an acute one (the number of prisoners is even higher than the one at the time of the visit), with the same approximately ratio between native and foreign prisoners. Of course, as mentioned above, approximately 300 places are expected to be saved, following the removal of juvenile prisoners and certain drug-addicts (who will be transferred to the new, formerly military Prison in Avlona and the Centre for the Detoxification of Drug-Addict Prisoners, respectively). In any case, the radical roominess of the Prison and, consequently, the possibility of two (2) only prisoners occupying one cell, will only become feasible after the completion of the prison construction project currently in progress (within the next two years).

- Par. 110: A continuous effort is made for the restoration and improvement of the shower and laundry installations. Only the poor prisoners, the foreign ones and those not being able to be supplied with them in any other way receive sanitary articles. The remaining, prosperous prisoners, having money available at the Prison's cashier, sometimes considerable amounts, use their own sanitary articles and if they are supplied with them by the Prison, they do not use them and, usually, throw them away.
- Par. 111: Overpopulation has returned to a certain degree at the Koridallos Women's Prison, due to the aforesaid reasons (increase of crime etc.). However, the nursery has been completed, is equipped at this time and it will operate in September.
- Par. 112,
113, 114,
115, 116: As mentioned above, juvenile prisoners have already been transferred to the new Juvenile Correctional Institution, in Avlona (formerly a military prison), which has been renovated and equipped, so that it offers human living conditions to the juvenile prisoners, education and vocational training. In this prison, the lavatory has been fully separated from the cell (for 2 people) by a wall, up to the ceiling, while it also has 3 partitions: the first one is the washbasin, the second one is the shower and the third one (in the back) the lavatory pan of the WC (fully invisible from the cell's area).
- Par. 118: The bookbinder's - printer's workshop operates as described in the report. The funds corresponding to the recruitment of specialised staff (Greek drachmae 20.000.000) have already been approved by the European Union, to be used for its more complete operation and expansion to printing works, outside the Ministry of Justice. The cost for the expansion of the machinery was not approved at this stage, but we hope that in the future this target will be

achieved as well. The other workshops operate normally. Furthermore, the entertainment room has been completed and the library operates.

Par. 119: The workshop for hand-made jewellery is already attended by at least 20 women prisoners, the number of workdays of whom is calculated on a beneficial basis. The job positions of women prisoners were increased by 15 more and successive projects and entertaining and cultural events are developed by various bodies.

Par. 120

& 121: The transfer of the Juvenile Correctional Institution to the former military prison in Avlona will offer more possibilities of activities, training and entertainment to the juvenile prisoners, than those of the Juvenile Correctional Institution in Koridallos, due to wider spaces, both interior and exterior ones, which exist there, for the use of the juveniles and, consequently, the respective projects are already designed on a new basis.

Par. 122,

123, 124,

125, 126,

127, 128: Repair works have already started, per ward, in the new Closed Prison of Corfu, by improving or reconstructing the vital living areas of the prisoners (doctor's office, kitchen etc.). However, the firm position of the Ministry of Justice remains to transfer the Prison to a modern building, outside the town's limits. An appropriate lot has been already found and selected and the completion of the buildings is expected to take place within the next two years.

Par. 129,

130

& 131: The activities mentioned in these paragraphs for the prisoners will be fully developed after the transfer of the Prison to the new building takes place, where the appropriate areas will exist (workshops, entertainment rooms etc.).



3 L
ΕΡΜ
3013
Par. 132: The operation of the prison mentioned in this paragraph (Correctional Prison of Corfu) is not to be realised as a non-advantageous one, since the expenditure required for its repairing is already transferred to the construction of the said new Prison, outside the town of Corfu.

Par. 133

& 134: The construction of a Centre for the Detoxification of Drug-Addict Prisoners is planned to take place in a privately-owned area of the Ministry of Justice, in Kassandra, Halkidiki, the anticipated time of completion being the year 2.000.

Par. 135,

136, 137,

138, 139,

140: An extensive renovation of all areas of the Judicial Prison of Diavata (Thessaloniki) has commenced, together with a new oil-painting of all the wards. Also, from now on, sheets and towels will be given to all prisoners. In a short time, the completion of the laundry area is expected to take place, something which indeed was delayed for one year, due to the consumption of the relevant credits and the non-payment of the contractors.

A decongestion of the Prison will be achieved immediately after the completion of the constructive project of the Ministry. The area of juveniles will be preserved though, having first been partially decongested -after the operation of the Correctional Institution in Avlona- as it is essential for the stay of juvenile prisoners who reside in Thessaloniki, given the fact, in particular, that it serves the juveniles of all Northern Greece and those who are transferred to Thessaloniki in order to stand trial. The same are valid for the Women's Ward of the same Prison, as well.

Par. 141,

142, 143,

144, 145: The prisoners of all categories in the Judicial Prison of Thessaloniki (Diavata) form an alternating population, as it is a prison for those accused and convicted for up to five years (judicial), while the women's and juvenile wards are very small. This is the main reason for the inability of application of the educational and vocational projects. As soon as an elementary number of prisoners is completed, the activities apply.

Par. 146

147, 148: The dentist's office at the Judicial Prison of Koridallos is operating regularly by now and a dentist is employed there who, at the time of the visit of the CPT had been detached to the Prisoners' Hospital, as the dentist's office was not yet operating.

The Ministry strives continuously to promote the procedures to employ the required medical and hospital staff.

Par. 149: The Correctional Institution for Juveniles has already been transferred to its new installation in Avlona and, by this time, the department which will care for the health of juvenile prisoners is organised, for which we will advise you in detail in our final reply. Furthermore, we inform you that the medical staff of the Institution consists of 1 permanent paedopsychiatrist, 2 doctors who visit it 2 times per week and 3 nurses (one qualified).

The doctor's office in the Closed Prison of Corfu has been repaired and operates within the Prison's area. The Prison's doctor works for 3 hours per day and, additionally, he is called whenever an emergency arises.

Par. 151: In connection with the Judicial Prison of Thessaloniki and the health care in it, efforts are made to operate a Health Centre for Prisoners (in co-operation with the Ministry of Health-Welfare) at the Papanikolaou Hospital, in Thessaloniki.

Par. 155: Indeed the examination of prisoners, using an HIV test, is always performed on a voluntary basis.

Par. 158: The examination (on a voluntary basis) of any prisoner for AIDS, hepatitis B and hepatitis C has been established and, additionally, there is a pilot project in Patras for the control of TBC (tuberculosis). Whenever this is not applied though, this is due to the difficulties faced by the local hospital. The Closed Prison at Patras has been included in the project «Health in Prisons», of the World Health Organisation (WHO) and, additionally, it is there that a treatment with interferon applies to prisoners suffering from hepatitis.

Par. 159,

160: Given the present situation in prisons, the secrecy of medical data cannot be absolutely secured. The computerisation of prisons is organised now and special care is taken that the medical and psycho-social data are confidential and that only the respective competent scientists are able to have access to them.

Par. 161,

162: The Prisoners' Hospital in Koridallios has been scheduled to be incorporated into the National Health System (NHS), as a Special Health Centre and, at this time, the legislation is worked out.

Par. 163: The Detoxification Unit, which the Committee refers to, has as follows: An area of 216.000 sq. m. has already been purchased at the Eleonas site, Thiva, in which luxurious buildings are located, having an area of 17.000 sq. m. The preparation of the legislation, on the basis of which it will operate, has already been completed and this is anticipated to be done within 1999, at any rate. A project for the Detoxification using methadone will operate there as well, i.e. efforts are made that the prisoners already included in the State Project for Detoxification using methadone, do not interrupt it, as long as the time period of their imprisonment is a limited one, but they continue it in the prison.

Par. 164: The likely confinement in the Prisoners' Mental Clinic of Koridallios is recorded in the Event Book of the doctor's office, which is filled in by the end

of every shift of the nurses, i.e. 3 times daily. It has also been already decided that a letter is sent for the establishment of an incommunicado book.

