



CPT/Inf (2001) 18 [Part 2]

**Report to the Government of Greece
on the visit to Greece
carried out by the European Committee
for the Prevention of Torture and Inhuman
or Degrading Treatment or Punishment (CPT)**

from 26 October to 2 November 1999

The Government of Greece has agreed to the publication of this report and of its responses. The Government's responses are set out in document CPT/Inf (2001) 19.

Strasbourg, 13 September 2001

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Copy of the letter transmitting the CPT's report

Strasbourg, 17 March 2000

Dear Sirs,

In pursuance of Article 10, paragraph 1, of the European Convention for the prevention of torture and inhuman or degrading treatment or punishment, I have the honour to enclose herewith the report to the Government of Greece drawn up by the European Committee for the prevention of torture and inhuman or degrading treatment or punishment (CPT) after its visit to Greece from 26 October to 2 November 1999. The report was adopted by the CPT at its 41st meeting, held from 7 to 10 March 2000.

The various recommendations, comments and requests for information formulated by the CPT are summarised in Appendix 1. The CPT requests the Greek authorities:

- i. to provide by 1 June 2000 a consolidated reply covering issues concerning the Ministry of Public Order raised in the present report (Section II A) and in the report on the 1997 periodic visit;
- ii. to provide within six months a response covering issues concerning the Ministry of Justice raised in the present report (Section II B).

The CPT would be grateful if it were possible, in the event of the reports forwarded being in Greek, for them to be accompanied by an English or French translation. It would also be most helpful if the Greek authorities could provide a copy of the reports in a computer-readable form.

I am at your entire disposal if you have any questions concerning either the CPT's report or the future procedure.

Finally, I would be grateful if you could acknowledge receipt of this letter.

Yours faithfully,

Trevor STEVENS
Executive Secretary of the European Committee for
the prevention of torture and inhuman
or degrading treatment or punishment

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cc. Mr Athanassios THEODORACOPOULOS, Ambassador, Permanent Representative of Greece to the Council of Europe

I. INTRODUCTION

A. Dates of the visit and composition of the delegation

1. In accordance with Article 7 of the European Convention for the prevention of torture and inhuman or degrading treatment or punishment (hereinafter referred to as "the Convention"), a delegation of the CPT visited Greece from 26 October to 2 November 1999. This was the fourth visit to be carried out by the Committee to Greece, the previous visits having taken place in 1993, 1996 and 1997.

2. The visit was carried out by the following members of the CPT:

- Adam ŁAPTAŚ, Head of delegation
- Emilia DRUMEVA
- Andres LEHTMETS
- Rudolf SCHMUCK
- Davor STRINOVIĆ.

They were assisted by:

- Eleonora CAMBAS (interpreter)
- Myrto ROUSSOU-ATZITIRIS (interpreter)
- Alexander ZAPHIRIOU (interpreter)

and accompanied by Petya NESTOROVA of the CPT's Secretariat.

B. Nature and context of the visit

3. The 1999 visit to Greece was one which appeared to the Committee "to be required in the circumstances" (cf. Article 7, paragraph 1, of the Convention). The report drawn up after the CPT's 1997 visit contained disquieting findings concerning the conditions under which foreign nationals awaiting deportation were being held in establishments under the authority of the Ministry of Public Order (cf. section II.A.3 of the report). In that report, the CPT made a series of recommendations - a number of them urgent - designed to improve the situation of such persons.

In response to the CPT's 1997 visit report, the Ministry of Public Order submitted an interim report on 18 October 1998. However, this report was rather succinct and did not address in detail the various recommendations, comments and requests for information made by the CPT. Moreover, despite two reminder letters from the President of the CPT, the Ministry of Public Order failed to submit a follow-up report in response to the CPT's 1997 visit report (in principle due on 9 December 1998).

Further, in the period following its 1997 visit to Greece, the CPT continued to receive alarming reports about the conditions of detention of foreign nationals in the country's police establishments. Concerned by these reports, as well as by the inadequate nature of the interim report provided by the Ministry of Public Order and the absence of a follow-up report, the Committee decided to send a delegation to Greece in order to conduct discussions with the authorities and assess the concrete action taken following the CPT's 1997 report.

4. As already indicated, the CPT's delegation focused its attention on the conditions of detention and treatment of foreign nationals awaiting deportation. However, the 1999 visit also afforded an opportunity to review the measures being taken by the Greek authorities to implement the recommendations made by the CPT in respect of Korydallos Prison Complex (previously visited by the CPT in 1993 and 1997). In addition, the delegation visited the Institution for Male Juvenile Offenders in Avlona.

C. Establishments visited

5. The delegation visited the following places of detention:

Establishments under the authority of the Ministry of Public Order

Attica Prefecture

- Attica General Police Directorate, Athens (Alexandras Avenue)
- Drapetzona Police Station, Piraeus (Socratous Street)
- Glyfada Police Station (Dousmanis Street)
- Kolonos Police Station, Athens (Laodamantos Street)
- Omonia Police Station, Athens (Socratous Street)
- Police Station at Athens Airport (East Terminal)
- Holding areas for foreigners at Athens Airport (East Terminal)
- Piraeus Holding Centre for Aliens (Asklepiou Street)
- Athens Transfer Centre for prisoners (Kavafi Street)
- Piraeus Transfer Centre for prisoners (Notara Street)

Evros Prefecture

- Alexandroupolis Police Station and Police Directorate
- Transitional Detachment holding facility for illegal aliens, Feres

Establishments under the authority of the Ministry of Justice

- Korydallos Prison Complex
- Institution for Male Juvenile Offenders, Avlona.

D. Consultations held by the delegation and co-operation encountered

6. The CPT's delegation received, on the whole, very good co-operation from the Greek authorities. At the outset of the visit, it had the opportunity to meet the Minister for Justice, Mr Evangelos GIANNOPOULOS, the Minister for Health and Welfare, Mr Lambros PAPADIMAS, and the Minister for Public Order, Mr Michalis CHRYSSOCHOIDIS, and to have fruitful discussions with senior officials from these ministries.

Further, the delegation enjoyed rapid access to all the places of detention visited and received a satisfactory reception from the management and staff of the establishments concerned.

7. In addition to having talks with the competent national authorities and meeting local officials at the establishments visited, the delegation held meetings with representatives of the UNHCR and non-governmental organisations active in areas of concern to the CPT. A list of the national authorities and organisations consulted during the visit is set out in Appendix II to this report.

E. Immediate observation under Article 8, paragraph 5, of the Convention

8. On 2 November 1999, before its departure from Athens, the CPT's delegation had a final meeting with the Greek authorities, in order to acquaint them with the main facts found during the visit. At that meeting, the delegation made an immediate observation, under Article 8, paragraph 5, of the Convention, in respect of the holding of foreign nationals detained under the Aliens' legislation in police establishments. Such persons were being held for weeks - and on occasion for months - in overcrowded and poor material conditions, with no access to outdoor exercise and without any activities. The delegation requested that immediate steps be taken to:

- i) cease using the holding facility for illegal aliens run by the Transitional Detachment in Feres until it has been thoroughly cleaned and refurbished;
- ii) ensure that each person detained overnight is supplied with a clean mattress and blankets;
- iii) ensure that detainees can comply with the needs of nature when necessary in clean and decent conditions, and are offered adequate washing facilities and appropriate personal hygiene items;
- iv) carry out regular disinfecting of detention facilities;
- v) review the provision of food to detained persons, and ensure that all of them are given food at appropriate times;
- vi) ensure regular medical supervision of detention facilities used for holding foreign nationals. In the interests of public health, these facilities should be visited on a regular basis by a qualified nurse. Further, in addition to the possibility of transferring detainees to hospital for treatment, provision should be made for a doctor to attend police establishments in case of need.

9. The above-mentioned immediate observation was subsequently confirmed in a letter of 10 November 1999 from the President of the CPT. The Greek authorities were requested to provide within three months a report on the action taken to meet the requirements set out in points i) to vi) above and, more generally, an account of their strategy for putting an end to the holding in police stations for prolonged periods of foreign nationals awaiting deportation.

By letter of 1 February 2000, the Greek authorities informed the CPT of the measures taken in response to the immediate observation. These measures will be considered in detail later in the report.

