

## **Report**

**to the Greek Government  
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 20 November to 1 December 2023**

The Government of Greece has requested the publication of this report and of its response. The Government's response is set out in document CPT/Inf (2024) 22.

Strasbourg, 12 July 2024

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## EXECUTIVE SUMMARY

The main objective of the November 2023 visit to Greece was to examine the treatment of foreign nationals deprived of their liberty under immigration legislation. To this end, the CPT delegation visited a range of places of detention, including six of the seven pre-removal detention centres (PRDCs) and several police and border guard stations in different regions in the country. It also visited, for the first time, three “Closed Controlled access Centres” (CCACs) on the Aegean Islands of Lesbos, Kos and Samos.

As regards cooperation, the CPT urges the Greek authorities to take concrete measures to implement the long-standing recommendations of the Committee. The findings of the 2023 ad hoc visit once again indicate that, despite some positive developments, the Greek authorities have not taken sufficient steps to address the serious structural deficiencies raised by the CPT in its previous visit reports. Concerted action is required to improve the conditions, regime and treatment of foreign nationals held in immigration detention centres.

In the course of the visit, several credible and consistent allegations were received of deliberate physical ill-treatment of detained foreign nationals by police officers in certain police stations in Athens and in the PDRCs of Amygdaleza, Corinth and Tavros (Petrou Ralli). Allegations of ill-treatment by coast guard officials who intercepted small boats at sea were also heard. Several allegations concerned blows with batons and the butt of a rifle, as well as kicks, punches and slaps. There were also several allegations of verbal abuse, racist insults and aggressive behaviour by some police officers. The CPT calls upon the Greek authorities to take more vigorous steps to end ill-treatment of foreign nationals deprived of their liberty. Further, the management at Corinth PRDC should act to ensure that no foreign nationals are subjected to informal punishments.

As regards safeguards against ill-treatment, the Greek authorities should review their approach towards the detention of foreign nationals under immigration detention to ensure that it is applied only as a measure of last resort in practice. The lack of interpretation services remains acute and most detained foreign nationals complained that they were not sufficiently informed of their rights and of their situation. All detained foreign nationals should be granted the safeguards against ill-treatment as from the very outset of their deprivation of liberty. This includes access to free legal aid and the possibility to keep, or be granted regular and frequent access to, their own mobile phones.

The conditions of detention in the police and border guard stations in the Evros region were generally acceptable for short stays, but unsuitable for holding children and families. Some police establishments and special holding facilities are still holding foreign nationals for up to several weeks or even several months in very poor conditions. For example, the conditions at at Drapetsona Police Station were appalling and the CPT once again urges the Greek authorities to take this facility out of service. Further, at Athens Airport special holding facility, 26 men were crammed into the nine small cells (each 9m<sup>2</sup>) for prolonged periods without ready access to the two toilets (which were broken) or any access to fresh air. Such conditions could be considered as amounting to inhuman and degrading treatment. Further, the detention of children at Athens Airport Special holding facility should be ended as the facility is totally unsuitable for their accommodation.

The CPT found that most of the pre-removal detention centres visited do not provide an appropriate environment for holding foreign nationals for prolonged periods. The facilities were not appropriately adapted for the detention of foreign nationals. Many cells or rooms had broken doors, windows, heating systems and/or beds. In several centres sanitary facilities were in a poor state of maintenance and detained persons were usually not provided with detergent to clean their cells and received insufficient hygiene products to keep their clothes and themselves clean. One general complaint received in all detention centres that was also observe by the delegation was the lack of sufficient and suitable clothing adapted to the season. Much of the accommodation areas were infested with cockroaches and bed bugs. Several centres did not regularly provide heating and warm water. The conditions were particularly poor at Corinth PRDC where persons were being held for up to 18 months. The rows of barred cells at Tavros (Petrou Ralli) detention centre are only appropriate for holding persons for short periods (this is days not weeks or months).

In all the PDRCs and special holding facilities, there was a total lack of any purposeful or recreational activities on offer. Further, the centres were not staffed with suitably qualified personnel. In the light of the findings, the CPT calls on the Greek authorities to reform their immigration detention system with a view to ensuring that foreign nationals deprived of their liberty are held in suitable premises, offering material conditions and a regime appropriate to their legal situation and staffed with suitably qualified personnel. The role of the custodial staff should be enhanced and a comprehensive plan for staff training developed.

Healthcare services often remained insufficient to meet the needs of the persons detained and most of the concerns previously raised by the Committee persisted, such as the lack of medical screening upon arrival and insufficient numbers of healthcare staff. The situation at Corinth PRDC was particularly catastrophic, where, for example, a person had been diagnosed with open tuberculosis and the infectious disease had spread among a great part of the detained population while another person had died due to severe pneumonia without it having been identified at an early stage.

The new EU-funded “Closed Controlled Access Centres” (CCACs) on the Aegean Islands have the potential to offer better living conditions for migrants and asylum seekers for periods of up to a few months. However, they face significant shortcomings, and the basic reception and protection needs of applicants for international protection are often not met. In the CPT’s view, the excessive security and unnecessary barbed wire fencing make the CCACs unsuitable for accommodating children and persons in a vulnerable situation. Moreover, when the number of foreign nationals arriving on the islands increases, the systems break down quickly and many persons find themselves being subjected to treatment which could be described as inhuman and degrading. This was the situation found by the CPT delegation during the visit, notably at the Kos and Samos CCACs.

The delegation did not receive any recent allegations of ill-treatment of foreign nationals by police or private security staff in any of the CCACs or the Fylakio Reception and Identification Centre (RIC). However, some allegations of abusive language by private security staff were received. Further, a few allegations of sexual assault and sexual harassment among foreign nationals were received in the CCACs visited. Steps should be taken to prevent violence among residents of the CCACs.

At the time of the visit, a great number of persons remained deprived of their liberty in the CCACs without benefiting from the legal safeguards related to detention. The delegation gathered evidence to show that the legal timeframes and provisions on detention were not being respected, and there is a need to tighten up the procedures regulating the initial 25 days of detention. Further, access to a lawyer was problematic and the lack of interpreters was a real challenge at all CCACs visited.

The living conditions at the CCACs visited were poor at the time of the visit, notably due to overcrowding, and the conditions of detention for large numbers of persons met at Kos CCAC could only be described as inhuman and degrading. For instance, in some accommodation areas, up to eight persons were accommodated in 10 m<sup>2</sup> rooms and many persons had to sleep on the floor without even a mattress. The former RIC area had been temporarily re-opened even though it was unfit for human habitation and most containers had no functioning sanitary facilities and no electricity. Further, there was a lack of hygiene and cleaning products, as well as non-food items (including beds mattresses, and blankets, as well as winter clothing and shoes) offered to foreign nationals. The totally chaotic and undignified way in which food was distributed at Samos CCAC, with hundreds of persons jostling to get their portion of food, should also be reviewed. The Greek authorities should ensure that all persons who are detained in a CCAC or RIC are offered decent living conditions.

At both the Kos and Samos centres, unaccompanied and separated children were held in a dedicated section surrounded by high mesh fences topped with rolls of barbed wire. The delegation received many complaints from these children about the lack of activities, no provision of adequate clothing and too little food, as well as insufficient psycho-social support and legal advice. The Kos centre in particular the girls reported that they felt unsafe. In line with the principle of the “best interests of the child”, the Greek authorities should end the detention of unaccompanied and separated children in the CCACs.

The CPT found that large numbers of persons with special needs and vulnerabilities were being held in both the Kos and Samos CCACs without being identified and allocated to appropriate accommodation areas. Young women or families and single mothers with small children were being accommodated with unrelated adult men and were being exposed to potentially serious harm in all three CCACs visited. This should not happen. No proper assessment of special needs and vulnerabilities or medical screening was being carried out upon arrival at the CCACs visited. The CPT reiterated the delegation's request to establish such an assessment and screening for all new arrivals – on the day of their arrival – in order to identify persons in a vulnerable situation.

Overall, access to healthcare and quality of care at both Kos and Samos CCACs was extremely poor, and it was insufficient at Lesbos CCAC. The healthcare teams are totally inadequate to address the needs of the centres' population and immediate steps are required to significantly reinforce these teams. Further, contingency plans should be put in place to augment the medical staffing levels when arrival numbers surge. The Greek authorities should also review the staffing needs of the CCACs with a view to reinforcing the presence of qualified and trained personnel within the various accommodation sections of the centres and ensure a contingency staffing roster whenever the number of arrivals increase.

During the 2023 visit, the CPT delegation again received many consistent and credible allegations of informal, often violent, forcible removals of foreign nationals across the Evros river or at sea to Türkiye. Such removals occurred without consideration of their individual circumstances, vulnerabilities, protection needs or risk of ill-treatment when returned ("pushbacks"). The allegations, as recently as mid-October to early November 2023, were obtained through detailed interviews with persons detained throughout Greece in various CCACs, PRDCs and other police and border guard establishments and related to alleged pushback operations that took place prior to their subsequent re-entry into Greek territory. Many allegations obtained in different locations from various unrelated individuals, including unaccompanied and separated children, corroborated the detailed descriptions and stories received elsewhere and concord with those documented by several other organisations, including UNHCR. Two patterns emerged relating to alleged pushbacks at the land border in the Evros region and to alleged pushbacks at sea, and they are described in the report.

The Greek authorities have continued to maintain that violent forcible informal removals from Greece to Türkiye do not occur. For the CPT, there is sufficient information to conclude that pushbacks to Türkiye have taken place and continue to take place, albeit on a smaller scale at present. The focus must now be on ending violent, dangerous and illegal pushback operations once and for all. Further, effective investigations should be carried out into the allegations of pushback operations that have been filed with the relevant authorities, including the Naval Prosecutor.

The CPT urges the Greek authorities to act to prevent any form of pushbacks taking place either across the Evros River border or at sea in the Eastern Aegean by law enforcement officials, military or coast guard personnel, as well as by foreign nationals employed to carry out such tasks. All foreign nationals arriving at the border or present in the territory of Greece who wish to request international protection should be effectively protected against the risk of *refoulement*, including possible chain *refoulement*. To this end, every foreign national intercepted or apprehended at the border should benefit from specific safeguards, including the opportunity to apply for asylum.

## I. INTRODUCTION

### A. The visit, the report and follow-up

1. In pursuance of 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 carried out a visit to Greece from 20 November to 1 December 2023. The visit was considered by the Committee “to be required in the circumstances” (cf. Article 7, paragraph 1, of the Convention). This was the Committee’s thirteenth ad hoc visit to Greece.<sup>1</sup>

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

- Gunda Wössner (Head of delegation)
- Jean-Charles Gardetto
- Nikola Kovačević
- Judith Öhri
- Karin Rowhani-Wimmer.

They were supported by Hugh Chetwynd, Head of Division, and Sebastian Rietz of the CPT’s Secretariat, and assisted by three experts – Marija Definis, forensic medical doctor at the University Hospital in Split (Croatia), Richard Kirk, general practitioner and clinical director Healthcare in Prisons Northern Ireland (United Kingdom) and Cyrille Orizet, psychiatrist at the European Hospital Georges-Pompidou, Paris (France).

3. The report on the visit was adopted by the CPT at its 113th meeting, held from 4 to 8 March 2024, and transmitted to the authorities of Greece on 15 March 2024. The various recommendations, comments and requests for information made by the CPT are set out in bold type in the present report. The CPT requests that the authorities of Greece provide within three months a response containing a full account of action taken by them to implement the Committee’s recommendations, along with replies to the comments and requests for information formulated in this report.

### B. Context of the visit

4. The main objective of the visit was to examine the treatment of foreign nationals deprived of their liberty under immigration legislation. The visit also provided an opportunity to review the progress made by the Greek authorities in implementing the CPT’s recommendations in relation to immigration detention formulated in the reports on its visits in 2018 and 2020.<sup>2</sup>

5. The CPT has been very critical over the years of the way in which the Greek authorities treat detained foreign nationals. In the period after 2011, initial steps were taken to establish dedicated immigration detention centres in former police academies or military barracks and to gradually stop using police stations to hold persons under immigration legislation. However, the rationale has remained one of police detention, rather than an approach specifically tailored to the status and needs of persons held under administrative detention.

6. The goal of the current Government remains to better manage migratory arrivals, notably by strengthening border control measures and having a tougher stance on irregular migration, the reduction of arrivals and increased returns. In both the 2018 and 2020 visits, the CPT met far too many foreign nationals who continued to be warehoused in pre-removal detention centres (PRDCs) for six months or more in poor conditions of detention, without any purposeful activities and with inadequate provision of healthcare. Further, the Greek authorities continue to hold many persons in these centres. For example, in 2022, a total of 19 000 foreign nationals were held in PRDCs in the country.

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1. The visit reports and the responses of the Greek authorities on all previous visits are available on the CPT website: <https://www.coe.int/en/web/cpt>.

2. See the report on the CPT’s 2018 visit ([CPT/Inf \(2019\) 4](#)); and the 2020 visit report ([CPT/Inf \(2020\) 35](#)).

7. In its 2020 visit report, the CPT once again urged the Greek authorities, together with the support of the European Union (EU), to reform their immigration detention system to abide by European values and norms and to ensure that foreign nationals deprived of their liberty are treated humanely and with dignity. The authorities were specifically asked to take action to cope with sudden peaks in the arrival of foreign nationals by establishing facilities that offer basic minimum conditions of detention and which can be brought into service at short notice.

8. In the aftermath of the fire in the Moria Reception and Identification Centre in September 2020, the Greek authorities, with the support of the EU, have started building new multi-purpose reception and identification centres on five Aegean Islands. Successively, from late 2021, the Reception and Identification Centres (RICs) on the islands of Kos, Leros and Samos were closed down and new “Closed Controlled Access Centres” (CCACs) established to accommodate foreign nationals arriving on these islands. The construction of a new centre in the Vastria area on Lesbos is still under discussion and judicial review.

9. In the months from August to October 2023, the number of new arrivals on the islands increased significantly from previous years, with a peak of 11 650 arrivals in September. Therefore, most of the CCACs were overcrowded. Even prior to the increase in the number of arrivals, the CPT received reports that the new centres were facing difficulties in managing their populations and that the reception system was operating at its limits.

10. Further, the CPT has continued to receive consistent and credible allegations of violent informal forcible removals (“pushbacks”) both across the Evros River and in the Aegean Sea, whereby foreign nationals who had been intercepted or apprehended in Greece were informally and forcibly removed back to Türkiye, without regard to their individual circumstances and without considering their international protection needs or assessing the expected treatment in the receiving country. The CPT is yet to be convinced that the allegations of pushbacks of foreign nationals are being effectively investigated.

11. Against this background, the CPT decided to examine for itself the current situation of foreign nationals detained under immigration legislation in Greece. To this end, the CPT delegation visited a range of places of deprivation of liberty, including six of the seven pre-removal detention centres and several police and border guard stations in different regions of the country. It also visited – for the first time – three CCACs on the Aegean Islands of Lesbos, Kos and Samos. A list of the establishments visited by the delegation is set out in Appendix I to the report.

### **C. Consultations held by the delegation and cooperation encountered**

12. In the course of the visit, the delegation held meetings with Sofia Voultepsi, Deputy Minister of Migration responsible for Integration, Heracles Moskoff, General Secretary for Vulnerable Individuals and Institutional Protection, Dimitrios Iatridis, General Secretary for Reception of Asylum Seekers, and Dimitrios Mallios, Head of the Aliens and Border Protection Branch of the Hellenic Police, as well as other senior officials responsible for immigration matters from the Hellenic Police, the Hellenic Coast Guard and the Reception and Identification Service.