Par. 167: The «Incommunicado - Observation» Unit is to be fully reshaped.

Par. 168: The incorporation of the Prisoners' Mental Clinic of Koridallos in the National Health System (NHS) has already been planned, in the form of a Special Centre for Mental Health and, at present, the preparation of the legal framework for its operation is under progress.

Par. 170

& 171: Of the vacant staff positions at the time of the visit of the Committee's delegation, 250 positions of correctional staff have already been covered (DE Custody). The appointment of the 12 doctors, 40 administrative employees, 25 social workers and 7 nurses was not possible, as it was not approved by the governmental Committee. Also, the employment of scientists for the following positions-specialisations was been requested by the same Committee: 3 PE Doctors-Psychiatrists, 3 PE Sociologists, 3 PE Psychologists and 3 PE Criminologists. Our firm request is the staffing of all vacant organic posts in the Prisons.

Par. 172,

173, 174,

175: The conversion of the thick netting (mesh-work) into a glass-made partition is already considered, starting from the visit area of the Judicial Prison of Koridallos, because indeed the mesh-work obstructs communication between prisoners and visitors. As regards lawyers, the secrecy of their discussions with their prisoners-clients is always secured. In addition, wherever there is an appropriate infrastructure, a special accommodation for prisoners to meet their families applies. No other plans exist for the time being.

Par. 175: The prisoners can now have visits from mates with whom they have not solemnised marriage, with the exception of cases where there is a legal



questioning (e.g. when there is no divorce with the former spouse etc). They also can see children born outside the marriage. For the said visits, only the solemn declaration of the prisoners is requested.

Par. 176: By all means any facility is provided to foreigners who do not know Greek, in order to forward all their requests, among which those related to the disciplinary procedure in which they are probably involved. The informative booklet for prisoners, which circulates in 10 languages and is supplied to the prisoners, is considered at present that needs improvements and its contents amendments, so that the prisoners are informed that the disciplinary resolution will be communicated to them in writing. Furthermore, it is considered that (the disciplinary resolution) is translated into English (for the foreigners), as it is impossible to translate it into all the languages of the nationalities, to which the prisoners-foreigners belong. The prisoners may appeal to many authorities to express their complaints or requests, such as the Prison's Governor, the Supervising Public Prosecutor, wherever he exists or the locally competent one, the Ministry of Justice, the Central Scientific Council of Prisons and the C.P.T.

Par. 177: The Supervising Public Prosecutor for the Judicial Prison of Koridallos, who is there on a daily basis, takes care of the issue of this paragraph.

Par. 178: An effort is made and a circular is going to be issued for the improvement of the equipment and the areas of the disciplinary and special confinement cells, i.e. windows, electric lighting and ventilation will be installed, as well as bells (after the installation of a call network).

Par. 179,
180, 181,

182, 183: By circular letter, the Ministry of Justice will urge the Prisons' Governors to make every possible effort to comply with the recommendations of the Committee, as it concerns the living conditions of the prisoners in the

disciplinary and special confinement cells, where of course a relevant infrastructure exists (rooms etc).

Par. 185: As already mentioned, continuous efforts are made to inform the prisoners (booklets in 10 languages, social service etc) in connection with their rights and the authorities to which they may appeal to, as it concerns whatever worries them in the Prison. Indeed, many prisoners send sealed letters to the authorities, which they believe that could help them and these are afterwards forwarded either to the Ministry or to the competent Public Prosecutors, so that they take care of them as the case may be.

Par. 186: Inspections of the Prisons take place frequently, both ordinary and extraordinary ones, by the Supervisor of Prisons and the Medical Supervisor and Social Work Supervisor, as well as, by all means, whenever an issue arises. Additionally, an ordinary and extraordinary Inspection is carried out by the locally competent Public Prosecutor.

Par. 187,

188: As mentioned above, the installation of a special call network has been planned, so that a bell is put in the cells and the wards, care of the Governors.

Par. 189: Foreign prisoners enjoy special attention by the Greek authorities, as it concerns their rights and the required information flow. When foreign prisoners are arrested, their Embassy is advised (provided that they wish so, for obvious political etc reasons), through the Governor of the Prison where they are detained. They have very good communication with their families, both over the telephone and via letters. The informative booklet is printed in 10 foreign languages and not only in English and French, as mentioned in the report, it is distributed to any prisoner, in all prisons and the probable lack in a prison might be due to shortage of the stock, which is covered with immediate reprinting, given that the latter is carried out by the printing - bookbinding workshop of the Judicial Prison of Koridallos.

Finally, we point out that an effort is continuously made for the tidying up of all Prison areas, by renewing the colours, improving the sanitation, maintaining the cleanness etc. Free visits are permitted on a frequent basis, care of the Prison's Governor, in his office or that of the Social Service and, at any rate, when there are family problems.

Physical exercises take place in many prisons, mainly in outdoor areas, because of the Greek climate.

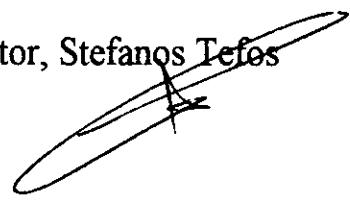
Entertainment is not possible to a large extent in all Prisons, for overpopulation reasons or due to lack of special areas. However, where it exists, many and various events take place.

Libraries operate in the prisons in which they were not destroyed by fire. In the remaining ones, where an uprising took place and they were burned, a continuous and intense effort is made to renew and re-operate them.

True translation from the Greek original document.

Athens, 03/08/1998

The translator, Stefanos Tefos



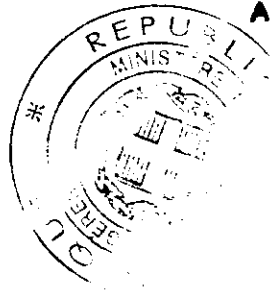
REPUBLIQUE HELLENIQUE
MINISTÈRE DES AFFAIRES ÉTRANGÈRES

Vu pour légalisation de la signature ci-dessus
du Traducteur du Ministère des Affaires
Étrangères ayant traduit le texte ci-annexé.

Athènes, le 3 AYT, 1998

PAR DELEGATION DU MINISTRE
LE DIRECTEUR P.M.


VIRGINIA RANTI
SECRETAIRE



Γραφείο Μεταφράσεων Υπουργείου Εξωτερικών, Αθήνα.

Bureau des Traductions du Ministère des Affaires Étrangères de la République Hellenique, Athenes.

Hellenic Republic, Ministry of Foreign Affairs, Translations Office, Athens.

B.

**FOLLOW-UP RESPONSE OF THE MINISTRY OF JUSTICE
TO THE REPORT OF THE EUROPEAN COMMITTEE FOR THE
PREVENTION OF TORTURE AND INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT (CPT)**

ON ITS VISIT TO GREECE FROM 25 MAY TO 6 JUNE 1997

Paragraph 98.

There are two ways to be followed when dealing with the issue of overcrowded prisons in Greece.

The first consists of all the legislative provisions that contribute to a decrease of overpopulation such as provisions of the Penal Code that permit a shortening of the term of the penalty imposed e.g.:

- The exchange of freedom-depriving penalties for a fine or community work.
- Dismissal on parole.
- Application of the measure of detainee voluntary work-day involvement, or participation into vocational guidance programs implemented by the corrective institutions of the country.

Ratification and adoption of the International Treaty concerning the transfer of convicts (Law 1708/87) as well as of the bilateral treaties between Greece and Albania and Greece-Egypt.

The second path includes all the measures dealing with:

- The construction of ten new correctional facilities.
- The reconstruction and/or repair of the already existing correctional facilities and furthermore, renovation of the living areas of detainees.