II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED

A. Establishments under the authority of the Ministry of Public Order

1. Preliminary remarks

10. As already noted, the 1999 visit focused on the conditions of detention and treatment of foreign nationals detained in establishments falling under the authority of the Ministry of Public Order. The delegation visited several types of such establishments: police directorates and stations in Athens, Glyfada, Piraeus and Alexandroupolis; specific holding facilities for foreign nationals at Athens Airport, in Piraeus and in Feres; and transfer centres for prisoners in Athens and Piraeus. Some of these establishments had already received visits by the CPT in 1993 and/or 1997, and had been the subject of recommendations in the reports drawn up after these visits. However, as borne out by the delegation's findings made in the course of the 1999 visit, most of the Committee's earlier recommendations remained to be implemented.

11. Two different procedures can be applied to foreigners illegally present in Greece who have been apprehended by the police: an administrative and a judicial deportation procedure.

The legal provisions relating to administrative deportation are contained in Law 1975/1991 and Joint Ministerial Decree No 4803/13/7a of 26 June 1992. The body responsible for taking deportation decisions is the State Security Department of the Ministry of Public Order. In the case of a foreign national submitting a request for asylum, the deportation is suspended, pending examination of the request by a specialised service. In other cases, decisions are taken on the basis of reports sent by the police departments which have detained the persons concerned. The deportation decision can be appealed to the Ministry of Public Order within 3 days; the delegation received conflicting information as to whether such an appeal has suspensive effect. **The CPT would like to have this issue clarified by the Greek authorities.**

The law does not fix a maximum period during which foreign nationals subject to the administrative deportation procedure may be held by the police. The delegation was informed that when such persons are in possession of valid documents and tickets, the period of detention usually does not exceed a week. However, if no such documents are available, the period of detention may be prolonged, due to difficulties in identifying the person concerned and/or failure of the consular authorities responsible for issuing the required documents to co-operate in an efficient manner.

The Deputy Director of the State Security Department informed the delegation that 19,000 deportation orders had been issued in 1999. However, the department handling deportation orders and appeals employed only 10 staff members. In the face of such a considerable workload, it is inevitable that some delays may occur. In fact, the delegation met a number of foreign nationals who, although in possession of valid passports and tickets, had spent over a week in police custody, in conditions which could often be qualified as inhuman and degrading. **The CPT recommends that the Greek authorities take the necessary steps to ensure that there are no undue delays in the deportation procedure.**

12. Foreign nationals who have committed crimes are subject to judicial deportation, pursuant to Sections 74 and 99 of the Criminal Code. They may be deported either after having served their sentences in a Greek prison, or, if the sentence is suspended, immediately after the court decision.

The delegation noted that once they have served their sentences, foreign nationals subject to judicial deportation are transferred to police custody, where they remain until their deportation. Such custody may continue for months. The CPT considers that an earlier preparation of the deportation procedure could and should be envisaged (by contacting the respective consular authorities well in advance), in order to reduce the time spent in police custody after a person has served his prison term. **The Committee would like to receive the comments of the Greek authorities on this issue.**

2. Torture and other forms of physical ill-treatment

13. The delegation which carried out the 1999 visit heard some allegations of physical ill-treatment of foreign nationals at the time of their apprehension by police officers and/or during subsequent questioning. Further, at Omonia Police Station in Athens, several foreign nationals stated that they had been beaten by custodial staff; this had apparently happened when they had repeatedly asked to be allowed to go to the toilet.

In the following cases, medical evidence consistent with allegations of recent physical abuse was found:

- a person met by the delegation at Attica General Police Directorate alleged that, at the time of his arrest by the police a day earlier, he had received numerous truncheon blows to the body and head. Upon examination by a medical member of the delegation, the person concerned displayed: a haematoma on the right shoulder measuring 7 x 2 cm; a haematoma on the right upper arm measuring 10 x 2 cm; an excoriation on the right elbow measuring 2 x 1 cm; excoriations and haematomas on the right side of the thorax, measuring 2 x 2 cm; a blue haematoma on the right lumbar region measuring 2 x 3 cm; an oedema and excoriation measuring 2 x 3 cm on the back of the head (occipitum). All the lesions were fresh, about a day old;
- another person met at Attica General Police Directorate alleged that on the previous day, he had been hit on various parts of the body by police officers who came to arrest him at his home. An examination by a medical member of the delegation revealed: a brownish-red excoriation of the nose, 1 x 1 cm, with oedema; excoriations and haematoma on the posterior side of the thorax, 2 x 1 cm. The injuries were fresh, about a day old. The person concerned also complained of pain in the right ribs region;
- a person interviewed by the delegation in the Police Station at Athens Airport (East Terminal) alleged that, following his arrest at the airport ten days previously, he had been handcuffed, and subsequently kicked in the legs and hit with fists over the body by police officers who questioned him. A medical examination revealed: in the left lumbar region, a haematoma measuring 3 x 1 cm, yellowish-green in colour; horizontal excoriations on the right leg beneath the knee, 2 cm long and brown in colour.

14. In their letter sent in response to the immediate observation made by the CPT's delegation at the end of the 1999 visit, the Greek authorities informed the Committee that "in spite of the general and vague nature of the allegations reported by the Committee [at the end of the visit], because of the sensitivity of the Greek authorities in this regard and their firm intention to ensure the unwavering observance of the standing provisions concerning the protection of human dignity, an investigation of the allegations was carried out at the Police Station of Omonia. As a result of the investigation, the allegations have not been substantiated. It is believed that such allegations were made by the detainees in order for their time of detention until deportation to be shortened."

Further, in the same letter, the Ministry of Public Order requests the CPT's delegation to provide more information concerning the allegations received by it of physical ill-treatment of detainees, in order for it to investigate these investigations thoroughly and inform the Committee of the results of its investigation.

In this connection, it should be recalled that the CPT interviews in private persons deprived of their liberty; such persons are told that the discussion will be treated as strictly confidential by the delegation. Consequently, the Committee is unable to disclose the names of persons making specific allegations unless they consent to this. In the cases presently in question, it was apparent that the persons concerned did not wish their identity to be revealed.

15. It should also be noted that the interim report of the Greek authorities sent in response to the CPT's 1997 visit report failed to address the recommendations made by the Committee designed to prevent ill-treatment, in particular those in paragraphs 16, 17, 18 and 19 of that report¹. **The CPT calls upon the Greek authorities to implement these recommendations.**

3. Conditions of detention

16. Although not deliberate ill-treatment, the CPT feels compelled to point out that at the police establishments visited, a large number of foreign nationals were subjected for prolonged periods of time to a combination of negative factors – overcrowding, appalling material conditions and levels of hygiene, lack of outdoor exercise, absence of any activities – which could easily be described as inhuman and degrading treatment.

¹ I.e. that police officers be reminded, through a formal statement by the Ministry of Public Order, that they should be respectful of the rights of persons in their custody and that the ill-treatment of such persons will be the subject of severe sanctions; that police officers be reminded that no more force than is reasonably necessary should be used when apprehending a person; that whenever a public prosecutor or judge receives an allegation of ill-treatment by the police, or observes that a detained person brought before him could have been a victim of ill-treatment, he should immediately request a forensic medical examination of the person concerned and bring the matter to the attention of the relevant public prosecutor; and concerning the issuing and content of medical certificates.

a. police directorates and stations

17. The police directorates and stations visited by the delegation were equipped with cells, in principle designed for holding criminal suspects and suitable for short periods of detention. However, all of them were used to hold foreign nationals detained under the Aliens' legislation for weeks and on occasion for months (up to 10 months in certain cases).

18. The new detention facilities at the Police Station at Athens Airport (East Terminal) had entered into service a few days prior to the delegation's visit, and were in general of an acceptable standard. They comprised two basement cells (measuring some 15 m²), each equipped with three plinths with clean mattresses and blankets. Artificial light and ventilation were adequate; however, the cells' small windows let in only a limited amount of natural light.

19. As regards conditions of detention in the rest of the police stations visited, they displayed a number of serious shortcomings.