Prior to and during the visit, the delegation also held consultations with Andreas Pottakis, the Greek Ombudsman, representatives of the United Nations High Commissioner for Refugees (UNHCR), Médecins Sans Frontières, and other non-governmental organisations active in areas of concern to the CPT.

13. The CPT delegation received generally excellent cooperation during the visit by the Greek authorities at all levels. It enjoyed rapid access to all places of detention it wished to visit, was able to interview in private all persons with whom it wanted to speak and was provided with access to the information required to carry out its task.

The Committee wishes to express its appreciation for the assistance provided to its delegation during the visit by the management and staff in the establishments visited, as well as for the support offered by its liaison officers from the Hellenic Police and from the Reception and Identification Service.

14. Nevertheless, the CPT must recall once again that the principle of cooperation between Parties to the Convention and the Committee is not limited to steps taken to facilitate the task of a visiting delegation. It also requires that decisive action be taken to improve the situation in light of the CPT's recommendations. In this respect, the CPT found once again that the general approach towards the treatment of foreign nationals deprived of their liberty with a view to removal had not evolved since 2013. Foreign nationals detained in pre-removal detention centres are still effectively warehoused for between six and 18 months. The exception was Xanthi PDRC where real efforts to develop a proper regime and offer decent treatment are being made. Certain specific police detention facilities such as Drapetsona Police Station still provide appalling conditions of detention, despite repeated recommendations by the Committee to improve or close them down. The lack of implementation of long-standing recommendations of the Committee could well raise an issue of cooperation. Further, given the totally unsuitable living conditions for them there, the detention of children at Athens Airport Special holding facility should be ended.

Having regard to Article 3 of the Convention, the CPT urges the Greek authorities to take concrete measures to improve the conditions, regime and treatment of foreign nationals held in immigration detention centres in light of this report.

The CPT must stress that a persistent non-implementation of its recommendations by the Greek authorities will leave the Committee with no choice but to consider having recourse to the procedure provided for in Article 10, paragraph 2, of the Convention.<sup>3</sup> The Committee trusts that the action taken in the light of this report will render such a step unnecessary.

#### **D. Immediate observations under Article 8, paragraph 5, of the Convention**

15. In the course of the visit, the CPT delegation made two immediate observations under Article 8, paragraph 5, of the Convention, in respect of matters requiring urgent attention. These observations were confirmed by letter of 12 December 2023 when transmitting the delegation's preliminary observations. The Greek authorities were requested within one month:

- to establish a proper risk and needs assessment to identify persons in a vulnerable situation together with a comprehensive medical screening for all new arrivals in the CCACs of Lesbos, Kos and Samos – on the day of their arrival – and to put in place a properly regulated accommodation policy. This will require reviewing the current procedures and reinforcing the staff, as necessary;
- to end the practice of holding children at Athens Airport Special Holding Facility, in line with the principle of the best interests of the child. The delegation requested that those held at the facility should be transferred together with their parents to appropriate open accommodation, capable of catering for the needs of children.

On 19 January 2024, the Hellenic Police and the Hellenic Coast Guard provided a response and, on 5 February 2024, the Ministry of Migration and Asylum replied to the delegation's preliminary observations. An additional response from the Ministry of Citizen Protection was received on 12 February 2024. This information has been taken into account in the relevant sections of the present report.

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3. Article 10, paragraph 2, reads as follows: "If the Party fails to co-operate or refuses to improve the situation in the light of the Committee's recommendations, the Committee may decide, after the Party has had an opportunity to make known its views, by a majority of two-thirds of its members to make a public statement on the matter."



## II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED

### A. Foreign nationals deprived of their liberty under immigration legislation

#### 1. Preliminary remarks

16. The CPT has long advocated that immigration detention, in line with its administrative nature, must neither be punitive nor arbitrary but a measure of last resort, imposed after careful and individual examination of each case, consideration of available alternatives to detention, and for the shortest time possible.

All foreign nationals entering the country must be registered, undergo health screening and vulnerability assessment, and be offered the opportunity to apply for asylum. Families with children, unaccompanied and separated children, and other persons in a vulnerable situation should not be detained but offered suitable accommodation and support.

Where it is deemed necessary to detain persons with a view to their removal, they should be held in facilities that offer both decent conditions and a basic regime. Further, the personnel employed to care for these detained foreign nationals should be adequately trained and include persons who speak the languages of those detained. The Committee has also repeatedly held that police and border guard stations, as well as special holding facilities are totally inappropriate for holding foreign nationals for periods exceeding 24 hours.

17. The CPT continues to acknowledge that the challenges in dealing with the arrival of relatively high numbers of foreign nationals cannot be underestimated. In this respect, it has always stressed that addressing this phenomenon requires a coordinated pan-European and multi-stakeholder approach which includes support by the EU and its member states. Nonetheless, the Committee has repeatedly reiterated that Greece must ensure that all foreign nationals who are deprived of their liberty are treated with dignity and held in humane and safe conditions. This requires having in place an immigration detention policy which only detains persons who have had their requests for asylum rejected and who the state is able to remove safely back to their country of origin or a third country if no other alternative options are available.

18. The findings of the 2023 ad hoc visit once again indicate that, despite some positive developments, the Greek authorities have not taken sufficient steps to address the serious structural deficiencies raised by the CPT in its previous visits. The policy of the current Government must also be seen against the background of the determination of the EU and its member states to seal the external borders. In Greece, this has resulted in the establishment of closed reception and identification centres where foreign nationals arriving in the country are held while their claims for asylum are assessed under accelerated border procedures. The recent political agreement on the so-called new EU Pact on Migration and Asylum reflects this approach.<sup>4</sup>

19. Concerted action is required to change this situation radically. To begin with, there must be a shift in approach towards persons on the move, recognising that the act of migration is not, in itself, a criminal offence. Consequently, they should not be held in prison-like conditions, such as those found in most pre-removal detention centres. The push factors for foreign nationals to undertake hazardous journeys to Europe are far greater than any dissuasive effect harsh detention conditions might have on their decision-making. To avoid subjecting foreign nationals to poor living conditions and regimes, and exposing them to inhuman and degrading treatment, Greece's immigration detention facilities should be upgraded and persons provided with greater support.

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4. On 20 December 2023, the European Parliament and the Council reached a [political agreement](#) on the Pact on Migration and Asylum. The package to reform the common system for managing migration and asylum in the EU, *inter alia* foresees the compulsory pre-entry screening of new arrivals at the external borders, the mandatory use of border procedures for specific categories of persons – including for unaccompanied children and children below the age of 12 and their families, who pose a security risk – and without granting any official access to EU territory, the creation of closed reception and identification centres at the borders and the swifter removal of rejected asylum seekers. Importantly, the new measures envisage the increased use of deprivation of liberty at the EU's external borders. In addition, the new provisions would allow for member states to derogate from existing EU standards on asylum procedures, reception conditions and return in situations of crisis, "force majeure" or the vaguely defined concept of "instrumentalisation". The different legal texts are still to be formally adopted by the European Parliament.

20. The general legislative framework for detention of foreign nationals under immigration legislation has been further supplemented since the previous visit on immigration detention issues in 2020. It is recalled that immigration detention in Greece is notably regulated by (a) Sections 76 *et seq.* of Law 3386/2005 on the Entry, Residence and Social Integration of Third-Country Nationals on Greek Territory, governing the entry and departure of foreign nationals, including detention and (b) Section 30 of Law 3907/2011 on the Establishment of an Asylum Service and a First Reception Service, transposing the EU Returns Directive and establishing pre-removal detention. A 2020 amendment removed the obligation to first examine alternatives to detention, thus making detention the default option.<sup>5</sup>

21. It remains the case that foreign nationals can be detained in view of their removal (pre-removal detention) for an initial period of up to six months, which can – under certain circumstances – be extended by up to 12 months for a maximum duration of 18 months, in line with the EU Returns Directive.

22. However, the institutional framework for regulating the detention of asylum seekers (asylum detention) has been overhauled with the adoption of Law 4939/2022 on the Ratification of the Code on reception, international protection of third-country nationals and stateless persons, and temporary protection in cases of mass influx of displaced persons. The new legislation introduced the possibility of detaining asylum seekers even when they apply for international protection when not detained, and increased the maximum length of asylum detention to 18 months.<sup>6</sup> Consequently, the combined total detention period of a foreign national within a migration context, during both their asylum procedure and in view of their removal, may reach 36 months.

23. Moreover, according to Section 40 of Law 4939/2022, foreign nationals can – upon their arrival in Greece – be initially placed in a regime of “restriction of freedom of movement” for five days, which can be extended for a total period not exceeding 25 days, within the premises of a reception and identification centre, a closed controlled access centre or in a transit zone. In practice, this measure amounts to a deprivation of liberty, as it is systematically applied to all new arrivals until they have been fully registered and have received an asylum seeker card.

## **2. Ill-treatment**

24. The vast majority of foreign nationals interviewed by the delegation in the facilities visited stated that they had been treated correctly by the Hellenic Police during their apprehension or detention. In this regard, the CPT wishes to positively emphasise the situation encountered at Xanthi PRDC, where the delegation met a professional management team and did not receive a single allegation of ill-treatment from the persons held there.

25. By contrast, the delegation, once again, received several credible and consistent allegations of deliberate physical ill-treatment of detained foreign nationals by police officers in some police stations in Athens (Kolonos and Omonia Police Stations) and at Amygdaleza, Corinth and Tavros (Petrou Ralli) PRDCs as well as by coast guard officials. This included several cases of alleged severe ill-treatment, which mainly consisted of blows with batons and the butt of a rifle, kicks, punches and/or slaps.

Moreover, the delegation also received several allegations of verbal abuse, racist insults and aggressive behaviour by some police officers, especially at Corinth and Tavros (Petrou Ralli), but also at Paranesti PRDCs, including for having complained or for having made a request. Similar allegations of abusive language were also received concerning police officers at Athens Airport Special holding facility, and staff from the Hellenic Coast Guard upon interception at sea.

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5. Section 5 of Law 4686/2020.

6. Section 50 of Law 4939/2022.

26. The below cases are for the purpose of illustration. All persons provided information about their alleged ill-treatment under conditions of anonymity:<sup>7</sup>

- i. Two foreign nationals detained at Corinth PRDC consistently alleged in separate individual interviews that, between six and eight weeks prior to the visit, usually in the late evenings, each of them was individually brought by five to seven police officers to a room used by staff in the administrative compound. Both had either made requests or been in an altercation with another detained person. They both alleged having been subjected to baton blows, kicks or slaps by police officers for some 10 to 15 minutes. One person alleged that he had first been fitted with a helmet with a visor, to prevent him from seeing and to avoid head injuries. During their ordeal, the policemen insulted them and repeatedly made fun of them.
- ii. Two foreign nationals held at Tavros (Petrou Ralli) PRDC indicated that, on several occasions and in separate incidents, they had been physically ill-treated by custody police officers, after having requested a razor or to be seen by a doctor. One of the two persons notably alleged that, several days before the delegation's visit, six police officers entered the wing and took him out of his cell, handcuffed him and subjected him to kicks and baton blows. After having pushed him to the ground, two police officers placed their feet on his back and the back of his knee to hold him down while one officer pulled his head back and choked him. In this regard, see also paragraph 13.<sup>8</sup>
- iii. Another detained foreign national alleged that, in October 2023, he was intercepted and apprehended by a vessel of the Hellenic Coast Guard during an attempt to cross by speed boat from Türkiye to Rhodos Island. He complained that, when boarding the coast guard vessel, he was hit with the butt of a rifle by one of two masked coast guard officers who considered him the driver of the speed boat, and he fell to the ground. He alleged that he was then kicked and punched repeatedly by these two coast guard officers, while lying on the ground, and that he fainted when he was kicked in the face by a third official.

27. While taking note of the policy of zero tolerance in respect of human rights violations expressed by the political leadership of the Hellenic Police, **the CPT calls upon the Greek authorities to take more vigorous steps to end ill-treatment of foreign nationals deprived of their liberty by the Hellenic Police and the Hellenic Coast Guard under immigration legislation. It should be reiterated on a regular basis to police and coast guard officers that foreign nationals must be treated with respect and that any form of ill-treatment of detained persons – including verbal abuse and racist language – is unacceptable and will be punished accordingly.** Further, **the authorities should ensure that an effective investigation is carried out into all allegations of ill-treatment.**

28. Moreover, at Corinth PRDC, several foreign nationals also complained about alleged informal punishment by police officers, which included instances of disciplinary isolation, forced undressing and removal of mobile phones, in response to incidents of inter-detainee violence, disobedience or repeated requests. For example, one foreign national alleged that two police officers compelled him to fully undress and remain naked in the washroom of his wing for several minutes, as a punishment for being late for lock-up. Another person claimed that he remained for several days in disciplinary isolation in a separate building following an altercation with another detained person, without any disciplinary procedures having been followed. Such alleged informal punishments are clearly inadmissible.

**The CPT recommends that the Greek authorities ensure that the management at Corinth PRDC acts to prevent that foreign nationals are subjected to the practice of informal punishments. Further, the senior officers at Corinth PRDC should be held accountable for their line-management responsibilities.**

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7. In this respect, it is incumbent upon each person to lodge a complaint with the competent authorities, as providing the CPT with details of their alleged ill-treatment does not constitute an official complaint. This was made clear to the persons met by the CPT delegation during the visit.

8. The delegation's request to consult the corresponding CCTV footage was not granted.

### 3. Safeguards against ill-treatment

29. During the 2023 visit, the CPT delegation met with numerous foreign nationals who were being detained for prolonged periods (over six months, and in some cases also over 12 months). Several persons had recently spent a total of 18 months in pre-removal detention and, after failing to leave the country voluntarily within a 25-day period, had been re-arrested and could potentially be detained for a further 18 months, despite the limited prospects of these persons being removed. Some persons continued to be detained after having applied for asylum in detention, according to applicable law. The Greek authorities also continue to regularly rely on public order grounds to justify pre-removal detention and asylum detention.<sup>9</sup>

The CPT notes that both the prolonged and cumulative application of pre-removal detention and asylum detention, and detention on public order grounds may raise issues in terms of compliance with the EU Asylum Procedures Directive and the EU Returns Directive.<sup>10</sup>

30. The CPT wishes to recall that deprivation of liberty for immigration purposes should remain a measure of last resort, after careful and individual examination of each case. In line with the jurisprudence of the European Court of Human Rights, the Committee has long held that detained foreign nationals should benefit from an effective legal remedy enabling them to have the lawfulness of their deprivation of liberty decided swiftly by a judicial body. This judicial review should entail an oral hearing with legal assistance, provided free of charge for persons without sufficient means, with interpretation services being provided as required. Moreover, detained foreign nationals should be expressly informed of this legal remedy. The need for their continued detention, which requires a realistic prospect of removal within a reasonable time, should be subject to an effective periodic review by an independent authority.

Although Greek law establishes an automatic review every three months of the legality of pre-removal detention and the detention of asylum seekers,<sup>11</sup> the CPT found that, in practice, the reviews are conducted summarily and often without a personal hearing or without considering the individual situation of the person concerned. Detention orders appear to be automatically prolonged by the competent administrative courts, including for foreign nationals held for long durations (over 12 and up to 18 months). Specifically, the conditions of detention are usually not being considered in the context of the decision to prolong the detention of foreign nationals, including of asylum seekers, as required by law, and it appears that Greek administrative courts have to date been very reluctant to accept arguments related to inadequate conditions of detention. Further, appealing detention orders by means of lodging objections against an initial detention order, or its extension before the President of the competent administrative court, is practically impossible because these appeals must be submitted in writing, in the Greek language (see hereafter as regards access to interpretation services and access to a lawyer) and within a very short deadline.