Following our provisional reply, we hereby enlist the new regulation arrangements already implemented in dealing with prison overpopulation problems:

The Juvenile Reformatory Center, now referred to as "Youth Detention Center of Avlona", has already been transferred since June 1998 to its new facilities in Avlona-Attica. The disengaged space of the Corydallos complex is now being fully reconstructed and will be used for the detention of working detainees as well as for those transferred from rural prisons pending trial in the courts of Athens.

The Addict Treatment Center for Detainees will definitely be operational in 1999. It will comprise of 480 places instead of 360 as we have already mentioned in our provisional reply. A second Treatment Center will also be opened in the region of Northern Greece at the location of the Rural Prison of Chassandra in Chalkidiki.

Paragraph 100.

By virtue of Law 2479/1997 (article 3 paragraph 19a), the application of the beneficial measure of detainee voluntary work-day participation in training or vocational preparation programs is also extended to persons awaiting trial. For that specific category of persons, the total sum of voluntary work-day participation will be taken into consideration as from the date of issue of the verdict and under the prerequisite that they personally request so. Each voluntary labor or participation day in vocational training programs will be

considered to the benefit of the detainee in question (by being exchanged for a maximum of two days of his term).

Presidential Decrees 266/1997 and 361/1997, published by virtue of the provision of Law 2479/97, clearly outline the areas of involvement that detainees may be employed in. Pending on the nature and type of work performed, the detainees may benefit from their participation in voluntary work-day programs and obtain a decrease in the length of their terms.

The Ministry of Justice, aware of the positive impact emanating from detainee employment (obtaining qualifications, acquiring a sense of duty, creativity, self confidence development etc) attributes particular significance to the promotion and organization of detainee work. In that direction, the Labor Organization Department for Detainees has the responsibility to study and plan the prerequisites necessary for the operation of agricultural and handicraft units in the reformatory institutions and rural prisons.

We do stress that detainees currently working in rural prisons or in small production workshops throughout certain correctional centers (like printing-house-bookbinder's shop in the Judicial Prison of Corydallos, baker's shop in the Prison Central Supplies Warehouse) are remunerated for their work.

Greece not only promotes the employment of detainees, she also offers complete social coverage to them. Detainees, currently employed in printing shops, carpenter- iron work facilities, or in any other hazardous type of work, are subject to compulsory social insurance provided by the Greek Social Insurance Foundation- IKA. These provisions are in line with Decision number $\Phi.9/193$ of the Ministers of Justice, Labor and Social Insurance, and cover a wide range of labor accidents.

Vocational Training Programs for Detainees also lie in the area of interest of the Ministry of Justice. As the ultimate bearer for implementing and materializing correctional policy for the group "Detainees, Released from Prison and Minor Law- Breakers", the Ministry of Justice in line with the Community's 2nd Support Framework:

1. Is involved in the Operational Program for "Combating Exclusion from the Labor Market" and,
2. Collaborates with the institutions responsible for the materialization of the vocational training programs (Universities etc) with a view to achieving the following targets of the program in question:
 - Vocational guidance and training.
 - Development of professional skills.
 - Vocational rehabilitation and social reintegration of the program users.
 - Psychological support and counseling to trained detainees.
 - Abolition of discrimination, prejudices, and social racism.

Paragraph 110.

Sanitary installations in the Judicial Prison of Corydallos are being updated. Sanitary facilities of the area vacant due to the transfer of the Reformatory Institution for Minors are adequate. Further efforts are carried out

for reconstructing these facilities, and repairs for the entire prison compound are planned.

Paragraph 111.

The overpopulation problem present in the Women's Prison of Corydallos has not yet been resolved because there exists no other women's prison compound in the country save for the two small compounds of Diavaton and Neapoli- Crete. The construction of a new wing to accommodate minor female detainees (up to 21 years old) is currently being planned.

Nevertheless, there is provision for the construction of women and juvenile wings. A part of the ten compounds under construction in the two following years will include up-to-date women and juvenile aisles so that women and minors are not separated from their social and family environment during the term of imprisonment. On the other hand, detention in the women's prison of Corydallos offers remarkable opportunities to detainees with respect to:

- Work and employment in the form of well-organized courses in jewelry, carpet weaving etc.
- The stay of female detainee babies (up to 3 years of age) with their mothers in day- care prison facilities during the morning hours.

According to the remarks made by the Commission on the occasion of the visit of its delegation at the compound, "detained mothers of babies are allowed to keep their babies with them in specially designed and tastefully decorated installations within the prison compounds". In addition, a day- care center was recently inaugurated by the Ministry of Health. This day- care center, in operation since December 1998, has been staffed with qualified personnel and furnished with up-to-date modern furniture thus offering good conditions of stay and educational enrichment of infants.

Paragraph 118.

As stated in our provisional reply, the Ministry of Justice, determined to secure a most efficient operation of the previously mentioned workshops of prisons, has asked the Council of Ministers to approve the direct recruitment of specialized personnel on a private contract basis. As soon as approval for that suggestion is granted, recruitment will commence.

Paragraph 119.

The Ministry of Justice is always trying hard to increase the job positions of female detainees taking into account the fact that this group of detainees may only work in the Women's Prison (Corydallos) as there is no other rural female prison facility where women may be allowed to work. Had the above-mentioned prison compound not been so heavily populated, job positions for all female detainees would have been easier to be ensured.

Paragraph 140.

Repairs in the laundry area at the Judicial Prison of Thessaloniki have not yet been completed due to the resignation of the contractor in charge of

the work. The Prefecture of Thessaloniki has not yet appointed his successor. It is for certain though that the repairs will be completed in 1999.

Paragraph 149.

Other than three nurses employed on a permanent basis (one being of higher education), three physicians (2 paramedics and 1 psychiatrist) and a dentist visit the Avlona compound once or twice a week. Emergencies are rushed by the Health Center of Kapandriti, whereas heavier medical cases are referred to the hospitals of Athens.

Paragraph 164 .

The solitary confinement record book of the Medical Handicapped Facility for Detainees will be introduced in 1999. An incident record book however is currently kept.

Paragraph 167.

The solitary confinement observation unit is in good condition. However, the complete restructuring of that unit will be delayed since it lies in the responsibility area of the Prefecture of Piraeus.

Paragraph 168.

The integration of the Institution for the Mentally Handicapped to the Greek National Health Service (EΣY) will be also delayed due to the fact that the incorporation of the psychiatrist and hospital units of the Papanicolaou Hospital within EΣY has first to be completed. The difficulty of admission to the Detainee Institution for the Mentally Handicapped of Corydallos is attributed to large numbers of hospitalized persons. The Ministry of Health Plan requires the creation of adequately staffed and equipped independent clinic units.

HELLENIC REPUBLIC
MINISTRY OF HEALTH AND WELFARE
THE MINISTER

Mail. Address : 19 Aristotelous Str. Athens, 15/12/1998

Postal Code : 101 87

Ref. No. : Minister's

Office 6734

TO : The President of the Committee
for the Prevention of Tortures
and Inhuman or Humiliating
Behaviour

Mister President,

We would wish to thank you for your good will to wait for our answer to the report of the Committee on its visit to mental hospitals, which was realized during the time period from 25/5/1997 to 6/6/1997 in our country.

We would also wish to inform you that the observations, the comments and the recommendations included in the report, are of great help to the work of the services of our Ministry, because they confirm that our planning is harmonized with the orders of the modern views, which are expressed through European institutional bodies.

As my predecessor Minister had informed you by his letter dated 26.5.1997, we have elaborated a long-term programme for the consolidation and further development of psychiatric reform for the whole country with focal point the disinstitutionalization of the Mental Hospital of Attica.

The great number and the composition of the population hospitalized in the Mental Hospital of Attica (dementia, mental






deficiency etc. apart from the mental diseases), the average age of its patients (the 60% of the patients are older than 50 years) and the great shortage of staff requires a well planned programme of action with clear political directions and sufficient resources, which must not concern only the Mental Hospital of Attica, but all the network of the mental health services of the country.