The detention facility located on the 7th floor of Attica General Police Directorate had been the subject of several recommendations of an urgent nature in the report on the 1997 visit. Regrettably, far from being improved, the situation in the facility in question had in fact deteriorated. At the time of the 1999 visit, 171 persons (97 men and 74 women) were being held in the facility, the official capacity of which was 80.² The delegation was told that several days earlier the overcrowding had been even more severe: in the detainees' words, they had had "to fight to get a mattress". Over a third of the detainees slept in the detention area's corridors, which were so densely covered with mattresses, blankets and bags containing personal possessions that delegation members had problems accessing the cells. Some of the detainees were obliged to sleep in close proximity to the sanitary facilities, which were in a poor state of repair, with water overflowing into the corridors; further, in the women's section, such detainees were exposed to the cold and draught coming through a broken window in the toilets. The supply of hot water was said to be erratic.

On the day of the visit, the detention facility for juveniles on the 3rd floor of Attica General Police Directorate was holding 7 foreign nationals (2 girls and 5 boys), the youngest of whom was 12 years old. As in 1997, material conditions in the facility's three cells were of an acceptable standard for short stays. However, one of the girls had already spent 45 days in custody, and one boy had been held there for 30 days. Throughout this time, their only means of distraction had been occasionally watching TV in the police officers' room.

20. No improvements were observed in the detention facilities at Drapetzone Police Station, which had been the subject of an immediate observation under Article 8, paragraph 5, of the Convention at the time of the 1997 visit; if anything, the situation had got worse. On the day of the visit, the establishment was holding 86 foreign nationals, as opposed to 31 in 1997. The establishment's official capacity had been fixed at 85 persons. Regardless of what the official capacity may be, the establishment was overcrowded, in particular the women's section. The cell set aside for detainees of Albanian origin had no access to natural light, and ventilation was poor. Further, the sanitary facilities were dirty, deprived of lighting and in a bad state of repair. Detainees complained - and the delegation ascertained by itself - that there was a shortage of hot water.

² There were twenty cells divided into two sections (ten for men and ten for women), each measuring some 12 m² and intended for a 4-person occupancy.

21. Glyfada Police Station had two cells (measuring some 7 m²), each accommodating three foreign nationals on the day of the visit. However, the delegation was told that in the recent past as many as nine persons had been held in one cell. The cells were badly lit and stuffy, their walls were covered in graffiti, and detainees were sleeping on dirty mattresses. The adjacent toilet was in an appalling state of repair.

22. Material conditions in the detention area at Kolonos Police Station, located in the establishment's basement, were execrable. With an official capacity of 15, at the time of the visit the facility was holding 37 adult detainees and 5 children. One of the cells, which was larger and had access to natural light, was used to hold the women and children. The delegation observed that 9 women and 5 children had to share five beds, two armchairs and a mattress placed on the floor. The overcrowding in the two cells for men was outrageous: e.g. up to 10 detainees in a cell which measured 11 m² and contained three plinths. The latter cells were very poorly lit (deprived of natural light and with totally inadequate artificial lighting), unventilated and extremely dirty. In addition, some ten detainees were sleeping in the corridor on filthy, vermin-infested mattresses or piles of old rugs. The facility's single toilet (used by men, women and children alike) was totally unfit for use, and there were no washing facilities.

23. Omonia Police Station had six cells of varying size, as well as two "temporary holding" areas. On the day of the visit, 27 persons were in custody. Seven men were held in a cell measuring some 13 m²; three of them slept on a plinth fixed to the wall, while the remaining four shared two mattresses placed on the floor. The delegation was told that the facility had been very overcrowded in the recent past, up to 15 detainees sharing a cell of some 20 m². The cells had no access to natural light, artificial lighting was poor and ventilation left much to be desired. The whole facility was very dirty, infested with parasites and dilapidated. Further, detainees complained that their requests to be allowed out of the cells in order to go to the sanitary facilities were usually subject to long delays (cf. also paragraph 13).

24. Material conditions in the detention area at Alexandroupolis Police Station and Police Directorate - which was empty at the time of the visit - were once again of a very low standard. The two cells (6 m² and 12 m²) were poorly lit, dirty and dilapidated, and the adjacent toilet facility was filthy and in a bad state of repair.

25. In all of the above establishments, the mattresses supplied to detainees were usually dirty and torn, there was a shortage of blankets, and no pillows and sheets were provided. Further, there was a general lack of soap, detergents and other basic sanitary products (e.g. toilet paper, sanitary towels for women).

Detainees usually received two meals a day; however, the first one was normally not served before 3 p.m. The delegation was concerned to note that, at the time of its visit to Kolonos Police Station, the persons held there (amongst whom there were several young children) had not received food for the last 24 hours. The delegation heard many complaints about the quality and quantity of the food provided. Further, some of the persons met in police custody alleged that they had not received any food on the first day following their apprehension.

26. As in 1997, none of the police establishments visited possessed the necessary facilities to enable detainees to take exercise in the open air. Further, despite the fact that foreign nationals can spend lengthy periods of time in police custody, no provision had been made to offer them any activities or means of distraction. This is all the more unsatisfactory in view of the fact that there were a number of young children and juveniles amongst the detainees seen by the delegation.

27. Finally, it should be noted that in all the police stations visited, there was a shortage of female police staff in the areas for women.

b. detention facilities specifically designed for holding illegal aliens

28. At the beginning of the visit, the CPT's delegation was informed that the Hellenikon Holding Centre for Aliens at Athens Airport had been closed down two months previously for a major refurbishment, and detainees transferred to various police establishments in Attica. **The CPT would like to be informed of the progress made towards completing the refurbishment, and the envisaged date of re-opening of the Centre.**

29. The new Holding Centre for Aliens in Piraeus, which had been in service for about a year, was found to be in an acceptable state of repair and cleanliness. On the day of the visit, the establishment was operating at its official capacity of 56 places. The majority of the foreign nationals had spent 2 to 3 months at the Centre. There were a total of fourteen bar-fronted cells (12 m²), each designed for 4-person occupancy. As already described in the report on the 1997 visit - when the CPT's delegation visited the still non-operational Centre - the cells had only limited access to natural light (coming through a window in the corridor linking the cells), the artificial lighting was poor and ventilation left something to be desired. On a positive note, the sanitary facilities were of a good standard (although the supply of hot water had apparently been a problem in the summer).

The delegation heard a lot of complaints concerning the provision of food, which was said to be of poor quality, cold and served only once a day (sometimes only once every two days).

No arrangements had been made to enable detainees to take outdoor exercise. During the day, they could stroll along the corridor between the cells. Further, save for a small TV set located in the corridor, there was no possibility for detainees to engage in recreational or other activities.

30. The holding facilities at Athens Airport (East Terminal) for foreign nationals who are not authorised to enter the country were described in detail in the report on the 1997 visit. Despite certain deficiencies, such as lack of natural light, the two separate areas for men and for women were well maintained and of an adequate standard for short periods of stay. The delegation was told that foreign nationals were in principle not held there for more than a week. However, two of the persons present in the area had already spent 15 to 20 days in detention. Further, although the facilities were not overcrowded at the time of the visit (only 3 men and 2 women being present), an examination of the register revealed that in the recent past up to 20 persons had been held in the facilities at one time.

Further, since 1997, a new holding area for persons applying for asylum had been opened. It was partitioned into four compartments, each equipped with a bed, locker and chair; in addition, there was small common area with a table and a TV set.

Similar to the situation described above in respect of the Holding Centre for Aliens in Piraeus, there were no arrangements for outdoor exercise or activities for detainees (although a few newspapers had apparently been distributed during the morning of the visit). As to the provision of food, for “inadmissible” foreign nationals it remained the responsibility of the airline company, while asylum seekers were supplied with food by the Airport Police Department twice a day (at 4 p.m. and 10 p.m.). The delegation heard complaints from the former category of foreign nationals to the effect they had not received any food.

The delegation was told that a larger and better equipped holding area for foreign nationals is envisaged at the new Athens International Airport, scheduled to enter into service in 2000. **The CPT would like to receive more information on this issue.**

31. The delegation also paid a visit to the holding facility run by the Transitional Detachment for illegal aliens³ in the town of Feres, near the border with Turkey. It occupied a makeshift construction resembling a hangar, consisting of two large rooms (some 33 m²) and one smaller room (20 m²). The squalor in these rooms beggared belief. Access to natural light was symbolic, artificial lighting was dim, and the rooms were stuffy and damp. The only equipment consisted of cement platforms on which torn sponge mattresses had been laid out. Electric cables were coming out of the walls, and the floors were covered with water overflowing from the toilets and containing various forms of rubbish. The sanitary facilities were practically unusable (no light, blocked toilets, broken sinks). The whole place resembled a human dump.