**31. The CPT recommends that the Greek authorities review their approach towards the detention of foreign nationals under immigration legislation to ensure that it is applied only as a measure of last resort in practice. Periodic reviews of *all* types of immigration detention should guarantee the right of the detained foreign national to be heard in person, and all decisions to confirm or prolong detention orders should be sufficiently reasoned. Further, these decisions should effectively consider whether there is a need for continued detention and a realistic prospect of removal within a reasonable time, as well as the individual situation of the person concerned, including the conditions of detention in which they are held.**

32. As was the case in 2018 and 2020, the Committee must once again conclude that there remains an acute lack of interpretation services in all the establishments visited during the 2023 visit. Further, access to information in a language and form that detained foreign nationals understand also remains insufficient.

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9. Section 30 of Law 3907/2011.

10. See the judgment in the [Kadzoev](#) case (C-357/09 of 30 November 2009), in which the Court of Justice of the EU held that, if the maximum duration of pre-removal detention of 18 months has been reached, there was no longer a reasonable prospect of removal and the person must be immediately released. The Court also considered that pre-removal detention cannot be justified solely on account of public order considerations.

11. Section 30 (3) of Law 3907/2011 and Section 50 (5) of Law 4939/2022.

33. In all the various establishments visited, police officers and other staff faced significant difficulties in communicating with detained foreign nationals and in understanding their requests and needs. Staff often had to communicate with the help of detained persons who spoke English or Greek. This also applied to medical consultations. Interpretation services were only guaranteed during the official asylum interview.

Further, most detained foreign nationals stated once again that they had signed documents in the Greek language without knowing their content and without having benefitted from the assistance of a qualified interpreter. Indeed, nearly all official documents, including detention and deportation orders, were only available in the Greek language and were usually not translated for the persons concerned.

34. The CPT has long held that foreign nationals deprived of their liberty should receive the assistance of qualified interpreters, where required. The use of fellow detained persons as interpreters is inappropriate and should, in principle, be avoided. It is also recalled that, where there are insufficient interpreters available to cover the required languages, the Greek authorities should explore alternative means of interpretation, such as the use of telephone or videoconferencing interpretation services, which have proven effective in other countries.

**The CPT reiterates its recommendation once again that all foreign nationals deprived of their liberty under immigration legislation should be provided with access to qualified interpretation services where required, including by means of phone or videoconferencing. To this end, the Greek authorities should make sufficient funding available.**

Further, **detained persons should not be required to sign official documents in a language they do not understand. Instead, they should systematically be provided with a copy of these documents in a language they can understand, or the content should be translated or explained, including for persons who are illiterate.**

35. Police officers and management in the police and border guard stations and pre-removal detention centres visited informed the delegation that detained foreign nationals were provided with the information leaflet for detainees (Δ-33β). In this regard, the steps taken by the management in Xanthi PRDC to show an information film in several languages upon arrival, is a welcome initiative.

36. In practice, most detained foreign nationals complained that they were not sufficiently informed of their rights and their situation in a language they could understand. Many persons indicated that they had not received a copy of the information leaflet in a language that they could understand, and that they were completely unaware of why they had been detained and for how long they would remain in detention. Consequently, many persons in the pre-removal detention centres visited complained that they were in a state of uncertainty over their situation, which manifested itself over time in deep frustration. The lack of information increases the anxiety of persons who are already in a vulnerable situation.

This was strikingly evident at Athens Airport special holding facility, where the delegation met with several persons who did not speak Greek or English, and who were entirely unaware of their rights and their situation following their recent arrival in Greece. For instance, a Syrian woman who had arrived three days before the visit was in a state of emotional distress as she feared being removed to her country of origin, from which she had fled. The language-barrier and lack of interpretation services available exacerbated her situation and the police officers present were not able to communicate with her.

37. The CPT considers that concerted steps should be taken to ensure that all foreign nationals deprived of their liberty are expressly informed, without delay and in a language and form that they can understand, of their rights, responsibilities and the procedures applicable to them (detention under the pre-removal procedure or the asylum procedure, or for public order grounds). To this end, they should be systematically provided with a document setting out this information, which should be available in the languages most commonly spoken by foreign nationals. The persons concerned should also confirm in writing that they have been informed, in a language that they can understand, of their rights.

**The CPT reiterates, once more, its recommendation that foreign nationals deprived of their liberty under immigration legislation should be systematically and fully informed of their rights, their legal situation (including the grounds for detention) and the procedure applicable to them as from the very outset of their deprivation of liberty, and with the assistance of a qualified interpreter, if necessary. Further, all detained persons should be systematically provided with a copy of the leaflet setting out this information in a language and manner they can understand.**

**Moreover, detained foreign nationals should be provided with regular information and updates on their situation and the status of their procedure, on a case-by-case basis.**

38. The delegation also found that no effective complaints system was operating in any of the detention establishments visited. Some rudimentary elements of an internal complaints system were in place in some pre-removal detention centres, such as Corinth PRDC, where complaint forms were distributed to detained persons. However, these forms were collected by the duty police officers, and persons complained that they never received feedback to their written complaints or requests. Detained persons in all the PRDCs stated that they were also not aware of external complaints mechanisms.

39. The CPT considers that effective complaints procedures are basic safeguards against ill-treatment in immigration detention facilities. Foreign nationals deprived of their liberty should have avenues to complaint open to them, both internally and externally, and in a language they understand, and they should be entitled to confidential access to an appropriate complaints authority. This should notably be ensured by effectively informing detained persons about the available means of complaint, by ensuring that a proper record is maintained of every complaint made, and that those detained persons who make them receive, within a reasonable time, a reasoned answer. To this end, confidential complaints boxes should be placed in the detention areas and only opened by dedicated staff responsible for the internal complaints process.

**The CPT recommends that the Greek authorities take the necessary steps to introduce an effective internal complaints system in all establishments where foreign nationals are deprived of their liberty under immigration legislation. In addition, persons in immigration detention should be informed about the available avenues of external complaint, taking into account the above remarks.**

40. The CPT wishes to recall again that, in the same way as other categories of detained persons, foreign nationals deprived of their liberty under immigration legislation should, from the outset of their deprivation of liberty, enjoy three basic rights that are fundamental safeguards against ill-treatment, namely the rights to notify a relative or third party of their detention, to have access to a lawyer and to a doctor.

The CPT once again found that these fundamental safeguards against ill-treatment, for the most part, do not apply from the very outset of a foreign national's deprivation of liberty and, more generally, were not operating properly in practice, despite the existence of clear rules.<sup>12</sup> Further, in some of the pre-removal centres visited, there was no dedicated register for the recording of these safeguards.

41. According to the information gathered during the visit, the right to notify a family member or third person was respected in some police stations visited, where persons could make a telephone call. However, several detained foreign nationals met by the delegation who were – or had recently been – in police custody stated that they had not been granted promptly the right to notify a close relative, or third party of their choice, of their detention (see paragraph 43, as regards contacts with the outside world).

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12. See the report on the CPT's 2013 visit ([CPT/Inf \(2014\) 26](#)), paragraphs 27-32, where these issues were clearly laid out. The findings from the Committees' visits carried out in 2015, 2016, 2018 and 2020 all found that there had been no improvement.

Further, several persons complained that they were not able to contact a lawyer throughout the entire period of their police custody. Access to a lawyer often remained theoretical and illusory, especially for those who did not have the financial means to pay for the services of a lawyer. The provision of legal advice for issues related to detention and deportation was generally inadequate in all places of detention visited, including the pre-removal detention centres. This fact was also acknowledged by the Greek authorities during the end-of-visit talks held on 1 December 2023 in Athens. On this occasion, the CPT was informed that negotiations were ongoing at EU level to allow for the provision free of charge of legal aid services for foreign nationals deprived of their liberty under immigration legislation.

As regards access to a doctor, it remained the case that detained persons were only transferred to a hospital in emergency situations. Many persons claimed that they had not been granted access to a doctor despite their repeated requests to be provided with medical assistance.

**42. The CPT calls upon the Greek authorities once again to ensure that all foreign nationals who are deprived of their liberty under immigration legislation are granted the rights to notify a relative or a third person of their detention, and to have access to a lawyer and to a doctor, and that they are placed in a position to effectively exercise these rights as from the very outset of their deprivation of liberty. Further, these fundamental safeguards should always be recorded in a dedicated register.**

**The right of access to a lawyer should include the right to have access to legal advice as well as the right to benefit from access to free legal aid. To this end, the CPT recommends that a list of lawyers and legal NGOs be provided in the accommodation units of the PRDCs. Further, the CPT recommends that the Greek authorities establish a system of duty lawyers to ensure the right to access to a lawyer is rendered more effective in practice. Ideally an “in-person duty lawyer scheme” should be set up, where lawyers come to the pre-removal detention centre on a rotational basis, or at least are available by telephone at set times.**

43. As regards contact with the outside world, most foreign nationals deprived of their liberty could receive in-person visits from their families or friends in all pre-removal detention centres visited. In addition, pay phones were also available. The use of mobile phones (with camera) was authorised in Corinth and Xanthi PRDCs, all closed controlled access centres and in the reception and identification centre visited and some of the centres also provided access to WI-FI. This is positive and the possibility to use mobile phones should be extended to all establishments. In Fylakio, Kos and Paranesti PRDCs and in Drapetsona Police Station, detained persons could use or access their mobile phones provided they were not equipped with cameras (access was granted for several hours in the latter facility and a sticker was placed in front of the camera). In this regard, the practice of destroying the cameras of mobile phones with a hammer and a nail should be ended at Kos PRDC.

In contrast, the use of mobile phones was prohibited at Tavros (Petrou Ralli) PRDC and at Athens Airport special holding facility. For instance, several persons met by the delegation in the section for asylum seekers at the latter facility complained that they had not been given the opportunity to collect the phone numbers of their relatives as they had been refused access to their mobile phone. There is no justification for the Hellenic Police to prohibit foreign nationals’ access to their mobile phones in these facilities. Moreover, the CPT considers that it would be desirable to offer all indigent foreign nationals without the means to buy phone cards, and who do not have access to a mobile phone, the possibility to maintain contact with their families and other persons, including abroad, by using modern technology, such as free-of-charge Voice over Internet Protocol (VoIP) services.

**44. The CPT recommends that the Greek authorities extend the possibility to keep, or at least have regular and frequent access to, their own mobile phones to all establishments where foreign nationals deprived of their liberty under immigration legislation are held, and particularly to Tavros (Petrou Ralli) PRDC and to asylum seekers at Athens Airport special holding facility. It also invites the authorities to consider introducing the possibility for all detained foreign nationals to make free-of-charge videoconference calls via Voice over Internet Protocol (VOIP).**

Further, **the CPT wishes to be informed on the rationale for having different policies when it comes to the use of mobile phones with cameras in Greek PRDCs.**



#### 4. Police and border guard stations

##### a. preliminary remarks

45. The CPT has in the past found that the custody cells in the various police and border guard stations throughout Greece are suitable for detaining persons for periods of up to 24 hours. It has also encouraged the Greek authorities to stop holding foreign nationals for prolonged periods in these establishments. The CPT notes positively that the number of foreign nationals detained in the different police and border guard stations and special holding facilities in Greece has significantly decreased, from some 2 000 at the time of the CPT's 2015 visit to 365 at the time of the 2023 visit. The CPT also takes note that most detained foreign nationals are usually transferred swiftly to other places of accommodation or detention. For this reason, many of the police stations visited only held very few persons for short periods of up to a few days.

However, in some police establishments and special holding facilities, such as Drapetsona Police Station and Athens Airport special holding facility, foreign nationals continued to be held for up to several weeks or even several months in conditions of detention that are totally inappropriate. The European Court of Human Rights has found numerous violations of Article 3 of the European Convention on Human Rights on account of the poor conditions of detention in Greek police stations.<sup>13</sup>

**The CPT recommends that the Greek authorities ensure that foreign nationals deprived of their liberty under immigration legislation are held in police establishments or special holding facilities for short periods only not exceeding a few days.**

46. In the course of the visit, the delegation carried out follow-up visits to various police and border guard stations in the Evros region, as well as police stations on the Aegean islands and in Attica. The CPT also visited Kos Police Station for the first time.

##### b. conditions of detention in police and border guard stations

47. The conditions of detention in the police and border guard stations in the Evros region were generally acceptable for short stays, which was the case at the time of the visit. This presents an improvement, compared to the CPT's 2018 and 2020 visits.<sup>14</sup>

48. The two cells at *Didymoteicho Police Station*, were equipped with three and four concrete plinths, and measured 12 m<sup>2</sup> and 16 m<sup>2</sup> respectively. Lighting and ventilation were adequate. The material conditions in the cells and in the sanitary facilities were acceptable. Persons had rarely been held there for periods exceeding a few hours.

The delegation was informed that *Orestiada Police Station* had been refurbished in 2022. The two cells were equipped with two and three sets of bunk beds respectively and each measured 13 m<sup>2</sup>. Both cells provided acceptable material conditions for short stays, with adequate ventilation, and were clean. However, access to natural light was insufficient in both cells. Two persons were being held in these cells at the time of the visit and only a few persons had recently been held there overnight.

49. *Neo Cheimonio Police and Border Guard Station* had three cells in operation, containing nine, four and five sets of bunk beds respectively, half of which were equipped with mattresses and clean blankets. The cells were clean. However, the toilets were in a poor state of hygiene and cleanliness. According to the register, up to 43 persons were previously detained there at the same time and, in August, over 100 persons had been held in the three cells overnight in conditions of severe overcrowding. Amongst them were also families with children.

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13. See, *inter alia* European Court of Human Rights, *Tousios v. Greece*, no. [36296/19](#), 10 February 2022; *H.A. and Others v. Greece*, no. [19951/16](#), 28 February 2019; *S.Z. v. Greece*, no. [66702/13](#), 21 June 2018; and *Kavouris and Others v. Greece*, no. [73237/12](#), 17 April 2014.

14. See the CPT reports on the 2020 visit ([CPT/Inf \(2020\) 35](#)), paragraphs 34-38, and on the 2018 visit ([CPT/Inf \(2019\) 4](#)), paragraphs 84-89 and 94.



The CPT has held that the conditions of detention in police and border guard stations are unsuitable for holding children and families. Instead, they should be transferred to suitable reception facilities which can cater for their specific needs. **The CPT recommends that the Greek authorities put in place the necessary measures to ensure that children and families intercepted at the border area are immediately transferred to a reception centre (currently the Fylakio RIC).**

50. The holding cell at *Tychero Police and Border Guard Station*, which measured some 60 m<sup>2</sup>, was equipped with a large concrete plinth covering most of the cell, with built-on bunk bed structures on top. The cell was not equipped with mattresses or blankets, and access to natural light was limited. Only one artificial light out of six was functioning, and there was no heating despite the low temperatures at the time of the visit. Further, the toilets were clean but had no working light source and were in complete darkness. Detained persons were usually held for only a matter of hours and were thereafter swiftly transferred to Feres Police and Border Guard Station.

51. At *Soufli Police and Border Guard Station*, the four cells were each equipped with four sets of bunk beds (each with a mattress and a sheet) for a total capacity of 32 places. The cells and sanitary annexes were clean, adequately lit and ventilated, and in a good state of repair, and the courtyard was in a reasonable condition. Detained persons usually did not spend more than a few days in the establishment.

At the time of the visit, *Feres Police and Border Guard Station* held 16 persons for an operational capacity of 65 places (two cells were used as storage areas). Persons held for administrative reasons usually stayed for between one and two days in one section, whereas those with criminal charges could be held for up to one month in the other section, the two blocks being separated by a courtyard. Each of the 13 cells in operation measured 18 m<sup>2</sup> and contained five concrete plinths (each with a mattress and a blanket). They were adequately lit and ventilated. Toilets and showers were clean and in a reasonable state of repair. However, detained persons complained that they were not provided with sanitary products, that there was no hot water available, and that they did not have access to outdoor exercise until the day prior to the delegation's visit.