Such a programme must be subsumed within an institutional framework allowing but also helping its materialization. It is a decision of the Greek Government to perform a large and many-sided intervention with the purpose of transformation of the Mental Hospital of Attica into a modern infirmary of a capacity of 300 beds.

This will be achieved through a series of acts such as the discharge from the Mental Hospital of the non psychiatric cases and their settlement in other units properly adjusted to the special needs of these persons and the hospitality of mentally ill people in units within the local communities, so that we may relieve the congestion in the premises and we are allowed to suppress the large wards and arrange them into small rooms which will be characterized by their assimilation to the environment of a house. The above mentioned actions will be supported by the staffing with a sufficient number of specialized personnel trained continuously on the modern methods and practices which will aim at the social-economic reaccession of the patients.

To this direction, the European Social Fund is of great help. We have already stipulated with the Commission of the



European Union the incorporation of a part of the aforementioned actions in the Operational Programme of Combating against the exclusion from the labour market and for the next two years guest-houses and boarding houses will be established throughout the country, which will accommodate about 700 patients living now in mental hospitals with the purpose of their pre-training or even their vocational training.

An action has also been planned concerning only the Mental Hospital of Attica, which will be subsumed within another operational programme and provides the acquisition of extra-hospital infrastructures, the discharge from the Mental Hospital of 200 persons (psychogeriatric cases and cases with mental deficiency), the tidying up of existing places for short hospitalization of emergency cases and the training of the staff (700 employees).

In parallel, the improvements and arrangements of the hospital's building are continued, a project which is facilitated by the evacuation of the places.

As aforesaid, in order that a satisfactory degree in the effectiveness of our actions may be achieved, the appropriate institutional framework is required. This, in combination with a sectoring plan, which will set boundaries in the area of responsibility of the Mental Hospital of Attica, will give us the possibility of establishment of mental health units in the community.

A draft of law is going to be promptly deposited at the Parliament for voting for the development and modernization of the mental health services, by which a significant change in the

provision of mental health services and in the protection of persons with mental disorders is attempted.

By the said draft, within the spirit and the framework of the bodies of protection of the patients provided by the law 2519/1997, of the relevant provision of which you had been informed by the aforementioned letter, the bodies of protection of the persons with mental disorders are specialized and classified.

So, despite the existence of an independent service for the protection of the patients' rights, the operation of a Patients' Rights Control Committee and the appointment at any mental hospital, as at any other hospital too, of a three-membered committee for the protection of the Citizen's rights and an office for the communication with the citizen in application of the provisions of the Law 2519/1997, we provided in the draft of law concerning the mental health for a similar service and special committee, as indicated in the extract of the draft which we send you attached to these presents, because we believe that the citizens suffering from problems of mental health have a greater need of protection than those suffering from physical diseases. The same support is necessary for their families too.

Mister President,

For all the comments, the observations and the recommendations concerning the two mental hospitals which the party of the committee visited, the competent service of our Ministry will dispatch to you the answers of the administrations of the hospitals as soon as it will receive them.

About more general comments, information and

recommendations concerning the mental hospitals of the whole country the above service will inform you as soon as it receives the answers of the mental hospitals.

With esteem

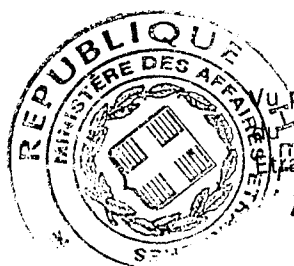
(signed)

LABROS PAPADIMAS

Translation from the original

The translator

Adriani Vaiopoulou



MINISTÈRE DES AFFAIRES ÉTRANGÈRES

pour légalisation de la signature et de
Traducteur du Ministère des Affaires
Étrangères ayant traduit le texte ci-annexé.

Athènes, le

PAR DÉLÉGATION DU MINISTRE
LE DIRECTEUR P.M.

Virginia Ranti
VIRGINIA RANTI
SECRETAIRE

4 JAN. 1999

.....

Γραφείο Μεταφράσεων Υπουργείου Εξωτερικών, Αθήνα

Bureau des Traductions du Ministère des Affaires Étrangères de la République
Hellénique, Athènes.

Hellenic Republic, Ministry of Foreign Affairs, Translations Office, Athens.

HELLENIC REPUBLIC
 MINISTRY OF HEALTH AND WELFARE
 MENTAL HOSPITAL OF THESSALONIKI
 ADMINISTRATIVE SERVICE DIRECTRESS OFFICE

Information : Thessaloniki, 15/12/1998
 Telephone : 603.385 Ref. No. : 15900
 Telefax : 665.777 TO : The Ministry of Health and
 Welfare
 Mail. Address : 36 Konstan- Directorate of Mental Health
 tinoupoleos Str.-Stavroupoli A' Department
 Postal Code : 564 29 19 Aristotelous Str.
 101 87 ATHENS

RE : Answers to the report of C.P.T.

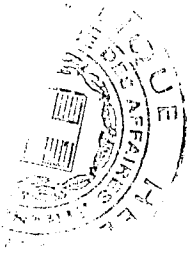
Ref. : Your document No. A3a/oik./15-12-1998

In reply to the above mentioned document and after the acknowledgement of the report of C.P.T. and more especially the paragraphs concerning our Hospital, we report as follows :

A. Shortage of Nursing Staff

The places of the Nursing Staff (specialized and auxiliary) according to the By-Laws of the Mental Hospital of Thessaloniki of the year 1986 are 353 and now 347 employees are employed, while the procedure for filling the vacancies has already started.

However, the shortage of nursing staff is certain, because on the one hand the provision for the covering of the necessities was made on the basis of the data of the year 1986, and on the other hand a significant number of nursing staff and, all the more so specialized staff, covered and continuous covering all



the extra-hospital structures developed and run by the Mental Hospital of Thessaloniki within the framework of the Psychiatric Reform (Advisory Stations, protected regions, Civil Type Psychosocial Support Groups, Provincial Type Psychosocial Support Groups, Day Hospital and Center, Psychogeriatric patients Boarding-house).

It is our opinion that the places of nursing staff must be increased and all the more so the places of Technological Education and Biennial Education according to our proposal for the reform of the By-laws of the Mental Hospital of Thessaloniki.

In parallel, our Hospital materialized and continues to materialize training programmes for the staff (nursing and other) for the improvement of the provided psychiatric nursing and care.

B. Physical restriction of the patients

The opinion of the Scientific Committee of the Mental Hospital of Thessaloniki, as it results also from its document No. 631/1-9-1997 is that it agrees with the suggestions of C.P.T. on the matter and that the manipulation of watch of the patients by physical restriction is not right.

The fact that some isolated events of physical restriction of patients were noted is due to the following reasons :

The Mental Hospital of Thessaloniki operates as an «open» Hospital, since this is its philosophy and target and for this reason there are no «closed» departments. So, the watch of the patients who have the tendency to escape is directly connected with the shortage of nursing staff existing mainly in

the afternoon and night on-call duties, since, for example, in a nursing department of long-lasting or short-lasting hospitalization of 50 or 25 patients respectively, only 2 nurses are on duty.

C. Living conditions of insane patients

The Department is settled at the ground-floor of the building where 4 other departments of long-lasting hospitalization are also settled.

At the Department as many arrangements and interventions were made as permitted by the static structure of the building for the improvement of the living conditions of insane patients.

However, we believe that this Department will be transferred within the year 1999 at the renovated part where today the mentally deficient patients are accomodated, who through the programme «Psychargos» will be transferred to a Boarding-house outside the Mental Hospital.