At the time of the visit, 18 Iraqi nationals (including 6 young children) were being held there. They claimed to have spent the previous four days in the holding facility; nevertheless, this appeared to be their fourth or fifth stay there, as they had allegedly been transferred repeatedly between Turkey and Greece in the preceding months. However, it was impossible to establish how long these persons had spent in custody, or indeed how many other persons had been held at the Feres holding facility in the past and for what periods of time, as no custody records were being kept (cf. also paragraph 45).

On a positive note, detainees had access for several hours a day to a relatively large yard adjoining the holding facility, where they could also wash their clothes.

The delegation was shown several rooms located on top of the hangar which were in the process of being fitted out as a detention facility for women with children. The rooms were spacious, well lit and equipped with sanitary annexes.

* * *

³ By order of the Director of Alexandroupolis Police Directorate, two Transitional Detachments (in Alexandroupolis and Orestiada) were set up in 1999 for the purpose of preventing the entry of illegal aliens on Greek territory. In the event of such persons entering Greece, these detachments are empowered to arrest them and deliver them to the relevant police services for further action.

32. The arrangements for providing **medical care** to foreign nationals detained in all the establishments visited (both police directorates/stations and detention facilities specifically designed for holding illegal aliens) were inadequate. There was no medical screening on arrival, and no provision had been made for periodic visits by either a doctor or nurse. In case of serious health problems, detainees could be transported to an outside hospital facility. However, the delegation met a number of detainees who required medical attention (e.g. with tooth abscesses, hyperthyreosis, skin diseases, epilepsy) but had not had access to a doctor/dentist.

* * *

33. The CPT appreciates the great difficulties with which the Greek authorities have been - and remain – confronted, because of the large influx of illegal immigrants in recent years. However, problems – especially when they persist – should be provided with solutions. The situation prevailing at the police establishments visited by the CPT’s delegation is absolutely untenable. Keeping any human being in the conditions described above for prolonged periods of time can easily be considered as inhuman and degrading treatment. This is all the more of concern to the CPT because of the large numbers of persons concerned (at the time of the visit, there were some 550 foreign nationals detained in police establishments in Attica).

34. As already noted (cf. paragraph 8), at the end of the 1999 visit to Greece, the CPT’s delegation made an immediate observation, in pursuance of Article 8, paragraph 5, of the Convention, in respect of the holding of foreign nationals detained under the Aliens’ legislation in police establishments.

In their letter of 1 February 2000 in response, the Greek authorities informed the Committee that the following six immediate measures had been taken: 1) the holding facility for illegal aliens in Feres was closed down for a short period of time, and thoroughly cleaned and painted before being re-opened; 2) each person detained overnight is supplied with a clean mattress and blankets; 3) strict orders have been issued to all staff in holding facilities that they must ensure that detainees can comply with the need of nature and are offered adequate washing facilities and appropriate personal hygiene items; 4) instructions have been issued to all detention facilities to the effect that regulations providing for the regular disinfecting are to be strictly observed; 5) instructions have been issued calling on detention facilities staff to ensure that all detained persons are given food at appropriate times; 6) the medical officers of the police are to carry out regular inspections of detention facilities used for holding foreign nationals.

Further, it is stated in the letter that instructions had been issued for the repair of several police holding facilities with a view to improving conditions of detention. However, it is stressed that “a comprehensive solution of the problem will be achieved only with the construction of appropriate facilities in public buildings at the seat of every Police Directorate, which will meet the necessary requirements for the secure and safe custody of the detainees”. Such a solution is said to be currently sought in the context of a major Government project for the upgrading of the building infrastructure of the Greek Police. In the context of this project, plans have been made for buying a building of 9,000 m² (with a capacity of 468 persons) to be used to house the Aliens and Transfer Centre in Attica. A project is also under way for repairing the 70-person detention facilities at Athens Airport, and for the conversion of a building in Amygdaleza into a detention facility with an official capacity of 100 persons. Further, the implementation of a project for the construction of new detention cells at Feres Police Station is said to have begun.

The CPT welcomes the positive response of the Greek authorities; **it recommends that the above-mentioned measures be implemented without further delay.**

35. In this connection, the Committee wishes to stress once again that in those cases when it is deemed necessary to deprive of their liberty for a prolonged period persons detained under the Aliens’ legislation, they should be accommodated in centres specifically designed for that purpose. Such centres should be adequately furnished (for example, beds or sleeping platforms, cupboards, tables and chairs), clean and in a good state of repair, and should provide sufficient living space for the persons likely to be detained. The design and layout of such premises should avoid, as far as possible, any impression of a carceral environment.

As regards regime activities, they should include outdoor exercise, access to a recreation room and to radio/television and newspapers/magazines, as well as other appropriate means of recreation (e.g. board games, table tennis). The longer the period for which persons are detained, the more developed should be the activities which are offered to them.

Further, such centres should have at least a medical room where any medical examinations or nursing care can be carried out under satisfactory material conditions and the confidentiality of medical examinations guaranteed. It would be highly desirable to have qualified nurses in regular attendance at such centres, who could, inter alia, manage and distribute the medicines needed by detainees.

The CPT recommends that the Greek authorities take steps to bring conditions of detention in all the existing detention facilities specifically designed for holding illegal aliens into conformity with the above-mentioned requirements. These requirements should also be fully taken into account when setting up new detention facilities for illegal aliens.

Further, the CPT requests the Greek authorities to provide a timetable for the implementation of the envisaged project for the upgrading, reconstruction and acquisition of facilities for the holding of illegal aliens. It would also like to be informed of the envisaged date of entry into service of the new detention cells at Feres Police Station.

36. **The CPT also recommends that immediate steps be taken to:**

- **keep the period of time spent by persons detained for deportation in police directorates/stations to the absolute minimum. Whenever it becomes clear that the deportation procedure in respect of a foreign national is going to take longer than a week, the person concerned should be transferred to a detention facility specifically designed for holding illegal aliens;**
- **ensure that the official capacities of the cells in police directorates/stations are observed, and that no detainees are obliged to sleep in the corridors of detention facilities.**

The CPT also recommends that the Greek authorities explore the possibility of assigning female officers to police detention facilities where women are held.

c. transfer centres

37. Piraeus Transfer Centre for prisoners was visited by the CPT in 1993 and 1997. In the reports on both of these visits, the CPT had recommended that the facility be extensively renovated without delay and that, if such a renovation proved to be unfeasible, the existing premises be taken out of service and the Centre relocated elsewhere in a place offering better conditions of detention. The delegation which carried out the 1999 visit did not observe any changes: the establishment was as dirty and neglected as described in the previous reports. There were 11 persons present at the time of the visit, the average stay said to be three days. However, conditions in the Centre were unacceptable even for such short stays.

In their letter of 1 February 2000, the Greek authorities indicated that the Piraeus Transfer Centre is “indeed inadequate as it is both antiquated and too small. The Ministry of Public Order considers the building beyond repair and is therefore looking for another building. Until a new facility is found, old blankets and mattresses, as well as the worn-out electrical and plumbing systems have been replaced. The building has been repainted and constant efforts are being made for the improvement of the detention conditions. Disinfecting is also carried out on a regular basis.”

The CPT recommends that urgent action be taken to relocate Piraeus Transfer Centre for prisoners to a place offering better conditions of detention.

38. Athens Transfer Centre for prisoners received a CPT visit in 1993, and was the subject of a number of recommendations in the subsequent report. Unfortunately, hardly anything had changed in the meantime. The official capacity remained set at 42, and the facility could clearly become very overcrowded. The cells were extremely dirty and poorly ventilated, the walls had not been painted for years, the toilets could not be flushed, there was a pervasive and disagreeable smell around the establishment, and there was no supply of hot water. In contrast to 1993, detainees were being provided with mattresses; however, they were in an extremely poor condition. Many detainees showed the delegation marks from parasite bites.