52. As regards the two police stations on the Aegean islands,<sup>15</sup> the detention area at *Mytilene Police Station* on the island of Lesbos consisted of four cells, each equipped with between six and seven concrete plinths, and a sanitary facility. In addition, there were also two short-term holding cells (equipped with one and three plinths and measuring 4.5 m<sup>2</sup> and 14 m<sup>2</sup> respectively), which were usually used for sobering-up purposes. It remains the case that the cells had hardly any light (either natural or artificial) and that there was no outdoor exercise yard. At the time of the visit, two criminal suspects and one administrative detainee were being held at the facility for up to two weeks.

53. Similarly, *Mytilene Coast Guard holding facility*, under the authority of the Hellenic Coast Guard, is not suitable for detaining persons for more than a few hours. The holding cell was only equipped with a concrete plinth, and there was no call bell and no access to natural light or outdoor exercise. However, the registers indicated that persons had also been held in the cell overnight.

54. At *Kos Police Station*, the two cells (one had three plinths and measured 18 m<sup>2</sup> and the other had two plinth structures and measured 28 m<sup>2</sup>) were extremely dirty and the mattresses and blankets were filthy. While only one person was held separated in the first cell, 10 were detained in cramped conditions in the second cell. They had to sleep on the two plinth structures underneath two low, narrow, and cave-like spaces in the wall with plaster disintegrating from the ceilings. The toilets and showers in both cells were dilapidated and in a poor state of hygiene. One of the men had been held for eight days in these filthy conditions without ever seeing natural light or leaving the cell.

55. Once again, the two police stations in the Attica region<sup>16</sup> visited by the delegation provided conditions of detention that were inappropriate for stays exceeding 24 hours. They were extremely poor at *Drapetsona Police Station*.

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15. For Mytilene Police Station, see the CPT report on the 2016 visit ([CPT/Inf \(2017\) 25](#)), paragraphs 78-79.

16. See the CPT reports on the 2018 visit ([CPT/Inf \(2019\) 4](#)), paragraphs 90-94, and on the 2016 visit ([CPT/Inf \(2017\) 25](#)), paragraph 55.

In the past, the CPT had been particularly critical about the squalid conditions of detention observed at *Drapetsona Police Station*. The Committee takes note that one of the two detention areas had been closed for renovation since July 2023. However, at the time of the visit, only the plumbing system had been repaired.

56. The conditions of detention observed in the second operational detention area were appalling. The seven cells, which had a total capacity of 24 places, were each equipped with two large concrete plinths. The cells were filthy, with dirty foam mattresses and blankets. The cells had hardly any access to natural light and the artificial lighting was insufficient for reading. The four sanitary annexes of the larger cells were out of use and only two toilets and two showers were functioning. They were in a dilapidated state of repair and unhygienic. Persons complained about the poor conditions of detention and the lack of heating, hot water and sanitary items. Further, they had not been granted access to outdoor exercise. As shown by the registers, foreign nationals could be detained in these squalid conditions for up to five months.

57. By communication of 19 January 2024, the Greek authorities informed the CPT that the renovation works of the detention area which had been closed will only be carried out during the “next financial year”. However, the septic tank of the operating area had been unblocked, and the broken toilets had been repaired. From the information provided, the Committee has serious doubts that the facility will be suitable for holding persons for longer than 24 hours even after the refurbishment, as structural improvements such as improved access to natural light or to outdoor exercise are not foreseen.

Consequently, **the CPT reiterates its recommendation that the Greek authorities take Drapetsona Police Station out of service.**

58. At *Omonia Police Station*, the three cells in the detention area on the first floor had been painted recently and were clean. The toilets and showers were working and were in acceptable conditions. However, detained persons still did not have access to sufficient natural light or to outdoor exercise. At the time of the visit, two foreign nationals were detained there, including one for eleven days.

59. In light of the above, **the CPT once again calls upon the Greek authorities to ensure that:**

- **each detained person is provided with a mattress, a blanket, and bedding – all clean – and a means of rest, such as a plinth or a bed;**
- **all cells are maintained in a decent state of repair and cleanliness;**
- **all cells offer sufficient access to natural light and adequate artificial lighting, which requires structural changes in several of the police establishments visited;**
- **all cells offer heating in winter;**
- **all sanitary facilities are kept in an adequate state of repair and hygiene;**
- **all persons held for longer than 24 hours are provided with a basic sanitary kit, free of charge, and access to hot water for the purpose of washing;**
- **all persons detained for periods exceeding 24 hours are offered access to outdoor exercise every day, which requires structural changes in several of the police establishments visited.**

c. conditions of detention in Athens Airport Special holding facility

60. The delegation carried out a follow-up visit to Athens Airport Special holding facility.<sup>17</sup> The layout and structure of the facility had not changed since the Committee’s 2016 visit and consisted of two areas: one section composed of nine 8 m<sup>2</sup> cells, each equipped with two or three plinths for a capacity of 15 places and two separate sanitary annexes, for foreign nationals held under criminal charges; and a second section which contained (a) a temporary holding area for inadmissible persons, with several dormitories equipped with bunk beds and two sanitary annexes, for a capacity of 40 places, (b) a room for applicants for international protection under the border and accelerated asylum procedure, with a capacity of 10 places and one sanitary annexe, and (c) a “special room for the care of infants”.

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17. See the CPT report on the 2016 visit ([CPT/Inf \(2017\) 25](#)), paragraph 59.

61. In the section for foreign nationals held under criminal charges, the delegation met 26 men – one being accompanied by his 15-year-old son (see paragraph 64) – who were crammed into the nine cells, each holding up to three or four persons, with one or two persons sleeping on mattresses on the floor. Cells, mattresses and blankets were filthy, and persons complained about the presence of cockroaches and bed bugs. In some cells, the artificial lights were broken and none of the cells was equipped with a call bell. Hygiene conditions in the sanitary annexes in this section were in a deplorable state – of the two toilets, one was out of order and the other had a broken flush but continued to be used by detained persons, and the two showers and one sink were broken. The men alleged that they were not granted ready access to the toilet and had to wait at times for up to two hours until a police officer opened the cell, which resulted in them at times having to urinate out of the cell window. Further, several persons had been held in these cells for more than 10 days without access to a shower and without having been provided with hygiene products. Such a situation is unacceptable and could be considered as amounting to inhuman and degrading treatment.

Persons also complained that they were not granted access to outdoor exercise and to a doctor, despite repeated requests. It thus follows that the cells were unsuitable for holding persons for periods exceeding 24 hours. However, persons were detained in these conditions for periods of up to 12 days, until the completion of their criminal proceedings. Further, the delegation was informed that the detention area was regularly overcrowded when many foreign nationals would arrive at Athens Airport at the same time.<sup>18</sup>

62. By letter of 19 January 2024, the Greek authorities indicated that in case of overcrowding, efforts were being made to transfer and redistribute detained persons to other detention facilities, which had obviously been ineffective at the time of the visit. Further, a request for the repair of the damages of the sanitary facilities had been submitted.

**In light of this, the CPT recommends that the Greek authorities ensure that the number of persons held at Athens Airport Special holding facility at any time does not exceed the establishment's capacity and that persons are detained in decent and clean conditions. Alternative solutions should be envisaged in the case of increased arrivals of foreign nationals. The Committee also wishes to receive the confirmation that the sanitary facilities in the section for persons held under criminal charges have effectively been repaired and that these persons are always granted prompt access to the toilets.**

63. In the other section for inadmissible persons, asylum seekers and families, the material conditions were slightly better. The dormitories were in an acceptable state of cleanliness, but mattresses had not been cleaned, and blankets were infested with bed bugs. The sanitary facilities were rather dirty, and one of the showers was broken. There were no activities on offer and persons were not granted access to fresh air. The conditions of detention at the facility thus remained suitable for holding foreign nationals for short periods only. However, the 26 men and one woman applying for international protection could be held in this section for periods of up to 28 days (counting from the day of the registration of their claim), which might be prolonged if the person submitted an appeal.

64. At the time of the visit, two women had been held with their three children, including a toddler, in the “special room for the care of infants”, without any activities and toys, child-appropriate food, non-food items such as diapers, or access to fresh air. One woman had been held there with her two children for one month. There was no support or care whatsoever on offer for the children and their parents. There is also no justification for holding a 15-year-old child together with his father in the section for criminal suspects under the above-described appalling conditions. As acknowledged by the management, Athens Airport Special holding facility is entirely inappropriate for detaining children.

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18. Between January and November 2023, 1 285 persons were held under criminal charges and 237 persons applied for international protection.

At the end of the visit, the delegation invoked [Article 8, paragraph 5, of the Convention](#) and requested that the Greek authorities take immediate steps to end the practice of holding children at the establishment, in line with the principle of the best interest of the child. Instead, children should be transferred together with their parents to appropriate open accommodation, capable of catering for the children's needs. In their communication of 12 February 2024, while indicating that efforts were made to reduce to a minimum the stay of children with their parents in the existing facilities, the Greek authorities did not address the CPT's main concern.

Therefore, having regard to the principle of the "best interests of the child", as set out in the International Convention on the Rights of the Child,<sup>19</sup> and the case law of the European Court on Human Rights,<sup>20</sup> **the CPT recommends that the Greek authorities end the detention of children at Athens Airport Special holding facility and transfer any child placed at the facility, together with their parents, to appropriate open accommodation, capable of providing adequate support and care for these children.**

## 5. Pre-removal detention centres

### a. preliminary remarks

65. The CPT has consistently advocated that persons deprived of their liberty under immigration legislation should be accommodated in centres specifically designed for that purpose, offering material conditions and a regime appropriate to their legal situation. Care should be taken in the design and layout of such premises to avoid, as far as possible, any impression of a carceral environment. The Committee has also repeatedly set out the minimum conditions under which these persons should be held.<sup>21</sup>

66. In the past, the CPT has been highly critical of the carceral design of the pre-removal detention centres in Greece, which have a primary focus on security and containment. The fenced detention perimeters with several layers of rolls of barbed wire on top of the fences, prefabricated containers or shelters, observed notably at Kos, Fylakio and Paranesti PRDCs and, to a lesser extent, also in Corinth and Xanthi PRDCs, are inappropriate. Further, it is still the case that the barred cells in the police pen-like centres of Fylakio and Tavros (Petrou Ralli) provide for a prison-like environment.

**The CPT recommends that the Greek authorities review the high-level security standards for, and improve the design of, all pre-removal detention centres to render them less carceral, in line with the Committee's standards on immigration detention.**<sup>22</sup>

67. The CPT found that many of the Committee's previous recommendations have not been implemented and it remains the case that – due to their carceral design and their poor material conditions and regime – most of the pre-removal detention centres visited do not provide an appropriate environment for holding foreign nationals deprived of their liberty under immigration legislation for prolonged periods. In addition, healthcare services often remained insufficient to meet the needs of the persons detained, and the centres were not staffed with suitably qualified personnel.

**Consequently, the CPT calls on the Greek authorities to reform their immigration detention system and ensure that foreign nationals deprived of their liberty under immigration legislation are held in suitable premises, offering material conditions and a regime appropriate to their legal situation and staffed by suitably qualified personnel.**

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19. See Committee on the Rights of the Child, [General Comment No. 14 \(2013\)](#) on the right of the child to have their best interests a primary consideration (Article 3(1)) of the International Convention on the Rights of the Child, CRC/C/GC/14; and [United Nations Global Study on Children Deprived of Liberty](#), A/74/136, 11 July 2019.

20. See, *inter alia* European Court of Human Rights, *H.A. and Others v. Greece*, no. [19951/16](#), 28 February 2019; and *Mahmudi and Others v. Greece*, no. [14902/10](#), 31 July 2012.

21. See the report on the CPT's 2013 visit ([CPT/Inf \(2014\) 26](#)), paragraph 51 and the CPT Factsheet on Immigration detention of March 2017 ([CPT/Inf \(2017\) 3](#)), Section 4.

22. See the CPT's factsheet on Immigration detention, [CPT/Inf \(2017\) 3](#), 10 March 2017.

68. At the time of the 2023 visit, seven pre-removal detention centres were operating throughout Greece, with a total capacity of 3 676 places.<sup>23</sup> The CPT delegation carried out follow-up visits to the following six centres: Corinth PRDC (Peloponnese),<sup>24</sup> Fylakio PRDC (Evros, East Macedonia and Thrace),<sup>25</sup> Kos PRDC (South Aegean),<sup>26</sup> Paranesti PRDC (Drama, East Macedonia and Thrace),<sup>27</sup> Tavros (Petrou Ralli) PRDC (Attica)<sup>28</sup> and Xanthi PRDC (Xanthi, East Macedonia and Thrace).<sup>29</sup>

b. conditions of detention

69. Conditions of detention for detained foreign nationals varied significantly from one centre to another. They were particularly poor at Corinth PRDC.

70. In terms of material conditions, the delegation found that, in most pre-removal detention centres visited, there were many cells or rooms which had broken doors, windows, heating systems and/or beds. In several centres, sanitary facilities were in a poor state of maintenance and had broken showers and toilets or leaking pipes. None of the centres had a dedicated space for persons to take their meals, which meant that persons ate in their dormitories. The result was that most of the cells or rooms were infested with vermin, including cockroaches and bed bugs. Fumigation was insufficient. Detained persons were usually not provided with detergent to clean their cells and received insufficient hygiene products to keep their clothes and themselves clean. Mattresses and blankets were often thin and dirty. Several centres did not regularly provide heating and warm water.

71. *Xanthi PRDC*, located within the former regional police academy of the city of Xanthi in Northern Greece, started operating in 2012 and consists of two double-storey buildings, each with a secure fenced perimeter topped with barbed wire. At the time of the visit, 181 adult men were held at the centre for an operational capacity of 210 places.<sup>30</sup>

The material conditions observed in the centre could be considered acceptable. Up to five or six foreign nationals were held together in the 76 dormitories (measuring 26 m<sup>2</sup>), that were located on the two floors of the two accommodation blocks. The doors of the rooms had been removed and detained persons used blankets in their place. One room on each floor had been converted into a prayer room. Most rooms were adequately lit and ventilated and kept in an acceptable state of repair, and most contained a table, plastic chairs and a cupboard space. A few cells were equipped with a television and a fridge. The two sanitary facilities per floor, each containing seven floor-level toilets and seven showers as well as several large wash basins, were generally clean. However, some rooms did not have a window and therefore had no access to natural light. Many air-conditioning units which also provided heating did not work and many windows were broken. Most persons complained about the presence of cockroaches and bed bugs. There were no functioning washing machines and detained persons had insufficient hygiene and cleaning materials. Many showers and toilets were broken and in need of repair, and water was leaking from one of the sanitary facilities on the upper floor through the ceiling on the ground floor. Warm water was only provided three times a week for five hours.

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23. The Lesbos PRDC has suspended its operations due to extensive damage incurred during the large-scale fire of September 2020 which destroyed the Moria Reception and Identification Centre. Further, a ninth pre-removal detention centre has been legally established on Samos, but was not yet operational at the time of the visit.

24. See the report on the CPT's 2015 visit ([CPT/Inf \(2016\) 4](#)), paragraphs 111-113.

25. See the report on the CPT's 2018 visit ([CPT/Inf \(2019\) 4](#)), paragraphs 104-108; the 2020 visit report ([CPT/Inf \(2020\) 35](#)), paragraphs 31-33; and 2013 visit report ([CPT/Inf \(2014\) 26](#)), paragraphs 74 and 77.