D. Provision of Information - Information on the rights of the Insane Patients

At our Hospital since January 1998 a Citizen Communication Office is operating at the Out-Patient Department of the Mental Clinic as well as a Three-Membered Committee for the Defence of the Citizen's Rights, which was established in execution of the provisions of article 1 para. 4 of the Law 2519/1997, where both the out-patients and the in-patients have the possibility to apply in order to be informed of their rights or to lodge a complaint for acts or omissions of the Staff or the Administration of the Hospital.

.....
Γραφείο Μεταφράσεων Υπουργείου Εξωτερικών, Αθήνα

Bureau des Traductions du Ministère des Affaires Etrangères de la République
Hellénique, Athènes.

Hellenic Republic, Ministry of Foreign Affairs, Translations Office, Athens.

These bodies, apart from their other duties, inform also the staff about the obligations they have towards the patients in several ways (circulars, meetings, etc.)

E. Comments on the duration of detention of insane patients (article 70 para. 2)

In our opinion the provisions of the Penal Code concerning the duration of detention of insane persons must be reformulated so that they will provide that : «the detention continues for as long as being imperative for the public safety since the sickly disorder of mental functions continues» because today the time of detention of an insane criminal at the Mental Hospital depends not on the progress of his health but only on the hesitation of the Greek courts to order the discharge of a prisoner who, however, was cured.

We also believe that the possibility of grant of a leave of therapeutical character must be given to these patients on the responsibility of the attendant psychiatrist, as such a leave is given to all the other hospitalized mentally ill patients.

The Board of Directors of the Mental Hospital of Thessaloniki took a relevant decision in its No. 4/21-2-1996 meeting which was dispatched to the Ministry of Justice by our document No. 5239/3-5-1996 and was notified to your Directorate too.

The Chairman of the Board of Directors

Sealed - Signed

HARIS BOUSOULEGAS

DOCTOR

Translation from the original

The translator : *Adriani Vaiopoulou*

.....
Γραφείο Μεταφράσεων Υπουργείου Εξωτερικών, Αθήνα

Bureau des Traductions du Ministère des Affaires Etrangères de la République Hellénique, Athènes.

Hellenic Republic, Ministry of Foreign Affairs, Translations Office, Athens.

HELLENIC REPUBLIC

Haidari, 23-12-1998

MINISTRY OF HEALTH & WELFARE Ref. No. : 2140

MENTAL HOSPITAL OF ATTICA

To : Ministry of Health - Welfare
Directorate General of Health
A' Department
19 Aristotelous Str.
Postal Code : 101 87

PRESIDENT'S OFFICE

Mail. Address : Haidari 124-62

Telephone # : 5811 659

RE : «Answer to the Report of C.P.T.»

Ref. : Your document No. A3a oik. Dated 15-12-1998

In reply to your above mentioned document in relation to the report of the Committee for the Prevention of Tortures and Inhuman and Humiliating Behaviour (C.P.T.), we inform you as follows :

Personnel

Comments in paragraph 203 as well as in the recommendations.

The engagement of personnel in the Hospital :

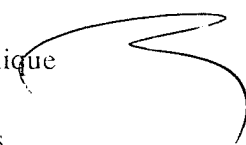
- a.- depends on the general Governmental Policy
- b.- is realized by an Independent Personnel Selection Council (ASEP).

During the time period 1995-1998 the following vacancies were announced :

- a.- 269 places of permanent personnel for which 231 persons appeared (8 are expected soon)
- b.- 246 places of Personnel under Private Law for which 178

.....

Γραφείο Μεταφράσεων Υπουργείου Εξωτερικών, Αθήνα
Bureau des Traductions du Ministère des Affaires Etrangères de la République
Hellénique, Athènes.
Hellenic Republic, Ministry of Foreign Affairs, Translations Office, Athens.





persons appeared.

Totally, during the time period 1995 - 1998 515 vacancies of Personnel (permanent + under private law) were announced.

Total personnel serving at the Mental Hospital of Attica = 1.367

Total Nursing Personnel = 510 (U.E. - T.E. and B.E.)

Explanation : U.E. =University education (5 years education)

T.E. =Technological Education (4 years education)

B.E. = Biennial Education

Physicians

➤ To the announcement of vacant Physicians' places the general Governmental Policy applies and the announcement of those places is made by the Ministry of Health.

Totally 76 specialized psychiatrists are provided and today 55 are employed.

From the 21 vacancies, 2 places of Directors have been announced, whose examination and selection will be made in early 1999.

Trainee psychiatrists = 48 places are provided, 15 are employed.

It is a fact that during the last years a decrease of the number of the trainee psychiatrists is noted. This is due to two reasons :

➤ a) a more general decrease of the doctors choosing the speciality of Psychiatrist

b) most of them who choose the above speciality, prefer the specialization at the Psychiatric sectors of the general Hospitals.

Charges - complaints of maltreatment - Measures

(paragraph 194)

To the personnel serving at the Hospitals the Civil Servants

.....
Γραφείο Μεταφράσεων Υπουργείου Εξωτερικών, Αθήνα

Bureau des Traductions du Ministère des Affaires Etrangères de la République Hellénique, Athènes.

Hellenic Republic, Ministry of Foreign Affairs, Translations Office, Athens.

Code applies, in relation to charges.

The charge must be in writing and eponymous.

After the charge, the Board of Directors gives an order for investigation, by depositions under oath.

If from the investigation a responsibility of the employee is proved, he (she) is called to defend him(her) self and after that the Board of Directors imposes a disciplinary punishment in its discretion and the highest punishment which it may impose is deprivation of pay for 15 days.

When the Board judges that the offence incurs a gravier punishment, then it refers that to a Special Disciplinary Council. The Board of Directors has no the right to dismiss or suspend an employee.

It has the possibility to transfer him (her) from the department where he (she) is working to another one.

The Board of Directors, when judges that the employee has criminal responsibilities too, refers him (her) to the District Attorney and the judicial procedure is followed (long-term procedure).

During the time period 1994-1998 two (2) complaints has been submitted to the Board of Directors for maltreatment of patients. Both were referred to the Disciplinary Council, which imposed to one of them deprivation of pay for 12 days and to the other one deprivation of pay for 20 days.

One of them has been referred to the Courts too

In addition to the above, according to the Law 2519/1997 a three-membered committee has been established at the Mental Hospital of Attica for the Protection of the patients' rights.

.....

The Committee was established by virtue of a decision of the Board of Directors, according to the Law 2519/1997 article 1 para. 4 and consists of one Medical Director, a Sectorial Directress of the Nursing Service and one Social Worker.

Hospital and hotel equipment (paragraph 208)

The comments of the Committee from its visit in the year 1993 were taken into consideration by the Board of Directors and we mention indicatively the amounts entered in the Hospital's budget for hospital and hotel equipment and food utensils.

Hospital Equipment : 1997 : 70 million 1998: 93 million
1999 : 140 million

Utensils : 1997 : 10 million 1998 : 14 million
1999 : 8 million

Hotel equipment : 1997 : 92 million 1998 : 60 million
(mattresses, sheets, 1999 : 20 million
blankets, etc.)

We also mention indicatively that all the beds have been replaced, there are everywhere mattresses made of cocopalme and almost all the patients have bedside tables.

Since the year 1998 the Hospital get special antimicrobial cases for the mattresses and the pillows.

And especially for the hospital equipment intended for persons with special needs, we mention indicatively that the number of wheelchairs was multiplied by five and the number of stretchers was multiplied by three.

Patients' clothing (paragraph 209)

Probably in the year 1993, when the committee visited the



Hospital, that mentioned about the supply of clothing from external charitable organizations might occur.

The policy of the present Board of Directors is completely different.

Because exactly we think that the patients of the Mental Hospital are not beggars, but equal members of the Society and that the State must face them in that way, we take care on the one hand of the provision of all the required clothing (underwear, nightdresses, pyjamas, trousers, skirts, jackets, etc. winter and summer ones), as well as shoes (winter and summer) and by virtue of an explicit decision of the Board of Directors since many years we do not accept the «charity» which is exhausted to the supply of «some second-hand clothing». The only case for us to accept clothing is if that clothing comes from bankruptcy or shutting down of a handicraft and is brand-new.