39. In their letter of 1 February 2000, the Greek authorities informed the CPT that the Athens Transfer Centre for prisoners had been cleaned and disinfected. Nevertheless, the Committee considers that more vigorous action is required in order to bring conditions of detention at the Centre up to an acceptable standard. **The CPT therefore recommends that immediate action be taken in order to:**

- **reduce the official capacity of Athens Transfer Centre for prisoners;**
- **supply all detainees with clean mattresses and blankets;**
- **improve the ventilation and artificial lighting in the cells;**
- **ensure regular disinfecting and cleaning of the premises;**
- **repair the toilet facilities and ensure a regular supply of hot water;**
- **ensure that prisoners are supplied with an appropriate range of personal hygiene items.**

Further, **means should be sought to enable prisoners held at the Transfer Centre to have outdoor exercise on a daily basis.**

40. As regards food, the delegation was told that prisoners were allocated 1,000 drachmas for every day spent in travel/transfer, with which they could purchase food from outside. This sum of money is equivalent to a sandwich and a soft drink, and is clearly insufficient for the adequate feeding of adult persons. **The CPT recommends that the Greek authorities take steps to ensure that prisoners in transit are being provided with food which is sufficient in quantity and quality.**

4. Safeguards against ill-treatment

41. The CPT has already stressed in its 1997 visit report that persons detained under the Aliens' legislation should - in the same way as other categories of persons deprived of their liberty - be entitled, as from the outset of their detention, to inform a person of their choice of their situation and to have access to a lawyer and a doctor. Further, they should be expressly informed, without delay and in a language they understand, of all their rights and of the procedure applicable to them. In addition, such persons should be entitled to maintain contact with the outside world during their detention, and in particular to have access to a telephone and to receive visits from relatives and representatives of relevant organisations.

42. The situation observed by the CPT's delegation in the course of the 1999 visit falls considerably short of meeting the above requirements. Numerous foreign nationals met by the delegation stated that they had expressed a wish to contact the consulate of their country, but had not been given its telephone number. Access to a pay-phone was not always ensured (e.g. there were no pay-phones in Glyfada and Kolonos Police Stations).

Further, many foreign nationals interviewed by the delegation alleged that they had not been put in a position to contact a lawyer. The minority who did have a lawyer could not have confidential meetings with him/her, as none of the police establishments visited possessed facilities designated for this purpose. The inadequacy of medical care has already been commented on above (cf. paragraph 32).

43. At Attica General Police Directorate, the delegation was shown copies of information sheets, issued in a variety of languages, which advised persons detained by the police of their rights (to request a full explanation of their rights; to communicate with a lawyer; to inform their relatives of their arrest and receive visits from them; to request a medical examination by a doctor of their choice at their own expense). However, these information sheets were not specifically designed for foreign nationals detained for deportation, and contained no explanation of the procedure applicable to them. Further, there was no trace of such or other information sheets at any of the other police establishments visited. The great majority of the foreign nationals met by the delegation complained that they had been left unaware of their legal situation, and had received no information as to when they would be deported.

44. **The CPT recommends that steps be taken without delay to ensure that persons detained under the Aliens' legislation:**

- **can receive visits from lawyers in conditions ensuring the confidentiality of the discussions, and are able to meet their relatives and contact representatives of relevant organisations;**
- **are put in a position to make and receive phone calls;**
- **are systematically provided with a document explaining the procedure applicable to them and setting out their rights. This document should be available in the languages most commonly spoken by those concerned and, if necessary, recourse should be had to the services of an interpreter.**

45. As already noted (cf. paragraph 31), the presence of the foreign nationals detained at the Transitional Detachment holding facility for illegal aliens in Feres had not been recorded at all. The delegation was told by the police officer in charge of the Detachment that no register was being kept because he "reported orally all information to the Police Directorate in Alexandroupolis". Such a situation obviously lends itself to abuse. No formal safeguard against ill-treatment is more fundamental than the requirement that the fact of a person's detention should be properly recorded without delay. Consequently, **the CPT recommends that steps be taken immediately to ensure that whenever a person is detained in the Transitional Detachment holding facility for illegal aliens in Feres (or indeed any other holding facility run by a transitional or border control detachment), for whatever reason or length of time, the fact of his/her detention and subsequent release or transfer is recorded without delay.**

46. There are further grounds for the CPT's particular concern as regards the situation of foreign nationals kept in the holding facility of the Transitional Detachment for illegal aliens in Feres. Some of the persons interviewed there by the delegation stated that after their arrival in Greece they had tried to apply for asylum, but no police officer had been prepared to interview them or had even taken the trouble to examine their passports. As already noted in the preceding paragraph, there was no record of the presence of the persons in question on Greek territory.

In fact, it transpired from the delegation's discussions with the Director of Alexandroupolis Police Directorate and senior officials from the State Security Department at the Ministry of Public Order that, due to the absence of a bilateral agreement with Turkey for the readmission of third country nationals, an "informal" deportation – based on a verbal communication between Alexandroupolis Police and the Ministry - could be applied to certain foreign nationals arriving through the Turkish border (in particular those of Iraqi, Iranian and Afghani origin). In practice, this meant that the administrative deportation procedure described in paragraph 11 above was not followed. **The CPT would like to receive the comments of the Greek authorities on this issue.**

47. The CPT also wishes to reiterate a point already made in the report on the 1997 visit to Greece, that it would be in violation of both national and international legal obligations for persons to be returned to a country where there are substantial grounds for believing that they would run a risk of being subjected to torture or inhuman or degrading treatment or punishment. **The CPT reiterates its request to receive a detailed account of the precise practical steps taken by the Greek authorities to ensure that such a situation does not occur.**

B. Establishments under the authority of the Ministry of Justice

1. Preliminary remarks

48. The information provided by the Greek authorities at the beginning of the visit suggests that the long-standing problem of overcrowding of civil prison establishments has become even more acute: there were 7,720 prisoners at the time of the 1999 visit, for an official capacity of 4,700 places (compared to 5,452 prisoners for 4,332 places in 1997). It was stressed that the failure to remedy the problem was due primarily to the continuing increase of foreign prisoners (currently 47% of the total prison population). To alleviate overcrowding, the Ministry of Justice has launched a programme for the construction of nine new prisons and two rehabilitation centres for drug-addicts, several of which are expected to enter into service in 2000.

The CPT must re-iterate its recommendation that the Greek authorities pursue vigorously the application of all the different measures to combat prison overcrowding, including policies to limit or modulate the number of persons sent to prison. In this context, the Greek authorities might find useful guidance in the principles and measures set out in Recommendation No R (99) 22 of the Committee of Ministers of the Council of Europe, concerning prison overcrowding and prison population inflation.

2. Ill-treatment

49. No allegations of physical ill-treatment of inmates by staff were received at the two establishments visited, and no other evidence was found of such treatment.

50. However, information gathered by the delegation at the Avlona Institution for Male Juvenile Offenders suggests that inter-prisoner violence (in particular between inmates originating from different countries) constitutes a problem. The establishment's Director pointed out that this was the main challenge with which he and his staff were confronted.

Addressing the phenomenon of inter-prisoner violence requires of a prison's staff that it be alert to signs of trouble and both resolved and properly trained to intervene when necessary. The existence of positive relations between staff and prisoners, based on the notions of secure custody and care, is a decisive factor in this context; this will depend in large measure on staff possessing appropriate interpersonal communication skills. Further, management must be prepared to fully support staff in the exercise of their authority. Specific security measures adapted to the particular characteristics of the situation encountered (including effective search procedures) may also be required. However, such measures can never be more than an adjunct to the above-mentioned basic imperatives.

It is also obvious that an effective strategy to tackle inter-prisoner violence should seek to ensure that prison staff are placed in a position to exercise their authority in an appropriate manner. Consequently, the level of staff must be sufficient to enable prison officials to closely supervise the activities of prisoners and effectively to support each other in the exercise of their supervisory tasks. In this connection, it should be noted that the Avlona Institution for Male Juvenile Offenders was understaffed: the staff complement comprised 48 custodial staff, 10 administrative employees and 3 social workers. It is difficult to see how such a staff complement can provide close surveillance and communication with inmates (who numbered 279 at the time of the visit).

The CPT recommends that the Greek authorities develop and implement a comprehensive strategy to combat inter-prisoner violence at the Avlona Institution for Male Juvenile Offenders, in the light of the above remarks.