26. See the report on the CPT's 2018 visit ([CPT/Inf \(2019\) 4](#)), paragraph 101.

27. See the report on the CPT's 2013 visit ([CPT/Inf \(2014\) 26](#)), paragraphs 70 and 72.

28. See the report on the CPT's 2016 visit ([CPT/Inf \(2017\) 25](#)), paragraph 58; the 2015 visit report ([CPT/Inf \(2016\) 4](#)), paragraphs 114-117; and the 2013 visit report ([CPT/Inf \(2014\) 26](#)), paragraphs 75 and 77.

29. See the report on the CPT's 2013 visit ([CPT/Inf \(2014\) 26](#)), paragraphs 71-72.

30. About one third (69 persons) were from Egypt. About one third (62 persons) were detained on public order grounds and about one third (62 persons) had applied for asylum. 28 foreign nationals were held for more than six months at Xanthi PRDC, including five for over 12 months – the longest was being detained there for 14.5 months at the time of the visit.



72. *Paranesti PRDC* was established in 2012 in a former military base in the village of Paranesti, in a remote area in Northern Greece. The centre originally consisted of four, fenced-in, single-storey accommodation buildings, which are currently not in use. Instead, persons are now held in six separate wings, each with rows of between seven and nine aligned prefabricated containers topped with barbed wire and within a secure fenced perimeter, also topped with several layers of barbed wire. The detention area was surrounded by a second barbed wire fence, with watchtowers completing the oppressive impression of a high-security prison – totally inappropriate for the purpose of holding persons in administrative detention. On the day of the visit, 290 adult men were detained for an operational capacity of 300 places.<sup>31</sup>

The prefabricated containers measured some 45 m<sup>2</sup> – for up to 12 persons – and usually consisted of three to seven sets of bunk beds, plastic tables and chairs, fridge, heater, air conditioning unit, call bell and a sanitary annex with floor-level toilet, shower and washbasin. Heating was functioning in most rooms and warm water could be accessed upon request. Lighting and ventilation were sufficient. In each wing, there was one common room equipped only with a television and a table, and one container was being used as a prayer room. However, there was need for regular maintenance (several lockable containers, air conditioning units, showers and toilets, beds and floors were broken) and effectively tackling the infestation of cockroaches and bed bugs inside all containers (detained persons placed plastic boxes filled with water under the bed frame to keep the insects away). Complaints about the poor quality of the food and insufficient hygiene and cleaning products, as well as insufficient and inappropriate clothing were also received.

73. *Fylakio PRDC*, operating as a pre-removal detention centre since 2013, had been fully refurbished since the CPT's previous visit in 2020. The renovations concerned both the outdoor courtyards and the detention cells, with the aim of reducing capacity, improving access to natural light and upgrading the plumbing and electricity. At the time of the visit, the centre mainly served as first night accommodation for persons prior to their transfer to the adjacent Reception and Identification Centre (RIC).<sup>32</sup> *Fylakio PRDC* was almost empty at the time of the visit and only held two foreign nationals for a reduced operational capacity of 232 places (down from previously 374). However, despite the renovation works, the five dormitories – each having a sanitary annexe with functioning showers and toilets – remain crowded with between 34 and 45 beds (most concrete plinths supported a bunk bed structure, except those near the windows) and most still had insufficient access to natural light due to the upper level of the bunk beds. There were also no call bells. The barred cells were in a reasonable state of cleanliness. The former cell for women had been transformed into a reception area, and spaces for worship had been created. The delegation was struck by the small, cage-like concrete yards that were surrounded by high fences topped with barbed wire, which were attached to the rear of each dormitory. Only dormitory number 5 had access to a decent outdoor area which included a shelter. Certainly, the conditions represent an improvement. However, the barred cells and overall design mean that the centre should only be used for holding foreign nationals under immigration legislation for short periods. Moreover, every effort should be made to avoid placing families with children in this facility even for a few days.

74. *Tavros (Petrou Ralli) PRDC* – in use since 2005 and transformed into a pre-removal detention centre in 2016 – is located on the second and third floors of a building complex on the premises of the Attica Aliens Police Directorate. It remains totally unsuitable for holding foreign nationals for periods exceeding a few days. When visited by the delegation, the facility was holding 139 adult men for an operational capacity of 150 places, most being detained in the four wings on the second floor.<sup>33</sup>

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31. Most foreign nationals came from Egypt (77 persons), Afghanistan (42 persons) and Pakistan (36 persons). 80% of the population had been transferred to the centre following their release from prison and more than half (151 persons) had applied for asylum. 51 foreign nationals were being detained at Paranesti PRDC for over six months, seven of whom for over nine months.

32. While newly arrived persons usually remained at *Fylakio PRDC* for short periods only, until their transfer to the adjacent RIC for screening and registration, due to increasing numbers of arrivals, the waiting period until places became available in the RIC did last for up to 40 days, prior to the visit.

33. Foreign nationals were mostly from Pakistan (42 persons) and Egypt (28 persons). 21 persons had been detained at *Petrou Ralli PRDC* for over six months, including six for over 12 months – two had been held for over 16 months.

It remains the case that Tavros (Petrou Ralli) PRDC, with its design of rows of police cells, is inappropriate for holding foreign nationals under immigration legislation for periods of weeks and months. The barred cells in the four male wings on the second floor, measuring some 25 m<sup>2</sup>, were still not equipped with call bells and contained up to five plinths. Cells, mattresses and blankets were reasonably clean, but persons complained about the presence of bedbugs. Most of the toilets and showers in the communal sanitary facilities were functioning and there was warm water, but they were dirty. However, foreign nationals complained about insufficient hygiene products (and particularly, that they were required to share razors to shave), cleaning material and warm clothes, and that they could not wash their clothes, despite the presence of two washing machines, as nobody was aware of this possibility. In sum, the criticisms raised by the delegation echo those raised by the Committee in 2005 (see CPT/Inf (2006) 41, paragraph 36) when the facility was first brought into service as well as in subsequent visit reports. **The CPT recommends that the Greek authorities ensure that persons are only held in Tavros (Petrou Ralli) PRDC for short periods (this is days not weeks or months).**

75. *Kos PRDC* opened in 2017 and operates as a separate section within the compounds of Kos CCAC, set up in November 2021. With a current operational capacity of 440 places distributed over five wings, on the day of the visit, 33 adult men were being detained in one of the two wings in the pre-removal section (Wing E). The second wing (Wing D) was closed and the three other wings (Wings A – C) had been temporarily allocated to the CCAC in September 2023.

The detention area of Wing E in the pre-departure section consisted of several rows of prefabricated containers (12 containers – three of which were out of order – for a capacity of 72 places, based on the number of available beds) each containing two 9 m<sup>2</sup> rooms, accommodating up to four persons. The rooms, adequately lit and ventilated, were equipped with two sets of bunk beds and an air-conditioning unit, as well as a sanitary annex with a toilet and a water pipe serving as a shower. One room served as a prayer room. Material conditions at Kos PRDC were poor. The accommodation units were in a dilapidated state of repair and cleanliness, with a lot of vermin crawling through food and bed linen. Detained persons complained of insufficient sanitary products, lack of appropriate clothing and footwear, food (insufficient both in quantity and quality), and that, despite the cold, they had not received blankets until the day of the delegation's visit.

76. *Corinth PRDC* is located at a former military camp in the city of Corinth, which was designated a pre-removal detention centre in 2013 and last renovated shortly after it opened. At the time of the visit, four of the eight double-storey buildings were in use (A-D), with each floor comprising two wings of four dormitories; 626 persons were being detained at the centre for an operational capacity of 768 persons.<sup>34</sup> By letter of 19 January 2024, the Hellenic Police informed the CPT that there were now a total of six wings in use. This included two additional wings which at the time of the visit were in a state of disrepair and dilapidation. **The CPT would like to be informed of the steps taken to renovate these two wings and render them operational.**

77. The material conditions observed at the time of the visit were extremely poor. Each dormitory measured 35 m<sup>2</sup> and accommodated up to 12 persons (one cell even held 14 persons), thereby offering less than 3 m<sup>2</sup> of living space per person. The cells and corridors were filthy, with cockroaches crawling everywhere. Mattresses and blankets were also infested with bed bugs and most persons consequently complained about skin problems. Cells did not contain call bells and detained persons had to call either perimeter guards through the barred windows or use the emergency number of the Hellenic Police. Both the sanitary annexes and the communal shower areas were in a poor state of hygiene. In all wings visited, the delegation observed broken doors, beds, lights, air conditioning units, showers and toilets or leaking pipes. All detained persons complained that they had only freezing cold water to wash and shower. Further, they were not provided with cleaning products and the sanitary items handed out were insufficient. The central staircases were in an appalling state with lots of rubbish. Detained persons were not provided with appropriate clothing to keep themselves warm and many complaints were received about the poor quality of the food. The water from the taps in the cells had a strong odour and taste, and several persons complained about stomach aches it caused. 369 persons had been detained in these conditions for more than six months, and several for over 17 months.

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34. The vast majority were Pakistani nationals (558 persons). About one quarter (154 persons) were detained on public order grounds and almost two thirds (395 persons) had applied for asylum. Most foreign nationals (369 persons) had been detained at Corinth PRDC for over six months.

78. In view of the above, the CPT once again reiterates its recommendation that the Greek authorities take the necessary steps to ensure that all foreign nationals being deprived of their liberty in pre-removal detention be provided with:

- a minimum of 4 m<sup>2</sup> of living space per person in multiple occupancy cells or rooms;
- decent sleeping conditions, including a bed, mattresses, blanket and bedding, all clean (and free of infestation);
- ready access to sufficient clean drinking water;
- adequate food, both in quantity and nutritional value (see also the CPT's recommendation in paragraph 128);
- daily access to hot water;
- adequate lighting (including daylight) and heating/cooling;
- cells or rooms equipped with a call bell, a table, chairs and personal lockable space;
- sufficient quantities of detergent and personal hygiene products, at all times;
- the possibility to regularly wash their clothes and have their blankets cleaned, and the foam mattresses replaced, whenever necessary.

Further, all cells or rooms and sanitary annexes should provide decent minimum conditions in terms of hygiene and repair and be regularly maintained. In particular, broken doors, windows, heating systems, lights and/or beds as well as broken showers and toilets or leaking pipes should be repaired swiftly. To this end, the necessary funding should be made available.

**Consideration should also be given to provide a dedicated communal space where detained persons can take their meals to eliminate the proliferation of insects in the dormitories. In addition, the Greek authorities should carry out more regular disinfection and effectively eradicate infestations.**

79. One general complaint received in *all* pre-removal detention centres visited was the lack of sufficient and suitable clothing appropriate for cold winter weather. Hundreds of detained persons were only dressed in t-shirts, shorts and slippers and complained that they were cold during the day and at night.<sup>35</sup> Many stressed that they were not given access to their personal belongings even though they had warm clothes in their stored luggage.

The availability of clothes and footwear mostly depended on private donations. Funding for additional clothes was apparently only available as of January 2024. However, even when there was a storeroom full of clothes, such as at Paranesti PRDC, they were not adequately distributed to all detained persons. Further, at Corinth PRDC, following the resignation of the social worker, no staff member had taken over the responsibility for distributing clothes to persons in need. The director of every PRDC should take responsibility for ensuring that effective solutions are found to provide persons detained under their authority with appropriate clothing.

**The CPT recommends that the Greek authorities ensure that every foreign national deprived of their liberty in a pre-removal facility is provided with sufficient and suitable clothing adapted to the season. This will require proper management and coordination between the relevant authorities at all levels of responsibility (Hellenic Police and the Ministry of Health).**

Further, **detained persons should be given access to their own personal belongings, including their own clothes.**

80. The CPT welcomes the open-door regime which allowed detained foreign nationals to leave the accommodation units within their wings without restriction throughout the day at Kos, Paranesti, and Xanthi PRDCs.<sup>36</sup> In the CPT's view, this represents good practice and should be implemented in all pre-removal detention centres in Greece, as it can help to significantly improve conditions of detention and reduce tensions.

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35. Night temperatures at the time of the visit dropped to about 0°C.

36. Detained persons had unrestricted access to the outdoors at Kos PRDC, access from 06:00 to 23:00 in Xanthi, and from 07:00 to 00:00 in Paranesti PRDC.



However, access to outdoor exercise was restricted in the other centres. For instance, detained persons were only granted four to five hours of outdoor exercise per day at Corinth PRDC, and only one to two hours at Petrou Ralli, which was due to the rotating timeslots and the high number of detained persons per police officer. In the latter centre, outdoor exercise was restricted to between 30 minutes and one hour during weekends, which is insufficient.

In addition, outdoor exercise yards lacked shelter and benches at Corinth, Fylakio and Kos PRDCs, and there were no benches in the outdoor yards at Paranesti PRDC. Further, the outdoor spaces contained no sports equipment, and the yards were austere.

81. Moreover, in all pre-removal detention centres visited, there was a total lack of any purposeful or recreational activities on offer, and detained foreign nationals were left to their own devices with literally nothing to do all day long, for periods of several months. Occasionally, they were able to play cricket or kick a ball in Corinth, Fylakio, Tavros (Petrou Ralli) or Xanthi PRDCs. Further, only Tavros (Petrou Ralli) and Paranesti PRDCs were equipped with television screens (kept turned on the whole day, which was particularly disturbing for the persons held in the cells opposite). Paranesti PRDC was the only establishment with a common association room, but these rooms did not contain tables and chairs. There were no places for worship in Corinth and Tavros (Petrou Ralli) PRDCs.

82. The CPT wishes to recall that the conditions of detention for foreign nationals held under immigration legislation should reflect the nature of their deprivation of liberty, with limited restrictions in place and a varied regime of activities. The longer the period for which persons are detained, the more developed should be the activities which are offered to them.

In light of the above, **the CPT calls once again upon the Greek authorities to take the necessary steps to ensure that, in all pre-removal detention centres in Greece:**

- **an open-door regime is applied, including at Corinth, Fylakio and Tavros (Petrou Ralli) PRDCs;**
- **all outdoor yards are appropriately equipped with benches and shelters and provide for a decent and non-carceral environment;**
- **a programme of activities (educational, recreational and vocational) is developed, including a variety of different activities such as, for example, language classes, games, arts and crafts or “cultural kitchens”;**
- **a common association room, equipped with tables and chairs, a television and games is created;**
- **a place for worship is set up, including at Corinth and Tavros (Petrou Ralli) PRDCs.**

83. Moreover, at Corinth PRDC, the delegation met seven young men who self-identified as unaccompanied children but who had been registered by the authorities as adults. They were held separately in one of the cells of the upper wings in B building, until the relevant age assessment procedures and verifications had been carried out. At the time of the visit, they had been segregated for two months in their wing without being granted access to outdoor exercise – they had only been allowed to go outdoors for the previous three days. Young persons who claim to be unaccompanied and separated children should be treated as such until the appropriate assessments have been carried out. These young persons require additional staff support, the provision of organised activities and the possibility to spend much of the day outside in the fresh air.

**The CPT recommends that the Greek authorities take the necessary steps to ensure that all detained persons who claim to be unaccompanied children be treated as such until proven otherwise, unless their claim is manifestly unfounded. To this end, they should be held in a child-friendly environment and provided with the necessary assistance and support by appropriately trained staff.**

c. healthcare services

84. The CPT has long urged the Greek authorities to improve the provision of healthcare services in the country's pre-removal detention centres, given the structural deficiencies observed in this area during the Committee's previous visits. The problems observed, such as lack of medical screening upon arrival or insufficient access to healthcare, were compounded by the severe shortages in resources, and especially insufficient numbers of healthcare staff. Combined with the lack of hygiene and the appalling detention conditions previously observed, the CPT had considered that they even presented a public health risk.