We consider that if the charitable organizations wish to contribute to the mentally ill people, there are many other ways, more important and substantial than to bring some «second-hand» clothes.

Indicatively, we mention the amounts entered in the budgets of the years 1997, 1998 and 1999 for clothes and shoes:
1997 : Clothes : 64 million 1998 : 88 million 1999 : 90 million
1997 : Shoes : 18 million 1998 : 19 million 1999 : 28 million

Living conditions - sanitary facilities - replacement of large wards by smaller ones (para. 207 and 211)

1.- From mid-1998 a programme of renovation of the buildings 14, 15, 16, 17 on both their floors and the building «Tastsoglio B'» has started.

.....

Γραφείο Μεταφρασεων Υπουργείου Εξωτερικών, Αθήνα
Bureau des Traductions du Ministère des Affaires Etrangères de la République
Hellénique, Athènes.
Hellenic Republic, Ministry of Foreign Affairs, Translations Office, Athens.

This programme, which is called «Immediate Intervention Programme» will be completed till the end of the year 1999, its cost will reach the amount of 800 million, and includes .

- a).- Complete renovation and arrangement of the wards and the sanitary facilities
- b).- Each of the 3 wards of 25 beds each is arranged to 4 rooms of 4 beds each and the 4th ward is arranged to an area of common use. So, each floor, instead of about 80 patients which it would include, will include henceforth 48 patients.
- c).- At the two-storeyed buildings (14, 15, 16 and 17) elevators have already been installed and are operating for the service of patients with special needs. Large elevators have also been installed and are in operation at «Tastsoglio» building.
- d).- At the sanitary facilities sanitary articles are installed for patients with special needs, almost at all the buildings.
- e).- Renewal of equipment (beds - wardrobes - bedside tables) in each room.

2.- The procedure of purchase of a building for the transfer of about 80 patients has almost been completed.

3.- Recently the procedure was completed and a building was hired for the transfer of about 40 patients and other auctions are in progress for the hire of buildings.

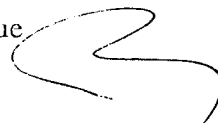
Physical restriction (paragraphs 224 - 225 and 227)

The use of instruments (belts) of physical restriction is considered by the scientists as a necessary protective measure in particular cases.

The policy of the Board of Directors in this particular matter is described as follows :

.....

Γραφείο Μεταφράσεων Υπουργείου Εξωτερικών, Αθήνα
Bureau des Traductions du Ministère des Affaires Etrangères de la République
Hellénique, Athènes.
Hellenic Republic, Ministry of Foreign Affairs, Translations Office, Athens.



- 1.- The order for physical restriction is given only by the psychiatrist
- 2.- Its application without a doctor's order is prohibited
- 3.- The doctor's order is inserted in the report book and the restriction remains for as long as considered necessary by the physician
4. As a means of physical restriction only special leather belts are used, which close by a magnetic lock.

These new belts replace gradually since last year the old ones with a padlock.

In relation to the event mentioned in paragraph 224, it was an unfortunate event, obviously accidental, and we express our regret.

As regards the event of paragraph 227, the doctor assumes full responsibility for the continuous restriction of the patient under the existing circumstances. It is obvious that physical restriction does not constitute the most appropriate solution.

We consider that by the materialization of the Programme which we elaborate for the reform of the Hospital, this phenomenon, even if it will not be completely effaced, at least, it will be minimized.

Employment - Occupational therapy of the patients -
differentiation of patients on the basis of the clinical condition
and level of development (paragraph 215)

Simultaneously and in parallel with the chapter of improvement of the living conditions, we make an attempt to face the above mentioned matters.

To this end, an operational programme is elaborated, which

is extended till the year 2006, is co-funded by the European Union (through several Programmes) and aims at the complete reform of the Mental Hospital of Attica.

In this Programme there is a provision for the development and application of Programmes of training and occupation of the patients.

THE CHAIRMAN OF THE BOARD OF
DIRECTORS OF THE MENTAL HOSPITAL OF ATTICA


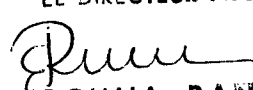
Sealed - Signed

KATERINA APOSTOLOU

Translation from the original

The translator

Adriani Vaiopoulou


Vu pour légalisation
du Traducteur du Ministère des
Etrangers qui a traduit le texte
Athènes, le 24 JAN. 1999
PAR DELEGATION DU MINISTRE
LE DIRECTEUR P.M.

VIRGINIA RANTI
SECRETAIRE

HELLENIC REPUBLIC
MINISTRY OF HEALTH AND WELFARE
THE MINISTER

ATHENS 25/10/1999
Ref. No. Γ.Υ./7359

To: The President of the Commission
for the Prevention of Torture and
Inhuman or Degrading Treatment
or Punishment

We hereby send you the report drawn up by the Directorate of Mental Health of the Ministry in response to the Commission's observations and recommendations included in the report concerning its visit to mental hospitals of the country dated from May 25th 1997.

We would like to let you know that taking as a startpoint the passing of the Law 2716/99 concerning the «Development and modernisation of the mental health services and other provisions», our services became very productive in the issuing of regulatory content of ministerial decisions related to the organisation, operation and staffing of the Mental Health Units, such as psycho-social rehabilitation units and programmes , social reintegration units . social corporations and other insitutions based on the principles of social psychiatry.

Morover, the procedure concerning the formation of mental health sectors and the respective sectoral committees, that begun just after this Law publication, will now be completed.

We hope that the two aforementioned actions in combination with the effort to increase the mental hospitals' personnel as well as the respective of the community mental health units, through the programmes that are either cofunded by the European Union or only by national revenues, will lead us towards the establishment of the psychiatric reform.

THE MINISTER
OF HEALTH AND WELFARE


L. PARADIMAS

HELLENIC REPUBLIC
MINISTRY OF HEALTH AND WELFARE
GENERAL DIRECTION OF HEALTH SERVICES
DIVISION OF MENTAL HEALTH
DEPT A'

Athens, 22/10/1999
Ref No:A3aotk.1750

19, Aristotelous Str.
101 87
Information: Mrs K. Mavratzotou
Telephone No: 8251834

To The President of the Commission
for the Prevention of Torture
and Inhuman or Degrading
Treatment or Punishment (CPT)
(through the Greek Permanent
Representation in the Council of
Europe)

SUBJECT: Response to the Commission's report

Continuing to your previous correspondence concerning your recommendations and demands for information and comments on issues related to Mental Hospitals of our Country, we let you know the following:

I. INFORMATION AND COMMENTS (paragraphs 194, 195, 196, 223, 229, 233, of the report)

Providing information concerning charges of ill-treatment reported against members of the personnel.

The Law 2683/99 (Official Journal Issue No 19/9-2-99/ τ Α') concerning the «Validation of the Code concerning the status of Civil Administrative Servants and the status of Servants of Legal Entities under Public Law and other provisions» in Chapter 6, articles 103-105 provide administrative measures such as pause and suspension of duties performance and Chapter 5 refers to disciplinary offenses and penalties.

The mental hospitals administration boards reported to us the following cases concerning charges for ill-treatment:

1st. Attica State Mental Hospital: two (2) cases during 1994-1998. The President of the Board of Directors made a memo dated 23.12.1998 notifying that the penalty imposed for these cases was a 12-day-wages deprivation for the first one and a 20-day-wages deprivation for the second one.

The second case was even brought to court. The case was tried on 5.5.1999, the employee was found guilty and sentenced to a 30 day imprisonment with a 3-year suspension for unprovoked physical assault.

2nd. Leros State Mental Hospital: two (2) cases in the year 1997.