3. Follow-up visit to Korydallos Prison Complex

51. Korydallos Prison Complex was visited by the CPT in both 1993 and 1997, and was the subject of a number of recommendations and comments in the subsequent visit reports (cf. CPT/Inf (94) 20, paragraphs 41 to 44 and paragraphs 107 to 121 of the report on 1997 visit). In the course of the 1999 visit, the CPT's delegation visited certain parts of Korydallos Prison Complex⁴, in order to assess the measures taken by the Greek authorities to implement the recommendations made by the CPT.

52. Since 1997, the official capacity of Korydallos Prison for men had risen to 730 places, due to the conversion of the former Prison for young male offenders into a new 250-place unit (Unit 5) for male prisoners. On the other hand, the establishment's population had almost doubled: on the day of the visit, the prison was holding 1,922 prisoners (two-thirds of whom were sentenced), as compared to 1,032 at the time of the 1997 visit. Nearly 50% of the prisoners were foreign nationals.

53. The delegation observed that certain improvements had been made since 1997, in line with the CPT's recommendations. Part of the main accommodation building had been repainted; the shower and laundry facilities had been repaired; the visiting facilities had been remodelled; the prison library had been brought back into service (albeit the collection of books was still rather small).

However, the problem of overcrowding persisted, and many of the 9.5 m² cells in the main accommodation building continued to hold three prisoners. Further, the cells seen by the delegation in wings A and D had not benefited from any refurbishment, and were in a bad state of repair and dirty. Prisoners also reported having difficulties in maintaining hygiene, due to the presence of vermin and a shortage of personal hygiene items.

⁴ I.e. the Prison for men, the Prison Hospital and the Psychiatric unit.

54. Following the transfer of the Prison for young male offenders to Avlona (cf. paragraph 58), the building previously occupied by it had been refurbished and transformed into accommodation for male prisoners (Unit 5). The new unit offered material conditions of a good standard. The cells and dormitories benefited from satisfactory access to natural light, ventilation and artificial lighting, and were adequately equipped (bunk beds with full bedding, bedside lockers, chairs, a table, shelves, TV sets). The in-cell toilets were appropriately partitioned, and each dormitory had a separate sanitary annexe (11 m²). Further, public phones had been installed in the corridors on each floor, and the indoor gym had been restored.

55. **The CPT recommends that:**

- **further efforts be made to reduce the occupancy rates at Korydallos Prison for men, in particular by holding no more than two prisoners per cell in the main accommodation building;**
- **priority be given to the refurbishing of the cellular accommodation in wings A and D;**
- **steps be taken to ensure that all prisoners have access to a suitable range of personal hygiene items.**

56. In the 1997 visit report, the CPT recommended that the Greek authorities vigorously pursue efforts to develop the activity programmes at Korydallos Prison for men. At the time of the 1999 visit, the number of inmates who worked had risen to 370 (as opposed to 295 in 1997). However, taking into account the increased number of prisoners at the establishment, this meant that the proportion of those with work had in fact decreased. **The CPT recommends that the Greek authorities step up their efforts to provide work and other organised activities to both remand and sentenced prisoners at Korydallos Prison for men.**

57. Despite the recommendations made by the CPT in both the 1993 and 1997 visit reports, conditions of detention in the establishment's disciplinary/segregation unit remained unchanged. Further, as was the case in 1997, some of the cells in that unit were being used for prisoners segregated for their own protection (including several mentally disturbed prisoners). Consequently, **the CPT must re-iterate the recommendations made in paragraph 178 of the 1997 visit report⁵, and request the Greek authorities to take immediate steps to implement them.**

⁵ I.e. that cells in the segregation unit used to accommodate prisoners segregated for a non-disciplinary reason be equipped in the same way as an ordinary prison cell; that cells used for disciplinary purposes be fitted with a table and chair, if necessary, fixed to the floor; that the regimes applicable to persons held in the isolation/segregation unit be expressly laid down; that if, exceptionally, prisoners who are emotionally or psychologically disturbed have to be held temporarily in the segregation unit, they be kept under close observation.

The delegation was particularly concerned by the material conditions of detention observed in the isolation unit in wing D, used for prisoners segregated on their own request. The nine cells in this unit were deprived of access to natural light, stuffy, damp and in a very bad state of repair. Prisoners slept on mattresses placed directly on the floor, and the delegation observed that many of the mattresses were filthy and infested with vermin. **The CPT recommends that material conditions in the isolation unit in wing D be substantially improved as a matter of priority; in particular, prisoners should be provided with mattresses which are clean and regularly disinfected. Further, the cells' ventilation should be verified.**

4. Avlona Institution for Male Juvenile Offenders

58. The Institution for Male Juvenile Offenders in Avlona entered into service in August 1998, following the transfer of juvenile prisoners from Korydallos Prison and other prisons. The establishment is situated in a rural setting some 40 km Northwest of Athens, on the site of a former military prison. It comprises a number of buildings located within a fairly large compound (5 acres), surrounded by a secure perimeter. With an official capacity of 308 places, on the day of the visit the establishment was holding 279 inmates, aged between 14 and 21 years. Nearly half of them were foreign nationals.

It should be stated from the outset that the creation of a special facility for juvenile offenders in Avlona represents by its very nature a change for the better, compared with the situation witnessed by the CPT's delegation in 1997 at the Korydallos Prison Complex. However, the information gathered by the delegation suggests that there is considerable scope for improvement, in particular as regards activities.

a. material conditions

59. The bulk of the prisoner accommodation was provided in a three-storey building which was capable of offering satisfactory conditions of detention. There were some 70 cells of an identical size (some 18 m²) and design: a living area (15 m²), furnished with two bunk beds, lockers, a table, and a TV set provided by the establishment, and a sanitary annexe (3 m²) containing a toilet, sink and shower. The cells were holding 2 to 4 inmates each. The state of cleanliness and decoration of the cells varied, and was clearly a function of the neatness of the cell's occupants.

However, the delegation observed that, because of problems with the plumbing, half of the cells on the ground floor of the main accommodation building were in a very bad state of repair and hygiene (water dripping from the sanitary annexes' ceilings, wastewater overflowing from the sewage pipes, ceilings covered with green algae, moist walls, broken or missing sinks, an all-pervading smell of urine). Cells 6, 17, 19 and 20 in particular were found to be in an appalling state.

60. At the time of the visit, 32 inmates were segregated, on account of their disruptive behaviour, in a separate one-level building (connected by a corridor to the main building). It comprised ten cells holding up to 4 inmates each. The cells were similar in size and design to those in the main building. However, the state of cleanliness within the building left something to be desired.

61. **The CPT recommends that immediate steps be taken to repair the plumbing and refurbish the ground floor cells referred to in paragraph 59, as well as any other cells at the establishment which are in a comparable state;**

The CPT also invites the Greek authorities to improve the state of cleanliness and hygiene at the whole establishment.

b. activities

62. A positive aspect of the regime applied to inmates at the establishment was the generous out-of-cell time. Cells were unlocked during most of the day (between breakfast and lunch time, and from 2.30 p.m. until sunset), and inmates could circulate within the accommodation wings and have access to good-sized exercise yards. However, except for a few benches, the latter tended to be bare, and outdoor exercise was essentially limited to strolling around the yards.

63. The delegation was informed that efforts were being made to introduce various educational and vocational training programmes at the institution. At the time of the visit, some 30 inmates were attending an elementary school, another 29 were registered at outside secondary schools (with tutors periodically attending the establishment), 15 were following a computer training course, and 15 were being trained as car mechanics. Further, some 100 inmates performed various tasks (cleaning, helping in the kitchen, laundry work, etc.).

However, the establishment did not possess a library, and there were no indoor or outdoor sports facilities.

64. Given the relatively recent transfer of the establishment to Avlona, it is clear that time has been too short to allow the management to implement all the steps required to create a well-functioning establishment for juveniles. Despite the generous out-of-cell time, the majority of prisoners still have few structured activities.

The CPT recommends that the Greek authorities make efforts to enhance the programme of organised activities for juvenile prisoners at the Avlona Institution for Male Juvenile Offenders. In this connection, the CPT must stress once again that it is essential for young persons in custody to be provided with a full programme of purposeful activities aimed at their rehabilitation (education, vocational training courses, work, sport, recreation, etc.).

In this connection, **the CPT also recommends that:**

- **a library be set up at the establishment as a matter of priority;**
- **the exercise yards be fitted with basket/volleyball equipment;**
- **efforts be made to equip an indoor gym.**

- c. other issues related to the CPT's mandate

65. As already noted (cf. paragraph 50), the establishment was clearly in need of more staff, both custodial as well as other categories. In particular, there were no psychologists, educators or vocational training teachers employed at Avlona (although several outside teachers attended the establishment periodically).