The findings of the 2023 visit indicate that, despite some improvements, most of the concerns raised during 2016, 2018 and 2020 visits persisted.

85. In 2017, the Greek authorities transferred the provision of medical services in the pre-removal detention centres to the Ministry of Health, and in particular the Health Unit SA (*Ανώνυμη Εταιρεία Μονάδων Υγείας, ΑΕΜΥ*), a public limited company under the supervision of the Ministry of Health. The Greek healthcare system, in general, is confronted with a chronic lack of resources and overall insufficient healthcare staffing levels, especially in remote areas. This situation was even more problematic in most of the pre-removal detention centres visited and was further exacerbated by the current funding system and recruitment procedures.

All healthcare staff, including doctors and nurses, as well as psychologists, interpreters, social workers and health visitors are employed by AEMY on short-term contracts funded by EU projects. The consequence of this arrangement was that medical personnel had precarious contracts with no guarantee of renewal and were regularly replaced or resigned from one day to the next without being replaced, which created constant shortages in resources and an excessive instability of the healthcare teams.

**The CPT recommends that the Greek authorities review the modalities for funding and recruiting healthcare staff to guarantee sufficient staffing resources and greater stability of the healthcare teams working in pre-removal detention centres.**

86. At the time of the visit, the situation in terms of healthcare staffing resources was as follows:

At Tavros (Petrou Ralli) PRDC – for a facility detaining 139 persons with an operational capacity of 150 places – the healthcare staffing resources were satisfactory. In addition to the presence of a medical doctor, three nurses (allowing for a nursing presence from Monday to Saturday during the day), a health visitor,<sup>37</sup> a psychologist (who had just started the week before), a social worker (since August), an interpreter and an administrator (all full-time), a psychiatrist visited the centre three times a month.

The situation was more tense at Paranesti PRDC – with 290 persons deprived of their liberty for an operational capacity of 300 places – where the healthcare team was composed of a part-time medical doctor (present three days per week), as well as a dentist, three nurses (ensuring a nursing presence from Monday to Friday during the day), a psychologist and an administrator (all working full-time). A similar picture prevailed at Xanthi PRDC – with 181 detained persons being held for an operational capacity of 210 places. The medical team included a part-time medical doctor (present two days per week) as well as two nurses (present from Monday to Saturday throughout the day), a social worker, an interpreter (who only spoke Turkish), and an administrator (all full-time).

In contrast, the situation was dramatic at Corinth PRDC – for a centre holding 626 persons for an operational capacity of 768 places (which since has been further increased) – and the resources in terms of healthcare personnel were entirely inadequate. Fortunately, a medical doctor had started working at the centre on a full-time basis (from Monday to Friday) on the day before the delegation's visit, after more than seven months without a doctor.

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37. The health visitor was tasked with public health measures at the pre-removal detention centre, including the prevention of infectious diseases (such as tuberculosis or Covid) as well as general preventive healthcare and health promotion work.

Further, there were two nurses (ensuring a nursing presence from Monday to Friday during the day), a health visitor, and two psychologists, as well as an interpreter and an administrator (all full-time). The situation was equally problematic at Fylakio PRDC – for a centre with an operational capacity of 232 places – there was one medical doctor who visited on request and one nurse on weekdays.

Moreover, at Kos PRDC, the healthcare provision relied on the healthcare team of Kos CCAC and was composed of a temporary seconded medical doctor from the Armed Forces, two nurses and four social workers (all full-time). A psychologist also attended once a month. In this regard, reference is made to paragraphs 143-144.

However, in all centres visited, there was no healthcare personnel present at night and, with the exception of Tavros (Petrou Ralli) and Xanthi PRDCs, on weekends. Further, there were numerous vacancies for the positions of medical doctors and specialists, including psychiatrists, health visitors, psychologists, social workers and interpreters.

87. The above numbers were, except for Tavros (Petrou Ralli) PRDC, totally insufficient to ensure adequate healthcare services to foreign nationals held in pre-removal detention, with dramatic consequences at Corinth PRDC (see paragraph 93). Given the number of detained persons, the length of their detention and the needs of this population, the almost total absence of psychiatric care and insufficient psycho-social assistance and interpretation services remains of serious concern for the CPT. The delegation was informed that efforts had been initiated to recruit additional healthcare staff for all pre-removal centres, but that it had not to date been possible to fill the various vacancies.

**88. The CPT recommends that the Greek authorities further increase their efforts to significantly enhance the numbers of healthcare staff in the country's pre-removal detention centres. As a first step, it is necessary to guarantee the regular presence of a medical doctor and a daily nursing presence, including during weekends, in all centres. In particular, the authorities should:**

- at Corinth PRDC, recruit an additional medical doctor and three additional nurses;
- at Tavros (Petrou Ralli) PRDC, recruit one additional nurse;
- at Paranesti PRDC, increase the medical doctor's presence to full-time and recruit one additional nurse;
- at Xanthi PRDC, increase the medical doctor's presence to at least three days per week and recruit two additional nurses.

**In a second step, the number of nurses should be further increased to guarantee in all centres a nursing presence 24/7, including at night. This would allow their regular presence inside the detention wings, including for detecting detained persons who require medical attention and directly collecting requests to see the doctor, and would ensure that medication is distributed by nursing staff only.**

**Further, the CPT recommends that the Greek authorities ensure the presence of a part-time psychiatrist or visiting psychiatrist in all centres at least once weekly, and all centres should have at least a full-time health visitor, a psychologist and a social worker. Additional incentives should be put in place to fill vacant positions swiftly, including in remote areas.**

**Reference is also made to the recommendation in paragraph 34 as regards the provision of interpretation services.**

89. The healthcare facilities in the different centres visited were overall adequately furnished and equipped. The delegation was particularly impressed by the brand-new and well-equipped dental unit at Paranesti PRDC.<sup>38</sup> Most centres had basic emergency medical equipment, such as oxygen, defibrillator, and an ECG machine. However, the defibrillator at Tavros (Petrou Ralli) PRDC had run out of battery and there was no oxygen at Xanthi PRDC. **The CPT would like to receive confirmation that these shortcomings have been remedied.**

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38. The delegation was informed that a second dental unit was operating at Amygdaleza PRDC.

90. The CPT has repeatedly stressed the importance of effective medical screening upon arrival for detained foreign nationals. In this regard, it was good practice that in some pre-removal detention centres visited, detained foreign nationals were regularly sent to the local hospital for screening of infectious diseases (including TB) or dermatological problems (including scabies). However, even in these centres, such screening was not systematically carried out for all persons. In addition, there was no clear policy or systematic voluntary testing for blood-borne viruses such HIV and hepatitis B and C, even though detained persons were part of a population at risk of potential transmission.

At Paranesti and Xanthi PRDCs, newly arrived persons were systematically seen within the first 24 hours after their arrival by a nurse, which consisted of a questionnaire-based interview. This was not the case in the other centres visited. At Kos PRDC, detained persons were usually brought from the general population of the CCAC, for which medical screening upon arrival was deficient (see paragraph 141). At Tavros (Petrou Ralli) PRDC, newly arrived persons were systematically seen by the health visitor, who was filtering those persons who did not require medical attention, hence only some detained persons with a health issue or requiring medication were seen by a nurse or the doctor. For example, none of the three foreign nationals who had arrived the day before the delegation's visit had been examined upon their arrival by qualified medical staff. At Corinth PRDC, only those who arrived on a weekday were seen by healthcare staff. Those who arrived during the weekend only saw the nurse after their five-day placement in quarantine.

Moreover, in none of the pre-removal centres visited were detained persons systematically subjected to a physical medical examination aimed at detecting traumatic injuries, and no dedicated register on injuries was kept in any of these establishments. Further, at Paranesti and Tavros (Petrou Ralli) PRDCs, the medical screening by the nurse, or the entry check by the health visitor, was systematically carried out in the presence of a police officer.

**91. The CPT calls once again upon the Greek authorities to take the necessary steps without further delay to ensure that all newly admitted foreign nationals effectively benefit from a prompt, comprehensive and confidential physical examination carried out by a doctor, or a nurse reporting to a doctor, as soon as possible after their arrival (within 24 hours) at the pre-removal detention centre. Such screening should allow healthcare staff to identify those persons with health problems (including mental disorders), detect transmissible diseases (namely systematic TB screening and voluntary testing for HIV and hepatitis B and C) as well as any signs of vulnerabilities and ensure a timely recording of injuries.**

**Further, a dedicated register on injuries observed on detained persons during admission and detention should be put in place.**

92. Based on the findings of the 2023 visit, access to a doctor was still not effectively guaranteed in practice in most pre-removal detention centres visited. Such access was actively hindered by police officers at Corinth, Kos, Tavros (Petrou Ralli) and Paranesti PRDCs. In these four pre-removal detention centres, the delegation received numerous complaints by detained foreign nationals that their repeated requests to see a doctor or receive medical assistance were usually filtered and dismissed by custodial staff. This was also partly due to the lack of sufficient healthcare staff and interpretation services available.

**The CPT reiterates its recommendation that the Greek authorities ensure that all foreign nationals held in pre-removal detention centres can confidentially request, and effectively benefit from, access to a doctor, without such requests being filtered or controlled in any way by custodial staff. To this end, requests should be collected by nursing staff, who should regularly be present in the detention areas in direct contact with detained persons.**

93. In the pre-removal detention centres visited, healthcare provision differed according to the establishment but remains inadequate for most detained foreign nationals. In this regard, the Committee notes positively the good quality of dental care provided at Paranesti PRDC, where a dentist was present on a full-time basis, which represents good practice. It also found that the care provided at Xanthi PRDC was satisfactory, with regular medical consultations and genuine medical follow-up of detained persons.

However, despite medical consultations and some medical follow-up, certain deficiencies in the provision of healthcare were observed in the other centres visited. The situation can be described as catastrophic at both Kos and Corinth PRDCs, where healthcare services were either dysfunctional (see paragraphs 141-148) or entirely insufficient. In fact, prior to the delegation's visit, there had been no medical doctor at Corinth PRDC for over seven months, which had left the centre with only two nurses in charge of more than 600 detained persons. It is therefore not surprising that the healthcare team was overwhelmed, and that medical follow-up was almost inexistent. The following two striking examples are indicative of the ineffective healthcare provision at Corinth PRDC, which amounted to a derogation of the duty of care incumbent on the authorities in charge of persons deprived of their liberty, with dramatic consequences:

- i. A 22-year-old man had – shortly before the delegation's visit – been diagnosed with open tuberculosis. The person concerned had previously been detained at Corinth PRDC for over 13 months, without having been seen by healthcare staff, with the consequence that his medical condition had remained undetected despite his significant loss of weight, and that the infectious disease had spread among a great part of the detainee population. This also shows that the absence of healthcare staff in the detention areas is detrimental for detecting persons in need of medical assistance and care. He had only been seen by a nurse on 1 November and by a doctor on 6 November, a week prior to his transfer to a public hospital due to various symptoms indicative of TB.<sup>39</sup>

At the time of the delegation's visit, the centre was in a state of agitation due to the difficulty in managing this public health crisis, which was further complicated by the regular shortages in the provision of Mantoux tests. All persons detained on wing C had since been subjected to TB screening. Out of these, 33 persons – including 11 who had not been vaccinated – had tested positive for the Mantoux test.<sup>40</sup> Among these 33 persons, three had tested positive after previously having tested negative, which is indicative of a first-time infection at the centre. Moreover, it is of great concern that a fourth person, not previously vaccinated, who had already tested positive for the Mantoux test four months prior to the delegation's visit, had remained detained at the centre among the general detainee population, without any medical follow-up or treatment, which puts both detained persons and staff at risk. The above-described proximity in the dormitory-style cells and the poor conditions of detention at Corinth PRDC (see paragraph 0) certainly contribute to the transmission of this transmissible disease. This also meant that an unspecified number of persons had left the centre in the meantime without any medical follow-up.

**The CPT would like to receive the comments of the Greek authorities on this episode. It would also like to be informed of the measures taken to improve the management of TB at Corinth PRDC and the conclusions drawn by the authorities to avoid that such a situation occurs again.**

- ii. A 24-year-old man had died under unclear circumstances on 24 October 2023, only six hours after his referral to hospital. Despite receiving a significant amount of medication, including an anticoagulant, two drugs used to treat high blood pressure or heart failure and no less than seven psychotropic drugs, the person had not seen a doctor and had only seen a nurse seven days prior to his death. From the conclusions of the delegation, the person had been left to his own fate without any proper medical follow-up. It is only when the person concerned declared that he was feeling unwell and suffering from shortness of breath that he was immediately evacuated to the general hospital, where he was diagnosed with severe pneumonia. He died at the hospital only six hours after his admission.

The CPT cannot agree to the Greek authorities' conclusion that appropriate action had been taken in this case, given that the person concerned had been abandoned to his fate without appropriate medical treatment during the 3.5 months of his detention at Corinth PRDC, where he had developed severe pneumonia which had led to his death.<sup>41</sup> **The CPT would like to receive the comments of the Greek authorities as well as a copy of the autopsy report.**

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39. This included weight loss, cough, shortness of breath, vomiting and debilitation.

40. The fact that these persons tested positive is indicative of either a prior TB vaccination or an infection with the tubercle bacillus. Although certain symptoms are indicative of TB infection, not everyone exposed to an infectious TB patient will effectively be infected, and those infected may not develop disease. To clearly establish a TB infection, further clinical examinations and a medical follow-up are required.

41. Following the person's death, all foreign nationals detained at Corinth PRDC carried out a one-day hunger

94. The provision of psychiatric care remained problematic in almost all pre-removal detention centres visited. The only exception was in Tavros (Petrou Ralli) PRDC, where a psychiatrist was present three days per month. In all other establishments visited, in the absence of an on-site psychiatrist, or even a psychologist, the psychiatric treatment and follow-up provided was entirely insufficient. Detained persons requiring treatment for their psychiatric disorder or to alleviate their substance use were only seen by a psychiatrist at the local hospital, or a psychologist on very rare occasions, despite the significant needs observed by the delegation.<sup>42</sup> Moreover, several persons held at Xanthi PRDC had their prescriptions renewed without having been seen in person by the psychiatrist. At both Corinth and Xanthi PRDCs, the social assistant had been tasked to replace the psychologist to provide at least some psychiatric follow-up for those detained persons requiring psychiatric care.

The above-mentioned case of the 24-year-old man who died on 24 October 2023 is also indicative of the lack of adequate psychiatric care and follow-up. Despite his psychiatric disorder, for which he received significant treatment with no fewer than seven different psychotropic drugs, based on a prior medical prescription, he had not been seen at all by a psychiatrist and only once by the psychologist of the centre on the day of his admission.