The first one concerned a charge made by an employee to the prosecutor Attorney of the Court of First Instance of the Island of Kos, which was also-forwarded to the Board of the Hospital against another employee for abusing a patient. The case was tried on 19.2.1999 and the employee was sentenced to a 10-month imprisonment with a 3-year suspension for dangerous physical assault. The case has not yet been final because an appeal has been lodged to the Public Procecuror Office of the Court of Appeals on 29.6.1999.

The second case concerned the ill-treatment of a patient which was not reported officially but the Hospital Administration ordered an interrogation given upon oath, according to which responsibility was attributed to the staff member who was in duty during the period the ill-treatment had occured. A penalty of 10-day-wages deprivation was imposed because he claimed that nothing came to his notice.

3rd. Attica Children Mental Hospital: one (1) case in the year 1997.

The Hospital Administration ordered an interrogation given upon oath, according to which the pesonnel was found not guilty for the ill-treatment. Additionally, the Ministry of Health and Welfare carried out an internal interrogation. Accordingly, the result of this interrogation attributed no responsibility to the personnel. Yet, the mother who reported the ill-treatment resorted to the police and brought a charge against one of the nurses. The charge was never tried because during the preliminary interrogation stage the employee was discharged.

Providing information concerning the programmes providing support and consultative services to the personnel

In all Mental hospitals the personnel has meetings in the framework of the divisions operation and as a part of the therapeutic activity under the responsibility of scientific directors.

Yet, the Mental Health Directorate took the initiative to promote the creation of a Support, Encouragement and Monitoring Unit for those who are to implement desinstitutionalisation programmes. The budget for the operation of this Unit comes up to 470 millions Drachmas and for the first two years it will be funded up to 80% by the European Social Fund and for the rest 20% by the Greek State. This funding was insured since the Unit was intergated to the Sub-programme 6 of the Operational Programme "Combating exclusion from the labour market".

An international competition has already been announced and in November we shall come to the evaluation of the proposals and the choice of the contractor who among other things will undertake to support the staff to be employed in community services such as hostels, boarding houses and occupational workshops, disseminating the «good practices», the «smart sollutions» and the experiences gained by relevant activities of other organisations in the country and abroad. This contractor will also promote the creation of homogenous groups per unit, he will indicate ways to cope against crisis situations and will support them against the expected resistance of the big insitutions towards the change related to the initiation of new small structures out of the mental hospital etc.

Comments on the condition of the patients who have been proclaimed legally irresponsible.

Besides the Attica and Thessaloniki State Mental Hospitals in which the Courts place all those who have committed an offense being legally irresponsible, the rest of the Mental Hospitals treat also legally irresponsible patients but as it concerns only a very small number of patients there is not any differentiation for them. In the contrary, according to the correspondance, these patients participate to all the therapeutic activities with the rest of the other patients. The problem is mainly located in the Attica State Mental Hospital

where in the past a patient who according to provisions of the Penal code had been placed there for «custody and treatment» escaped and a nurse in duty was sentenced for that. This event created to a part of the personnel the impression that for some patients the custody is more important than the treatment. Some of them expressed the opinion that under the perspective of transforming the psychiatric asylum into a modern Mental Hospital this kind of patients should not have a place in this Hospital. Moreover, they propose that their custody should be undertaken by the Ministry of Justice and their treatment should be supported by the National Health System.

The Ministry of Health and Welfare has not accepted this proposal. On the contrary, our opinion is that when the Attica State Mental Hospital will be put into the orbit of the «desinstitutionalisation» programme the attitude of the staff towards the patients being legally irresponsible will change and they will obtain a new perception of how to use the whole spectrum of activities and therapeutic approaches.

We give a major importance to the proposal made by the Thessaloniki State Mental Hospital which has been expressed by a memo dated 15/12/1998 made by the President of the Board of Directors, which has also been forwarded to the Commission. According to this proposal, all relevant provisions should be revised and should clearly define that the custody should last for as long as it is needed, that is, as long as the severe disorder of the mental functions lasts.

The Mental Health Directorate has sent all the reports of the Commission for the Prevention of Tortures to the service of patients rights protection and as soon as the Special Committee for the Rights Protection of the People with mental disorders is constituted it will demand an investigation of the whole subject and the submission of the appropriate interventions.

Information is provided concerning:

- a) the submission of charges and confidential access to the competent authority
- b) possibility of introducing a system of frequent visits to hospital made by an independent authority

We should note that in 1997 the law 2519/97 took effect, published in the Official Journal Issue 165 A/21-8-97, concerning the «Development and Modernisation of the National Health System, organisation of health services, drug regulations and other provisions» (we enclose the Issue of the Official Journal).

According to the provisions of Article 1 of this law:

1. An independent division in the Ministry of Health and Welfare has been instituted concerning the patients rights.
2. A Monitoring Committee for the protection of the patients rights has been constituted.
3. In every hospital, including the mental hospitals, there is a Communication Office for the public, as well as a three-member Committee for the protection of the citizens rights.

The decisions concerning the constitution of the aforementioned committees have already been sent to the CPT through the Permanent Greek Representation in the Council of Europe.

Afterwards, the law 2716/99 took effect, concerning the « Development and modernisation of the mental health services and other provisions» which was published in the Official Journal issue 96/17-5-99 A' (we enclose the issue of the Official Journal)

According to the provisions of Article 2 of this law:

1. An Office for the protection of the rights of people with mental disorders was instituted within the independent service for the protection of the patients rights (already established under the provisions of Article 1 of the Law No 2519/97)
2. A special Committee for the Protection of the rights of people with mental disorders was instituted in the Monitoring Commission for the protection of the patients rights established by the Law No 2519/97. This is a seven-member Committee and its tasks are described in Article 2, paragraph 3

Yet, there is no Ministerial Decision nominating the President and the Members of this Special Commission because it is necessary to have first the opinion of the initial commission (the one established by the Law No 2519/97), the President of which has submitted his resignation and his deputy has been nominated only a few days ago.

Providing information on the progress of the programme for legal aid to patients.

The Special Committee for Protecting Persons with Mental Disorders by virtue of the provision of Act 2716 of 1999 paragraph 3 case i article 2, "organises, supervises and coordinates—in collaboration with the respective local Bars—the voluntary legal aid on subjects of protection of their rights, complying with the organisation principles of the Athens Bar section for legal aid".

Also, by virtue of paragraph 4 article 2 of the same Act, the Minister of Justice and the Minister of Health and Welfare will pronounce a decision, after the recommendation of the president of the plenary session of the presidents of Greek Bars, which will define the conditions, the criteria, the way of organising and providing the legal aid.

However, since the members of the Committee for the Protection of Persons with Mental Disorders Rights have not been appointed yet, the above provisions on the voluntary legal aid have not been implemented.

II. RECOMMENDATIONS (paragraphs 224, 225, 226, 232 of the report)

Concerning the recommendations of the Committee for the prevention of torture and inhuman or degrading treatment or punishment, relating to the use of physical restraint devices.

The Directorate of Mental Health has asked by means of a document by the Secretary-General of the Ministry of Health and Welfare that all Greek Mental Hospitals should conform fully to the recommendations of the Committee, with regard to the way and the cases of using physical restraint measures.

From the relevant correspondence it is evident that the hospitals follow the procedure you have suggested. This will be confirmed by the regular and the extraordinary visits that the Committee for the Protection of Mentally Disordered Persons Rights will perform.

An increase of the nursing staff in the Greek Mental Hospitals would help to avoid physical restraint measures.

It is attempted, especially for the staffing of community units (Psycho-social Rehabilitation Units), to have a multidisciplinary composition of the staff as well as a good proportion to the patients. Nowadays this effort also extends to the filling of posts in the clinics of Mental Hospitals in combination with an effort to achieve a general change of stance and attitude.

Concerning the recommendations of the Committee for ensuring the proper implementation of Act 2071 of 1992 provisions, relating to the involuntary confinement into a Mental Hospital.