The CPT recommends that steps be taken to reinforce the staff at the Avlona Institution for Male Juvenile Offenders, in particular by employing psychologists, educators and vocational training teachers. In this connection, the CPT wishes to stress that the staff should be carefully chosen and, more specifically, be persons capable of guiding and motivating young people.

66. The establishment possessed two disciplinary cells (each measuring some 6 m²). The maximum length of the placement in these cells was 10 days for sentenced prisoners and 5 days for those on remand. Conditions in the cells were totally unacceptable: they were devoid of any equipment (including no mattresses), their "windows" were small openings below the ceiling without glass, there was no artificial lighting, the floor-level toilets were blocked with rubbish, and the walls were smeared with excrement. Each cell had an adjacent narrow corridor (6 m²), where inmates could apparently take "outdoor exercise". Further, there was evidence of gross overcrowding: an examination of the disciplinary records⁶ revealed that up to 10 inmates had on occasion been subject to disciplinary isolation at the same time.

67. **The CPT recommends that:**

- **immediate steps be taken to set up an appropriately equipped disciplinary unit. In addition to beds with mattresses, the unit's cells should be fitted with a table and chair, if necessary, fixed to the floor;**
- **all prisoners placed in a disciplinary cell be guaranteed at least one hour of outdoor exercise per day, and be allowed to have access to reading matter;**
- **a specific register be established for the disciplinary unit, setting out full details of persons held in it: date and time of entering and leaving the unit; grounds for the detention and destination on departure; cell occupied; etc.**

⁶ The records in question were the protocols from the sittings of the disciplinary board; however, there was no register for the disciplinary unit.

68. The establishment's visiting area consisted of 20 partitioned-off places, inmates being separated from their visitors by glass and communicating with them via a telephone. A few chairs were in view, but only on the visitors' side. There were no facilities for open visits.

The CPT recommends that immediate steps be taken at the Avlona Institution for Male Juvenile Offenders to provide inmates with chairs during visits. The Committee also recommends that the Greek authorities explore the possibility of holding visits under more open conditions; visits under closed booth-type conditions should be the exception rather than the rule.

5. Health-care issues

69. At Korydallos Prison for men, the staffing levels of the health-care service continued to be a serious problem. The delegation was informed that 85% of the health-care staff posts were not filled (60% of the nursing staff posts). The full-time medical staff comprised one general practitioner (GP) and one psychiatrist; in addition, a number of outside doctors held surgeries. Further, as in 1997, there was a shortage of qualified nursing personnel: the establishment employed two qualified nurses and seven prison officers acting as auxiliary nurses.

Health care at the Avlona Institution for Male Juvenile Offenders was provided by two nurses working in the mornings; further, a prison officer acting as an auxiliary nurse was present in the afternoons. As regards doctors, two visiting GPs attended the establishment twice a week, and a psychiatrist and a dentist, once a week. In case of emergency, inmates were transported to the communal health-centre in the nearby town, and could also be transferred for treatment to Korydallos Prison Hospital.

The CPT recommends that steps be taken:

- **to fill the vacant posts in the health-care service at Korydallos Prison for men;**
- **to increase the GPs' and the dentist's attendance hours at the Avlona Institution for Male Juvenile Offenders; as regards the former, their presence should be equivalent to at least one full-time post;**
- **to increase the nurses' attendance hours at the Avlona Institution for Male Juvenile Offenders, and ensure that someone qualified to provide first aid is always present at the establishment.**

70. It became obvious that there was no systematic medical screening of inmates on admission at either Korydallos Prison for Men or the Avlona Institution for Male Juvenile Offenders. The CPT has stressed in its previous visit reports the importance of medical screening of new arrivals; such screening is indispensable, in particular in the interest of preventing the spread of transmissible diseases, suicide prevention and the timely recording of injuries. Consequently, **the CPT recommends that the Greek authorities ensure that every newly-arrived prisoner at Korydallos Prison for Men and the Avlona Institution for Male Juvenile Offenders is properly interviewed and physically examined by a medical doctor as soon as possible after his admission. Such medical screening on admission could also be performed by a fully qualified nurse reporting to a doctor.**

71. The Psychiatric Unit at Korydallos Prison Complex was holding 182 patients at the time of the visit, both drug-addicts and mentally-ill patients. The delegation was informed that the presence of drug-addicts at the unit was soon to be brought to an end, as two de-toxification centres were scheduled to open in the near future (one of them was awaiting the appointment of staff in order to start functioning). **The CPT would like to receive updated information on this issue.**

As in 1997, the Unit was overcrowded, its official capacity being 140 places. The staffing situation was also comparable to that recorded in 1997: one full-time psychiatrist, five visiting psychiatrists, eight nurses and one pharmacist. This staffing level falls short of what is required for the proper functioning of a psychiatric facility of such a capacity.

The delegation was pleased to note that the “observation” unit (which was severely criticised in the CPT’s 1993 and 1997 visit reports) had been thoroughly refurbished, including the installation of air-conditioning. However, there was still no specific register for recording placements in the Unit’s isolation rooms.

72. In the light of its delegation’s observations, **the CPT can only reiterate the recommendations made in the 1997 visit report that:**

- **the Greek authorities take urgent steps to review the operation of the Psychiatric Unit at Korydallos Prison Complex, and in particular to recruit staff trained to provide a range of rehabilitative and therapeutic activities to patients;**
- **all placements in an isolation room be recorded in a specific register, with an indication of the time at which the measure began and ended, the reasons for the measure and the doctor ordering it, the use of physical restraints, periodic supervision by nursing staff, etc.**

APPENDIX I

**SUMMARY OF THE CPT'S RECOMMENDATIONS,
COMMENTS AND REQUESTS FOR INFORMATION**

A. Establishments under the authority of the Ministry of Public Order

1. Preliminary remarks

recommendations

- the Greek authorities to take the necessary steps to ensure that there are no undue delays in the deportation procedure (paragraph 11).

requests for information

- clarification as to whether appeals against administrative deportation decisions have suspensive effect (paragraph 11);
- the comments of the Greek authorities on the possibility for an earlier preparation of the judicial deportation procedure, in order to reduce the time spent in police custody after a person has served his prison term (paragraph 12).

2. Torture and other forms of physical ill-treatment

recommendations

- the Greek authorities to implement the recommendations made in paragraphs 16, 17, 18 and 19 of the CPT's 1997 visit report (paragraph 15).

3. Conditions of detention

recommendations

- the measures envisaged by the Greek authorities with a view to improving conditions of detention in police holding facilities to be implemented without further delay (paragraph 34);
- the Greek authorities to take steps to bring conditions of detention in all the existing detention facilities specifically designed for holding illegal aliens into conformity with the requirements set out in paragraph 35. Those requirements should also be fully taken into account when setting up new detention facilities for illegal aliens (paragraph 35);

- immediate steps to be taken to:
 - keep the period of time spent by persons detained for deportation in police directorates/stations to the absolute minimum. Whenever it becomes clear that the deportation procedure in respect of a foreign national is going to take longer than a week, the person concerned should be transferred to a detention facility specifically designed for holding illegal aliens;
 - ensure that the official capacities of the cells in police directorates/stations are observed, and that no detainees are obliged to sleep in the corridors of detention facilities (paragraph 36);
- the Greek authorities to explore the possibility of assigning female officers to police detention facilities where women are held (paragraph 36);
- urgent action to be taken to relocate Piraeus Transfer Centre for prisoners in a place offering better conditions of detention (paragraph 37);
- immediate action to be taken at the Athens Transfer Centre for prisoners in order to:
 - reduce the establishment's official capacity;
 - supply all detainees with clean mattresses and blankets;
 - improve the ventilation and artificial lighting in the cells;
 - ensure regular disinfecting and cleaning of the premises;
 - repair the toilet facilities and ensure a regular supply of hot water;
 - ensure that prisoners are supplied with an appropriate range of personal hygiene items (paragraph 39);
- means to be sought to enable prisoners held at the Athens Transfer Centre to have outdoor exercise on a daily basis (paragraph 39);
- steps to be taken to ensure that prisoners in transit are being provided with food which is sufficient in quantity and quality (paragraph 40).

requests for information

- the progress made towards completing the refurbishment of the Hellenikon Holding Centre for Aliens at Athens Airport, and the envisaged date of its re-opening (paragraph 28);
- more information on the holding area for foreign nationals which it is envisaged to set up at the new Athens International Airport (paragraph 30);

- a timetable for the implementation of the envisaged project for the upgrading, reconstruction and acquisition of facilities for the holding of illegal aliens (paragraph 35);
- the envisaged date of entry into service of the new detention cells at Feres Police Station (paragraph 35).