**The CPT recommends that the authorities take the necessary steps to improve the provision of psychiatric care and follow-up in the country's pre-removal detention centres, and especially at Corinth PRDC. To this end, the regular presence of a psychiatrist (this is at least once a week) and a psychologist should be guaranteed and detained persons requiring psychotropic treatment should have regular in-person consultations to assess and adequately follow-up on their mental health situation.**

95. Detained persons diagnosed as HIV-positive or who had Hepatitis B or C apparently continued to be segregated in conditions akin to solitary confinement at Tavros (Petrou Ralli) PRDC, in contrast to the practice applied in the other pre-removal detention centres visited. The delegation met an HCV-positive man who was being segregated for over nine months in complete isolation in the so-called "Special Treatment Wing" on the third floor. In addition, he was also receiving psychiatric medication. During these nine months, he had not benefitted from any association with other detained persons. At the time of the visit, the delegation was told that the person was segregated because he was a carrier of Hepatitis C. In the CPT's view, segregating an HIV- or HCV-positive person for the sake of isolation from the rest of the population would be an approach that stems from outdated ignorance and that is not founded on any scientific data.<sup>43</sup>

The Greek authorities, in their response of 19 January 2024, indicated that the patient was held in a separated detention area to receive the necessary medical care and psychological support due to his "inappropriate behaviour", his "ground disturbances" and for receiving psychiatric treatment. That said, the "support" and therapeutic treatment he received were limited to occasional consultations with the psychiatrist every few months and the distribution of his daily medication, and he spent more than 23 hours per day isolated in his cell. Although three other persons had previously been held in the same "Special Treatment Wing", he complained that he had never had the possibility to associate with these persons. Placing a person in conditions akin to solitary confinement without appropriate care and support is totally unacceptable and not conducive to improving the psychological/psychiatric wellbeing of the person.

**The CPT reiterates its recommendation that the unnecessary and complete isolation of HIV- or HCV-positive persons at Tavros (Petrou Ralli) PRDC should be immediately ended. Any person requiring psychiatric treatment should be transferred to an appropriate establishment where they can benefit from appropriate medical care and psychological/psychiatric support.**

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strike to protest the absence of a medical doctor at the centre. As previously indicated, a doctor had eventually been recruited and had started on the day before the delegation's visit.

42. For instance, 25 persons at both Corinth and Paranesti PRDCs, 26 at Xanthi PRDC and 27 persons at Tavros (Petrou Ralli) PRDC required a daily psychotropic treatment, with several patients in need of up to five different drugs.

43. Hepatitis C, while a transmissible disease, is in no way contagious when managed properly.

96. In addition, the continued shortcomings observed in terms of medical confidentiality in the pre-removal detention centres visited remain problematic. With the notable exception of Xanthi PRDC, where all medication was distributed exclusively by nursing staff, police officers were regularly tasked with distributing medicines, including neuroleptic drugs, in the absence of healthcare staff. At Paranesti PRDC, the distribution of medication was done in the presence of police officers, and, at Corinth PRDC, they were exclusively distributed by police officers. Further, in the latter centre, the paper copies of the medical files of all detained persons were kept in a lockable cupboard that – due to the high number of files stored – could no longer be closed, and the key to the infirmary was kept by police officers in the absence of healthcare staff.

Moreover, at Corinth PRDC, the delegation was informed that the health visitor was required to transmit information protected by medical secrecy to the Hellenic Police's Aliens and Border Protection Branch, for example if a detained person was confirmed as HIV- or HCV- (hepatitis B or C) positive. This measure was justified by the fact that detained persons were required to share their razors. The CPT is not convinced by this argument, as the risk of transmission could be amply avoided by handing out sufficient individual razors to all detained persons.

**The CPT, once more, reiterates its recommendation that the Greek authorities ensure that the principle of medical confidentiality is strictly respected. In this regard, the Committee wishes to receive confirmation that the above-mentioned shortcomings have been remedied.**

97. Moreover, foreign nationals continue to be routinely handcuffed during all transfers for external medical appointments in public hospitals and to be examined in the presence of police officers. As indicated above, at Paranesti and Tavros (Petrou Ralli) PRDCs, the medical screening by the nurse or the entry check by the health visitor were systematically carried out in the presence of a police officer. In the former establishment, detained persons were even handcuffed during their transfer to the infirmary within the perimeter of the pre-removal detention centre and during certain medical examinations or acts.

**The CPT reiterates once again that the Greek authorities take the necessary steps to ensure that all medical consultations, in principle, take place out of the hearing and – unless the doctor concerned expressly requests otherwise in a given case – out of the sight of police officers. Further, detained persons should not be systematically handcuffed when transferred to, or examined in, external healthcare facilities or in a secure environment within a pre-removal detention centre.**

d. staffing issues

98. The pre-removal detention centres are usually staffed with redeployed police officers. While the staff presence in the six centres visited was sufficient to guarantee the security and safety of the establishments, interaction between police officers and detained persons was reduced to a minimum. Police officers rarely entered the detention wings and had a very static role with a focus on external security and patrolling. The CPT received many complaints by detained persons that police staff did not respond to their requests and that, especially at Corinth and Tavros (Petrou Ralli) PRDCs, they had to shout for long periods until a police officer reacted to their calls at night. In addition, the lack of interpretation services (or devices) was an obstacle to communication between detained persons and police staff, who could not understand the many different needs and requests of the foreign nationals.

It is also important for more staff with appropriate communication skills to be employed in these centres who can act as cultural mediators, as well as sufficient social workers and psychologists, who should be regularly present in the detention areas to improve interactions with foreign nationals.

99. The importance of good communication between detained foreign nationals and custodial staff in a closed environment such as pre-removal detention centres cannot be overemphasised. To this end, the CPT has repeatedly advocated that custodial staff employed in immigration detention centres be distinct from police officers. Due to the challenging working environment, staff should be carefully selected and receive appropriate, specific training. They should also possess well-developed qualities both in the field of interpersonal communication and cultural sensitivity, as well as de-escalation skills. At least some of them should also have relevant language skills.

100. The delegation was also informed that many police officers charged with custodial duties in the PDRCs did not benefit from the regular initial police training at the police academy. The delegation met with a great number of police officers charged with custodial duties who had only undergone a four-month “fast-track crash course” and who did not benefit from any on-the-job training.

The Committee considers that increased and regular professional training for police officers should be provided as a key measure to developing both a transparent and accountable, and also human rights-oriented police service. Such training should cover, in addition to first aid, de-escalation and intercultural skills, features essential to the protection of human rights in the exercise of police powers, with emphasis on the prevention of ill-treatment based on European standards, and reporting on the use of force.

101. Moreover, the delegation also gained the impression that some of the directors or senior management of pre-removal detention centres met were not fully informed about the reality of the situation within their centres, especially when it comes to the material conditions within the wings, or did not fully assume their management responsibilities to effectively address shortcomings, for instance in terms of hygiene and maintenance, and guarantee for the wellbeing of the persons detained under their responsibility. Further, heads of institutions should also be able to give instructions to all staff working in the establishment, including to healthcare staff, for instance to guarantee that requests by detained persons to see the doctor are effectively met.

102. In light of the above, **the CPT recommends that the Greek authorities review the staffing needs of the pre-removal detention centres with a view to reinforcing the presence of non-custodial personnel, such as cultural mediators, social workers, and psychologists, inside the detention wings.**

**The CPT also recommends that additional steps be taken to further promote the role of custodial staff in Greek pre-removal detention centres by developing a distinct career path, based on careful selection and appropriate training. This requires strengthening the provision and implementation of both initial and on-going training for custodial officers. To this end, a comprehensive plan for staff training should be developed, which should include modules on inter-personal communication, trauma-informed care, cultural sensitivity and de-escalation. Professional training for senior managers should also be provided.**

Further, **reporting structures for all police officers charged with the custody of foreign nationals deprived of their liberty should be improved.**



## **B. Closed controlled access centres**

### **1. Preliminary remarks**

103. In late 2015 and early 2016, the Greek authorities established on the Aegean islands a number of dedicated Reception and Identification Centres (RICs or so-called “hotspots”) for the registration and processing of foreign nationals crossing irregularly by boat from Türkiye to Greece.<sup>44</sup> In accordance with Law 4375/2016, persons arriving in these centres could be deprived of their liberty for up to a total of 25 days while the “reception and identification” procedures were completed. However, by 2020, these centres, which had expanded in a haphazard and uncontrolled manner, were no longer considered fit for purpose and, following the fire in the Moria camp on Lesbos in September 2020, it was decided that they should be replaced by new structures.

In November 2020, the European Commission awarded €121 million to Greece for the construction of new reception centres on the Greek islands of Samos, Kos and Leros, which were subsequently opened in late 2021. In EU documents, these centres are referred to as “Multi-Purpose Reception and Identification Centres”, while the Greek government has officially chosen the term “Closed Controlled Access Centres” (CCACs). In March 2023, the European Commission awarded a further grant of €155 million to build additional new reception centres on the islands of Lesbos and Chios. However, these two centres are still not completed, as the Greek government is facing legal obstacles and opposition to their construction from the local community.

104. The CCACs operate under the authority of the Reception and Identification Service of the Ministry of Migration and Asylum. They may also include a RIC, a temporary accommodation facility, and special accommodation facilities for persons in a vulnerable situation, including “safe areas” for unaccompanied children. According to Section 40 of Law 4939/2022, foreign nationals can be deprived of their liberty for up to 25 days within a RIC or a CCAC, until they have been fully registered and have received an asylum seeker card.

The new centres are usually located away from the main urban areas on the islands and are characterised by their imposing security measures. The CCACs, as observed in Kos and Samos, are surrounded by a double security fence topped with rolls of barbed wire, and feature control systems such as turnstiles, magnetic gates, x-ray scanners and two-factor access control (identity and fingerprint) at the entrance. Each accommodation section of the CCAC is also surrounded by a security fence topped with barbed wire and a turnstile identity control system. Private security companies control access to the centre and are responsible for carrying out checks and body searches on all persons wishing to enter or leave the centres. In addition, a CCTV monitoring system has been installed throughout the CCACs, using “smart” software to ensure early warning about any incidents, with images streamed to the Hellenic Police and the Control Centre at the Ministry for Migration and Asylum in Athens.

105. The CPT considers that the use of barbed wire on the multiple perimeter security fences surrounding each section of the CCACs, including those accommodating families, women, children and persons with special needs and vulnerabilities, is excessive and unnecessary, and should be removed.

**The CPT recommends that the Greek authorities take the necessary steps to render the areas accommodating families, women, children and persons with special needs and vulnerabilities as welcoming as possible. To this end, the perimeter fencing around the accommodation sections should not be topped with barbed wire.**

106. The CCACs have the potential to offer better living conditions for migrants and asylum seekers for periods of up to a few months. However, they face significant shortcomings in legal assistance, healthcare provision, vulnerability assessment and interpretation services, and the basic reception and protection needs of applicants for international protection are often not met. Further, the excessive security and barbed wire fencing make the CCACs unsuitable for accommodating children and persons in a vulnerable situation.

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44. Moria “hotspot” (Lesvos) started operating in October 2015; VIAL (Chios) and Lepida (Leros) “hotspots” became operational in February, Vathi “hotspot” (Samos) in March, and Pyli “hotspot” (Kos) in May 2016.

Moreover, when the number of foreign nationals arriving on the islands increases, the systems break down quickly and many persons, especially those with specific needs and vulnerabilities, find themselves being subjected to treatment which could be described as inhuman and degrading. This was the situation found by the CPT delegation during the visit, notably at the Kos and Samos CCACs.

The CPT therefore takes note of the Greek authorities' commitment, expressed in their communication of 5 February 2024, to take additional steps to ensure that, even in periods of increased arrivals, mechanisms and procedures are in place which allow the reception of foreign nationals while protecting their human rights.

107. The *Kos* CCAC, opened in November 2021, is located near the village of Pyli some 15 km from Kos Town. At the time of the delegation's visit, it was accommodating 3 851 persons for an official capacity of 2 100 places (that is, it was operating at 183% of capacity). Additional capacity had been found by placing people in the pre-removal detention centre (PRDCs) and by using the former RIC at the heart of the camp. However, the accommodation units made of prefabricated containers in the former RIC area had no running water or access to electricity and most of them were uninhabitable, with doors and windows missing, floors broken, toilets not functioning and water leaking through the ceilings. The delegation found that the allocation of foreign nationals to areas of the centre based upon their needs had broken down.

In the period since September 2023, persons were waiting more than 25 days to be registered, during which time they were not allowed to leave the centre or even their accommodation section, and yet they had not been provided with any formal document depriving them of their liberty. Some 1 864 persons were not fully registered at the time of the visit and were confined to their section.

108. The *Lesvos* CCAC, located in the Mavrovouni location, about 5 km from the centre of Mytilene and beside the sea, was transformed from a RIC into a CCAC in November 2022 and remains a "temporary facility" pending the construction of the model-type CCAC on the island. At the time of the visit, 4 741 persons were accommodated in the centre for an operational capacity of 3 679 places (that is, it was operating at 129% of capacity). Of these, 287 were not yet fully registered and could be considered as being deprived of their liberty; it was however positive that all new arrivals were registered within a week of their arrival. A further 187 had had their asylum claims rejected and were in a state of limbo as they no longer received support from the CCAC.<sup>45</sup>

109. *Samos* CCAC, opened in September 2021, is located in a forested hilly area some 9 km from Vathy Town. It was accommodating 3 560 persons for an official capacity of 3 562 places. However, in reality, the centre was severely overcrowded with many foreign nationals, including families with children, sleeping on the floor in the canteen areas of various sections or in prefabricated containers intended for teaching purposes. The four PRDC sections, open for only a few months and accommodating over 600 persons, were already in a state of disrepair, especially the sanitary facilities. At the time of the visit, 1 801 persons were not fully registered and, as at Kos, most of these persons had been deprived of their liberty for periods in excess of 25 days. Further, access to water via a well was insufficient to meet the needs of the centre and severe daily water restrictions had to be imposed; the situation improved in late November with the arrival of a rainy period.

110. The *Fylakio Reception and Identification Centre (RIC)* remains essentially the same as described in the 2018 visit report of the CPT.<sup>46</sup> At the time of the 2023 visit, the five wings (A-E), were accommodating 185 foreign nationals – of whom 115 were Turkish nationals – for an official capacity of 330. 58 of these were unaccompanied children. However, a large extension to the RIC has been constructed to increase the capacity by another 800 places and was expected to open in 2024. The extension was along the model of the CCACs on the islands with each accommodation section surrounded by a high fence and barbed wire. In addition, there were seven watch towers within the site of the extension which were totally out of place for an immigration detention centre.

**The CPT recommends that the Greek authorities dismantle the watch towers within the new facility and remove the barbed wire from the internal fences of the centre. Reference is made to the CPT's recommendation in paragraph 66.**

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45. Due to the absence of the pre-removal detention centre on the island, rejected asylum seekers no longer received food provision for instance, but their stay in the CCAC was tolerated by the authorities.

46. See [CPT \(2019\) 04](#), paragraphs 95 to 99.

## 2. Ill-treatment and safeguards

111. The CPT delegation did not receive any recent allegations of ill-treatment of foreign nationals by police or security staff in any of the CCACs or the Fylakio RIC. Some allegations of abusive language were received, for instance by personnel of the private security company “G4S” at Lesvos CCAC, but most persons stated that the staff treated them correctly. However, there were numerous complaints that there was far too little interaction with staff. The lack of communication was one of the reasons which led to an episode of disruptive behaviour by a group of boys at the Kos CCAC.

On the other hand, there were tensions among the various groups of foreign nationals, generally limited to verbal altercations but in the chaotic environment observed by the delegation they had the potential to degenerate into violence. Further, there had been a few allegations of sexual assault and sexual harassment in the CCACs visited which, in light of the absence of a structured allocation policy, was not surprising. Persons with special needs and vulnerabilities were not being identified and incompatible groups were having to share the same prefabricated containers or sleeping space. In addition, there was an inadequate number of staff to supervise the accommodation sections, notably at night. **The CPT would like to be informed of the steps taken by the Greek authorities to prevent violence among residents of the CCACs and to increase staff supervision within the accommodation sections to guarantee security.**

112. As regards safeguards against ill-treatment, all foreign nationals who landed on the Aegean islands after their crossing by boat from Türkiye were being deprived of their liberty within a CCAC. The law requires that a formal detention order be issued by the Hellenic Police restricting foreign nationals in their liberty to ensure their screening and registration, initially for five days, which was thereafter extended for up to 25 days.