We consider that the provisions of the articles of Act 2071 of 1992 regarding the procedure of admission, the legal means, the interruption or termination of involuntary hospitalisation, secure the patient's rights and himself/herself. This is the reason why, although Act 2716 of 1999 on the development and modernisation of mental health services was enacted, none of these provisions was modified and only the provision of article 16 was added to the new law for further protection, in terms of involuntary hospitalisation at a private mental clinic.

III. SPECIAL RECOMMENDATIONS FOR THE ATTICA STATE MENTAL HOSPITAL

The chairwoman of the Hospital's Board of Directors has provided information —by means of a document dated 23/12/98, a copy of which has been sent to the Committee via the Greek Permanent Representation—, regarding compliance to the recommendations of the Committee as far as the hiring of staff and doctors, the acquisition of equipment, the clothing and the living conditions of the patients are concerned.

Especially on the last issue, the results of the intervention were visible at a great extend. In July the past Commissioner Mr Flynn visited the Mental Hospital and expressed his satisfaction on the progress. At the same time, he urged the officials that escorted him to accelerate the procedures for approving the Special Integrated Action that had been initially agreed between the Greek Government and the European Union a year ago. The purpose is to decrease the

number of hospitalised persons in the Attica State Mental Hospital by means of installing a large number of psychogeriatric and other patients with organic syndromes and mental retardation into structures outside the hospital, allowing thus also for a comfortable intervention aiming at arrangements and improvements to the hospital's buildings.

Unfortunately, the disastrous earthquake of 7 September 1999 has invalidated the results of the intervention until that time, since it hit most of the hospital's buildings, and rendered the 2/3 of the installations inoperative.

From the present evaluations of the Ministry's engineers as well as of experts called to assess the damages, it has become evident that the cost for the restoration and the necessary reinforcement due to the nature of the buildings' operation, approaches almost the cost of a new infrastructure of buildings.

Analytically:

1. Replacement of seven buildings that suffered severe damages in the load bearing structure:		
20,000 m ² x 300,000 drs/m ²		= 6,000,000,000 drs
2. Repairs to buildings:		
10,000 m ² x 100,000 drs		= 1,000,000,000 drs
3. Works for demolition - reform of the surrounding area and restoration of the infrastructure networks		= 500,000,000 drs
4. Infrastructure creation for covering the first basic needs of temporary lodging		= 1,500,000,000 drs
5. Small-scale repairs of the rest of infrastructure		
20,000 m ² x 50,000 drs/m ²		= 1,000,000,000 drs
6. Basic equipment expenses for the operation of the new transitional structures		= 1,000,000,000 drs
	Total :	<hr/> 11,000,000,000 drs

The administration of the hospital has focused out of necessity its efforts on finding new premises, and 200 persons have already been taken away and installed either to other mental hospitals or to buildings leased by the Attica State

Mental Hospital, while in parallel other hotels are arranged appropriately to accommodate 400 more patients in the following days.

Because the dispersion to multiple places also imposes a large number of staff, we are hiring 325 persons from various disciplines and specialities, 100 of which will be specialised professionals in mental health (psychologists, social workers, nurses, occupational therapists etc.). The hiring procedures will have been completed by 31/12/99.

The leasing of premises as well as their staffing have been approved as actions of the programme that will be cofinanced by the European Social Fund. In other words, the Special Integrated Action, which had been initially agreed with the European Commission and included 4 measures, that is Operation of community structures, Staffing of structures, Training of staff, Creation of infrastructure (purchase and construction of building and equipment) of a total budget 6,500,000,000 drs. has been transformed into a programme to relodge the patients of Attica State Mental Hospital, and to hire staff, of the same budget approximately, covering a time period of 24 months.

The upset caused by the effects of the earthquake has not refrained us from our plan to reform the Attica State Mental Hospital into a modern Mental Hospital. The intermediate goal, that is to have by 2006 a mental hospital with 500 beds maximum instead of 1800 beds that were filled at the day of the earthquake, constitutes a commitment for the services of the Ministry that elaborate an urban plan for the hospital.

This plan takes into account:

- 1st The modern views on providing mental services.
- 2nd The operational needs of the hospital during a transitional phase and until it takes its final form.
- 3rd The evaluations for the preservation or not of the buildings that have suffered damages based on the criterion of "cost of repair — reconstruction" (the studies have already started).

4th A microzone study for the 380,000 m² of the building site surface of the Attica State Mental Hospital which will allow us to know in which areas the erection of new buildings or the repair-reconstruction of old ones should be avoided (the project has already been assigned).

5th A geotechnical investigation in the areas that will be indicated by the microzone study as appropriate for the erection or preservation of buildings.

As soon as this plan is completed and the required decisions are taken, we will inform you accordingly.

The aforementioned goal of drastic reduction in the number of beds is also served by another large scale programme concerning all mental hospitals of Greece, and in which of course the Attica State Mental Hospital participates with specific proposals.

This programme is named "1st Phase of Psychargos" and has been incorporated into the Operational Programme for Combating Exclusion from the Labour Market.

A relative reference was included in the letter of the Minister of Health and Welfare of 15/12/1998.

It is a programme of vocational pretraining - training and promoting mentally disordered persons into the labour market. Those of the participants who reside in mental hospitals will be suitably prepared for their residence in community structures (hostels - boarding houses).

The programme anticipates the hiring of specialised staff, the training of the staff for a two-month period concerning community structure operation issues, the leasing and operation of these structures, the parallel development and operation of vocational workshops, and the purchase of the appropriate equipment both for the residence units and the workshops.

Last June the programme was proclaimed, conforming to the rules of European Union Regulations and to the Greek legislation.

The evaluation of proposals is already in its final phase and by the next month the actions will begin.

The total budget of the programme for a two-year period is as follows:

The measures for vocational pretraining-training, promoting of employment and accompanying support services amount to 9,600,000,000 drs.

The training of the staff will require 1,200,000,000 drs.

The purchase of equipment is estimated by the budget to 1,500,000,000 drs.

The first two categories of expenses are cofinanced by the European Social Fund at a 80% ratio, while the third one is cofinanced by the European Regional Development Fund (ERDF) at the same ratio of cofinancing.

Greece participates with the rest 20% amount as well as with another amount totalling 1,500,000,000 drs, which will cover arrangement and/or improvement needs of the places (hostels, boarding houses, vocational workshops) to be leased.

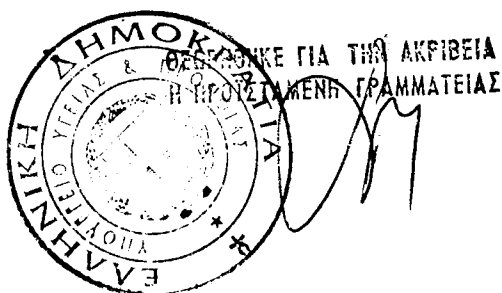
All necessary appropriations have been secured through incorporation to the State Budget.

The patients that will benefit from these actions throughout Greece are more than 700. This number will be defined precisely in the course of the following days that the evaluation of proposals will be completed.

The proposal of the Attica State Mental Hospital is based on collaborations and partnerships with other hospitals of Greece, and anticipates the development and operation of 16 hostels and 3 boarding houses with up to 200 patients moving out of the hospital (according to their place of origin or last residence) as well as their training in various training subjects at the vocational workshops.

During the first phase 3 hostels for 12 persons in Athens and 2 hostels outside Athens in the patients' place of origin will be developed as well as 1 boarding house for 20 persons in Athens.

By the end of year 2002 the hospital will have developed the total of its proposal.



THE DIRECTOR

P. YIANNOULATOS

Enclosed:

1. Official Journal of the Greek Government issue 165/part A/21.8.97
2. Official Journal of the Greek Government issue 19/part A/9.2.99
3. Official Journal of the Greek Government issue 96/part A/17.5.99