4. Safeguards against ill-treatment

recommendations

- steps to be taken without delay to ensure that persons detained under the Aliens' legislation:
 - can receive visits from lawyers in conditions ensuring the confidentiality of the discussions, and are able to meet their relatives and contact representatives of relevant organisations;
 - are put in a position to make and receive phone calls;
 - are systematically provided with a document explaining the procedure applicable to them and setting out their rights. This document should be available in the languages most commonly spoken by those concerned and, if necessary, recourse should be had to the services of an interpreter (paragraph 44);
- steps to be taken immediately to ensure that whenever a person is detained in the Transitional Detachment holding facility for illegal aliens in Feres (or in any other holding facility run by a transitional or border control detachment), for whatever reason or length of time, the fact of his/her detention and subsequent release or transfer is recorded without delay (paragraph 45).

requests for information

- the comments of the Greek authorities on the issue raised in paragraph 46 (paragraph 46);
- a detailed account of the precise practical steps taken by the Greek authorities to ensure that persons are not returned to a country where there are substantial grounds for believing that they would run a risk of being subjected to torture or inhuman or degrading treatment or punishment (paragraph 47).

B. Establishments under the authority of the Ministry of Justice

1. Preliminary remarks

recommendations

- the Greek authorities to pursue vigorously the application of all the different measures to combat prison overcrowding, including policies to limit or modulate the number of persons sent to prison (paragraph 48).

2. Ill-treatment

recommendations

- the Greek authorities to develop and implement a comprehensive strategy to combat inter-prisoner violence at the Avlona Institution for Male Juvenile Offenders, in the light of the remarks made in paragraph 50 (paragraph 50).

3. Follow-up visit to Korydallos Prison Complex

recommendations

- further efforts to be made to reduce the occupancy rates at Korydallos Prison for men, in particular by holding no more than two prisoners per cell in the main accommodation building (paragraph 55);
- priority to be given to the refurbishing of the cellular accommodation in wings A and D (paragraph 55);
- steps to be taken to ensure that all prisoners have access to a suitable range of personal hygiene items (paragraph 55);
- the Greek authorities to step up their efforts to provide work and other organised activities to both remand and sentenced prisoners at Korydallos Prison for men (paragraph 56);
- the Greek authorities to take immediate steps to implement the recommendations made in paragraph 178 of the CPT's 1997 visit report, concerning the disciplinary/segregation unit (paragraph 57);
- material conditions in the isolation unit in wing D to be substantially improved as a matter of priority; in particular, prisoners should be provided with mattresses which are clean and regularly disinfected. Further, the cells' ventilation should be verified (paragraph 57).

4. Avlona Institution for Male Juvenile Offenders

recommendation

- immediate steps to be taken to repair the plumbing and refurbish the ground floor cells referred to in paragraph 59, as well as any other cells at the establishment which are in a comparable state (paragraph 61);
- the Greek authorities to make efforts to enhance the programme of organised activities for juvenile prisoners at the establishment (paragraph 64);
- a library to be set up at the establishment as a matter of priority (paragraph 64);
- the exercise yards to be fitted with basket/volleyball equipment (paragraph 64);
- efforts to be made to equip an indoor gym (paragraph 64);
- steps to be taken to reinforce the staff at the establishment, in particular by employing psychologists, educators and vocational training teachers (paragraph 65);
- immediate steps to be taken to set up an appropriately equipped disciplinary unit. In addition to beds with mattresses, the unit's cells should be fitted with a table and chair, if necessary, fixed to the floor (paragraph 67);
- all prisoners placed in a disciplinary cell to be guaranteed at least one hour of outdoor exercise per day, and to be allowed to have access to reading matter (paragraph 67);
- a specific register to be established for the disciplinary unit, setting out full details of persons held in it: date and time of entering and leaving the unit; grounds for the detention and destination on departure; cell occupied; etc. (paragraph 67);
- immediate steps to be taken to provide inmates with chairs during visits (paragraph 68);
- the Greek authorities to explore the possibility of holding visits under more open conditions; visits under closed booth-type conditions should be the exception rather than the rule (paragraph 68).

comments

- the Greek authorities are invited to improve the state of cleanliness and hygiene at the whole establishment (paragraph 61);
- the CPT must stress once again that it is essential for young persons in custody to be provided with a full programme of purposeful activities aimed at their rehabilitation (education, vocational training courses, work, sport, recreation, etc.) (paragraph 64);

- the establishment's staff should be carefully chosen and, more specifically, be persons capable of guiding and motivating young people (paragraph 65).

5. Health-care issues

recommendations

- steps to be taken to:
 - fill the vacant posts in the health-care service at Korydallos Prison for men;
 - increase the GPs' and the dentist's attendance hours at the Avlona Institution for Male Juvenile Offenders; as regards the former, their presence should be equivalent to at least one full-time post;
 - increase the nurses' attendance hours at the Avlona Institution for Male Juvenile Offenders, and ensure that someone qualified to provide first aid is always present at the establishment (paragraph 69);
- the Greek authorities to ensure that every newly-arrived prisoner at Korydallos Prison for Men and the Avlona Institution for Male Juvenile Offenders is properly interviewed and physically examined by a medical doctor as soon as possible after his admission. Such medical screening on admission could also be performed by a fully qualified nurse reporting to a doctor (paragraph 70);
- the Greek authorities to take urgent steps to review the operation of the Psychiatric Unit at Korydallos Prison Complex, and in particular to recruit staff trained to provide a range of rehabilitative and therapeutic activities to patients (paragraph 72);
- all placements in an isolation room at the Psychiatric Unit at Korydallos Prison Complex to be recorded in a specific register, with an indication of the time at which the measure began and ended, the reasons for the measure and the doctor ordering it, the use of physical restraints, periodic supervision by nursing staff, etc. (paragraph 72).

requests for information

- updated information on the transfer to de-toxification centres of drug-addicts currently held at the Psychiatric Unit at Korydallos Prison Complex (paragraph 71).

APPENDIX II

**LIST OF THE NATIONAL AUTHORITIES AND NON-GOVERNMENTAL
AND OTHER ORGANISATIONS WITH WHICH
THE CPT'S DELEGATION HELD CONSULTATIONS**

Ministry of Justice

Evangelos GIANNOPOULOS	Minister for Justice
Christofilos KALAVRYTINOS	General Director, Personnel Management
Kyriaki BARDANI	General Director, Reformation Policy
Ioannis XENAKIS	Director, External Prison Guard Service
Sevasti PAPAMITROPOULOU	Director, Adult Reformation
Ioannis STALIKAS	Department Head, Adult Reformation Treatment
Maria LAGIOU	Department Head, Juvenile Treatment
Anna ANDRIANAKI	Department Head, Adults
Spyridon ATHANASOPOULOS	Prison Inspector
Antonios PAPADOURAKIS	Prison Health Inspector
Paraskevi TSILIMIGAKI	Inspector of Prison Social Services

Ministry of Health and Welfare

Lambros PAPADIMAS	Minister for Health and Welfare
Petros GIANOULATOS	Director, Mental Health
Kaliopi MAVRATZOTOU	Head, Mental Health Department

Ministry of Public Order

Michalis CHRYSOCHOIDIS	Minister for Public Order
Panaghiotis YANOULAS	Deputy Director, State Security Department
Panaghiotis HOULIARAS	Head, International Co-operation Directorate
Evangelos LOUKOUMIS	International Co-operation Directorate
Pavlos ROUMINOS	Director, Attica General Police Directorate
Mr KALOFOLIAS	Attica General Police Directorate

The Greek Ombudsman

George KAMINIS	Deputy Ombudsman, Human Rights
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Non-governmental and other organisations

Greek Council for Refugees
United Nations High Commissioner for Refugees