

1569th meeting, 15-16 September 2026 (DH)

H46-18 Muhammad group (Application No. 14606/20), H.A. and Others group (Application No. 4892/18) and A.R. and Others (Application No. 59841/19) v. Greece

Supervision of the execution of the European Court's judgments

Reference document
CM/Notes/1569/H46-18

Decisions

The Deputies

1. recalling that the *A.R. and Others* case concerns the living conditions of asylum seekers in reception facilities including access to medical care; that the *Muhammad* group of cases concerns the degrading treatment of asylum seekers and irregular migrants due to their conditions of detention in police and other detention facilities; and that the *H.A. and Others* group concerns the lack of an effective remedy to complain about living conditions and delayed medical care;

As regards individual measures:

2. noted that no further individual measures are required in any of the pending cases, following the payment of just satisfaction and the additional measures reported in each case; decided therefore, without prejudice to the assessment of the outstanding general measures, which will continue to be supervised in the *Muhammad* and *H.A. and Others* cases respectively, to close the repetitive cases *H.T.*, *B.F.* and *E.F.* by adopting Final Resolutions CM/ResDH(2026)218 and CM/ResDH(2026)219;

As regards general measures:

3. recalling their decision adopted in the *M.S.S.* group at the 1531st DH meeting (June 2025) closing the supervision of the *M.S.S.* case considering significant progress achieved in relation to asylum procedures, coupled with the fact that the factual and legal background of the issue of living conditions had considerably changed since the material time of the facts of that case; welcomed the continued dialogue between the Secretariat and the authorities on the outstanding issues, including the technical consultations held in March 2026 with the Ministry of Migration and Asylum; encouraged the authorities to continue their co-operation with the Secretariat to ensure the prompt, full and effective execution of the present cases;

Living conditions of asylum seekers

4. noted with interest the authorities' sustained efforts to improve the living conditions of asylum seekers, including the establishment of multiple reception facilities and the reported continued absence of overcrowding therein as well as the enhanced organisational measures, including the establishment of the General Secretariat for Vulnerable Persons and Institutional Protection and the adoption of a dedicated national strategy;

5. strongly encouraged the authorities to intensify their efforts in this domain and, in light of the concerns raised about the material conditions in the new reception facilities, to continue providing updated information on the overall system of protection and reception conditions, particularly as regards vulnerable individuals; invited also the authorities to submit information on the practical impact of the legislation incorporating the EU Pact on Migration and Asylum in the domestic legal order, notably as regards reception conditions and safeguards for vulnerable individuals;

Conditions of detention

6. noted that instructions have been issued that individuals subject to return procedures are not to be held in police detention facilities but are to be transferred to appropriate facilities as soon as possible; noted also ongoing efforts to improve migrant detention conditions and to ensure that pre-removal detention centres have adequate capacity;

7. urged the authorities to take further general measures to address the concerns raised by various sources, including the Ombudsman, to improve detention conditions in pre-removal detention centres and to provide updated and comprehensive statistical information, notably concerning detention in police establishments, including the average length of such detention;

8. urged them also to take further measures to ensure that any detention in police establishments, designed to accommodate people for a short time only, remains exceptional, strictly time-limited and complies with Convention standards; encouraged the authorities to engage into consultations with the Secretariat on this issue;

Effective remedy to complain about living conditions including medical assistance

9. welcomed the fact that further to the technical consultations held in March 2026 with the Ministry of Migration and Asylum, the authorities adopted a domestic remedy under the Law 5307/2026, providing for the possibility to complain about reception conditions, including medical assistance, through a two-tier system consisting of an initial application to the administration followed by judicial review; considered that this remedy appears in principle to allow for the issuing of legally binding and enforceable decisions able to provide redress within reasonably short time-limits;

10. encouraging the authorities to take all necessary measures to ensure both the accessibility and effectiveness of this new remedy in practice, invited them to provide in their next submissions clarifications on the issues raised in the Secretariat's analysis as well as examples of and statistics related to the use of remedy in practice;

11. invited the authorities to submit a consolidated action plan/report setting out up to date information on all of the above issues by 1 June 2027.