However, at the time of the visit, a great number of persons met by the delegation remained deprived of their liberty in the CCACs without benefiting from the legal safeguards related to detention, as they had still not been registered and issued with an asylum seeker card even several weeks after the 25-day-period had lapsed, and security personnel prevented them from leaving the centres during the day.

113. The CPT considers that there is a need to tighten up the procedures regulating the initial 25 days of detention. To begin with, most persons met by the delegation did not understand the paper provided to them by the police which authorised their detention. Second, foreign nationals were not issued with the detention papers at the time they were detained in a CCAC. Many persons only received the notification for the initial five days of detention 10 days after their arrival, and the notification of an extension of the detention period for a further 20 days several weeks after it was supposed to have been served. Since any appeal against the detention order had to be filed within three days, such delayed notification rendered ineffective the safeguard of an appeal. Hence, it appeared that foreign nationals were being detained without a valid authorisation and for periods in excess of the maximum legal period of 25 days, with insufficient possibilities to effectively challenge the lawfulness of detention.

At Kos CCAC, the delegation documented cases of persons being deprived of their liberty for at least 43 days. At Samos CCAC, the delegation documented similar delays and gathered evidence to show that the legal provisions on detention were not being respected. For example, persons who arrived on 22 September were only provided with a paper authorising the first five days of detention on 19 October, and the paper authorising the subsequent 20-day detention period was only served on 16 November. These persons were officially registered on 16 November, that is 56 days after arriving in the centre. Other persons who were met by the delegation were not served with any detention order (for example, a group of persons who arrived on 10 October and was subsequently registered on 27 November).

114. In their communication of 5 February 2024, the Greek authorities indicated that the restriction of liberty for the purposes of reception and identification would only last for the time required to complete the procedure and not exceed the maximum period of 25 days from arrival, following which the detention order would be immediately lifted. To ensure that the reception and identification procedures are completed within this time, additional measures were being taken, in cooperation with the European Union Agency for Asylum (EUAA), to enhance registration capacity.

Having regard to the above findings, **the CPT recommends that all persons deprived of their liberty in the CCACs are served immediately upon their arrival with a valid detention order. Any extension must also be delivered on the day from which the extension is valid. Further, all persons should be informed about the detention order in a language and form that they understand, and provided with information on how to appeal the measure as well as its lawfulness if they so wish.**

115. In this regard, reference is made to the European Commission's decision, in January 2023, to launch an infringement procedure against Greece over the alleged failure to comply with EU law in relation to the reception and detention of asylum seekers on the Aegean islands. **The CPT wishes to receive the Greek authorities' comments in this regard.**

116. Upon arrival at the CCACs and the RIC, foreign nationals did have the opportunity to contact a third person to inform them of their situation and there was, in theory, access to a doctor (see paragraphs 141-144). However, access to a lawyer was problematic due to the lack of lawyers on the islands where the CCACs were located, the absence of clear legal advice provided to foreign nationals about their situation by the management of the CCACs, and limited access to the CCACs by organisations offering legal advice. Consequently, in practice, foreign nationals held in the CCACs had only limited possibilities to challenge their detention and removal orders.

**The CPT recommends that the Greek authorities make further efforts to ensure that foreign nationals deprived of their liberty in the CCACs can effectively exercise their right of access to a lawyer. This should include the right to have access to legal advice and the right to benefit from access to free legal aid (see the recommendation in paragraph 42 above).**

117. As regards information on rights, each CCAC had a so-called Information Unit and a helpdesk, where information was provided to new arrivals, including a short information leaflet, which explained their rights, the registration process and the asylum procedure. All applicants for international protection were provided with mandatory information prior to their asylum application, and rejected asylum seekers were informed about their right to receive legal aid for an appeal. However, most of the persons interviewed by the delegation did not understand the information that had been provided to them or the applicable procedures, and many persons tried to find an interlocutor to whom to address their questions.

Further, the lack of interpreters was a real challenge at all CCACs visited. In this regard, the Greek authorities informed the CPT that, as an emergency response, some additional interpreters were deployed at the CCACs, with the support of the EUAA, who assisted in the registration and information provision procedures. **Reference is made to the CPT's recommendations in paragraphs 34 and 37.**

### **3. Living conditions**

118. The Kos CCAC has been designed around the former RIC on the slope of a hill. The main accommodation sections are:

- Two two-storey buildings (A1) for single parents and families with a capacity of 480 places;
- Four two-storey buildings (A2) for single men with a capacity for 960 places;
- A section for unaccompanied and separated children (UASC) with a capacity of 100 places;
- Three one-storey buildings (C1) for a mixed population of single men and families with a capacity of 360 places;
- Two one-storey buildings (C3) for a mixed population of single men and families with a capacity of 240 places.

119. The accommodation in the A and C blocks was of a similar standard and would have offered decent living conditions if the rooms had not been so overcrowded and the blocks were properly maintained. The rooms (10 m<sup>2</sup>) were equipped with two sets of metal bunk beds and four lockable metal storage cupboards. However, many of the rooms were not equipped with mattresses so people had to sleep on the floor. The sanitary facilities (showers, toilets and washbasins) were located in the centre of each corridor but were not well-maintained. In Section C3, it was not uncommon to find eight persons (unrelated men, women and children) sharing a room meant for only four persons.

120. As mentioned above, the former RIC area (D1) had been temporarily re-opened to accommodate new arrivals despite the fact that they were unfit for human habitation. At the time of the visit, D1 was accommodating around 600 persons.

The vast majority of the prefabricated containers within D1 area had no functioning sanitary facilities and no electricity. Many of them had broken or missing windowpanes or doors, and the floors and ceilings were often damaged, with water leaking through the roof as the rain poured down. At least one of the containers had been used as a makeshift toilet and contained piles of faeces all over the floor. Further, a number of persons were sleeping outside under makeshift shelters made of plastic bin liners which provided little protection from the pouring rain and cold temperatures. The Greek authorities informed the CPT of their intention to close the D1 area by the end of February 2024. **The CPT would like to receive confirmation that the former RIC area has been definitively closed.**

121. The PRDC, under the Hellenic Police, was accommodating only 33 men in one section. The remaining sections of the PRDC had been temporarily handed over to the Centre management, to accommodate up to 400 persons. The living conditions in this area were appalling.

For example, Sections A and B of the PRDC consisted of 13 prefabricated containers and were accommodating more than 220 persons.<sup>47</sup> The standard container consisted of two sleeping rooms and a sanitary facility (toilet, shower and basin) situated between the two rooms. Each room measured 11 m<sup>2</sup>. The delegation found these rooms excessively crowded with eight to 12 persons sharing the floor space. In one instance, 29 persons<sup>48</sup> were sharing a one-room container which measured a mere 15 m<sup>2</sup>. Most of the containers did not possess a bed or mattress and persons had to use the blanket provided to them as a makeshift mattress at night. Given that temperatures dropped to around zero degrees centigrade at night, many persons complained that they were cold. Further, a large proportion of the containers were in a state of total disrepair with broken doors, an absence of windowpanes, holes in the floor and ceiling, non-functioning toilets and, in a few containers, wastewater seeping into the sleeping areas.

The conditions of detention for large numbers of the persons met at Kos CCAC could only be described as inhuman and degrading.

122. The Lesvos CCAC consisted of four zones, with new arrivals held in the yellow and green zones, persons in a vulnerable situation in the blue zone and single adults and families in the red zone. UASCs were usually transferred swiftly out of the camp to other accommodation structures. It was positive that the CCAC did not have a carceral feel to it with only one fence at the front of the camp and no use of barbed wire. At the back of the camp was the sea. Persons were accommodated in prefabricated containers and refugee housing units (RHU) of around 16 m<sup>2</sup>, and large Rubb Hall tents of various sizes, many of which had no access to electricity and no heating. For example, some 80 men who had just arrived and were not yet registered were being held in a big Rubb Hall tent, which was used as emergency accommodation, and which was not insulated or heated. As the entrance did not close properly, the pouring rain, wind and cold entered the living area.

Many persons met by the delegation, including small children, wore only a t-shirt, shorts or slippers, and said that they were cold, especially at night. The delegation received many complaints about the lack of beds, mattresses and blankets, and concerning the quality and quantity of the food provided. The sanitary facilities were in separate containers and were usually clean and in an adequate state of repair. However, there was regularly no hot water available.

The excessive overcrowding of the camp was evident in the accommodation units, where up to 11 persons had to share a container or RHU.

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47. Although the two sections were separated by a fence, it could be easily raised to allow persons to pass from one section to the other.

48. Three Afghan women with their three young children, together with 23 single men from Syria.

123. At the Samos CCAC, there were three distinct accommodation areas: Sections A, B and C. The A section consisted of prefabricated containers (circa 23 m<sup>2</sup>), each of which had two sleeping rooms, a sanitary facility (toilet, washbasin and shower) and a small kitchen. They were all fitted with air conditioning units. The section contained a total of 246 containers<sup>49</sup> and accommodated over 1 200 persons. The B section consisted of five separate units, including a unit for UASC, each surrounded by a perimeter fence with barbed wire, and in total they held over 1 200 persons. Persons were accommodated in single-storey buildings containing 25 rooms (each 12 m<sup>2</sup>) equipped with two sets of bunk beds, mattresses and sheets. In the middle of each building was a sanitary facility (toilets, showers and basins) some of which were in a state of disrepair. The communal canteen areas were also used for accommodation purposes with persons sleeping on the floor.

The C section was the PRDC and had been handed over to the Reception and Identification Service by the Hellenic Police in September 2023. It consisted of four separate units. Each unit possessed two single-storey accommodation blocks of 24 rooms (possessing four or five beds each) as well as a canteen area for communal eating, a laundry cabin and a basketball court. The rooms were all equipped with two sets of metal bunk beds, mattresses, a lockable metal cabinet and an air conditioning unit. The sanitary facilities (10 showers and 16 toilets) located in the centre of each building were mostly flooded, with several of the shower hoses having been removed, and in need of daily maintenance.<sup>50</sup>

124. The living conditions at the Fylakio RIC could be considered as satisfactory for short stays, which was generally the case at the time of the visit. Each of the four original wings (A-D) consisted of six large rooms (35 m<sup>2</sup>) equipped with five sets of bunk beds and a sanitary annex (shower, toilet and sink), all sufficiently ventilated and lit. Each wing also had one association room with a television, tables and chairs, one laundry room and one room for worship. In general, the accommodation wings were in a good state of cleanliness and repair. In the absence of any activities, drinking tea was the major occupation for many of the adult residents present at the time of the visit and efforts should be made to supply an appropriate ready access to hot water for such purposes.

125. The CPT acknowledges that the spike in arrivals in September and October 2023 resulted in the Kos and Samos CCACs having to accommodate and process larger numbers of persons than they had expected. The Committee also notes the steps taken by the Greek authorities to transfer over 13 000 asylum seekers between August and December 2023 from the Aegean islands to reception facilities on the mainland. Nevertheless, such numbers should not be considered extraordinary when the recent history of arrivals on the Greek islands is considered and, officially at least, the Samos CCAC was operating within its capacity. The fact is that the increased arrivals of foreign nationals resulted in systems breaking down far too quickly, particularly at Kos CCAC. Persons in a vulnerable situation were not identified and allocated to appropriate accommodation areas, unsuitable and defective accommodation was brought into service temporarily and the newly built accommodation units were unable to cope with the increased numbers, as was evidenced by the leaking roofs and flooded sanitary facilities. It is unacceptable that single women and mothers with children are accommodated with unrelated adult men.

**The CPT recommends that the Greek authorities ensure that all persons who are detained in a CCAC or RIC are offered decent living conditions (that is, a bed, mattress, blanket and bedding, all clean), lockable cupboard space, access to running water (including regular access to hot water) and functioning sanitary facilities, rooms and containers maintained in a decent state of repair – functioning doors, windowpanes, heating/cooling systems, etc.). Vulnerable persons should be allocated to appropriate accommodation and single women and mothers with children always be held separate from unrelated adult men. Contingency planning needs to be in place to manage the periodic increases in the number of arrivals of foreign nationals. The CPT would like to be informed of the steps taken in this regard.**

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49. Section A was divided into a blue zone (97 containers), a red zone (68 containers), a green zone (51 containers) and a purple zone (30 containers).

50. The delegation also observed that in Section C1 the washing machines in the laundry container had been vandalised, with the electric cables ripped out, apparently in order to create water heating devices.

126. In all CCACs visited, there was a lack of hygiene and cleaning products offered to foreign nationals, which was particularly acute at Kos; women were not offered hygiene pads and parents did not always receive nappies for their babies or infants. Further, hygiene and cleaning items were only meant to cover the first needs, until residents would receive financial assistance. The sanitary facilities at the centres in Kos and Samos were in a dreadful state and in need of repair. Not surprisingly, it was not possible to maintain personal hygiene and the delegation came across outbreaks of scabies and bed bugs in all CCACs.

**The CPT recommends that the Greek authorities ensure that all persons accommodated in the CCACs are provided with the appropriate hygiene and cleaning products, and in sufficient quantities.**

127. There was a lack of non-food items in all CCACs: in addition to insufficient beds, mattresses, and blankets, there was also insufficient winter clothing and shoes, including for small children. By communication of 5 February 2024, the CPT was informed that the Greek authorities had taken action to refill the stocks that had reduced considerably in autumn 2023 due to increased arrivals. Further, a stock mapping and needs assessment for the coming year was carried out, donations from UNHCR were received, and a funding request for the provision of non-food items had been submitted to the EU's Voluntary Solidarity Mechanism (VSM). **The CPT encourages the Greek authorities to increase their efforts to ensure that every foreign national deprived of their liberty in a CCAC is provided with sufficient and suitable clothing adapted to the season.**

128. As regards food, the delegation found that no special measures were being taken to ensure that certain categories of persons in a vulnerable situation such as pregnant women, unaccompanied minors or infants and babies, were provided with appropriate nutrition or baby formula. For example, at Kos CCAC, young children over 12 months of age were not provided with formula milk and unaccompanied children complained that the portions offered to them were far too small. The delegation also observed chicken portions that had not been properly cooked and received many complaints about the excess provision of pasta.

The Committee recognises that, with a changing multi-national population, offering a menu that pleases all persons is a real challenge. Nevertheless, continued efforts should be made to ensure that menus are sufficiently diverse, meet health and cultural needs, contain the requisite daily requirement of proteins and vitamins, and include fresh fruit every day. Special efforts should be made to ensure that children are offered a balanced diet and that those persons requiring a special menu for health reasons are provided with such.

**The CPT recommends that increased efforts be made to meet the dietary requirements of the resident populations in all the CCACs visited and at the Fylakio RIC, taking due care that menus contain the requisite daily requirement of proteins and vitamins.**

129. At Samos CCAC, the delegation observed the totally chaotic and undignified way in which food was distributed at distribution points each day, with hundreds of persons jostling to get their portion of food. At one lunchtime tensions flared as accusations of queue jumping were hurled and a general fight was narrowly avoided due to mediation efforts by the deputy director and the arrival of a squad of police officers in riot gear. As a result, some persons in a vulnerable situation, such as single mothers with infants, did not fight to get their daily ration (meaning that they did not receive food), especially when the weather was poor.

The process of food distribution should be reviewed. The meals could be delivered to each individual accommodation section separately and distributed within the canteen areas, thus encouraging persons to eat in the communal space provided rather than in their bedrooms. In Section A, the distribution of food should be staggered and if possible a second distribution point opened.

**The CPT recommends that the Greek authorities take the necessary steps to ensure the distribution of meals is carried out in a dignified manner.**

130. Within all the centres visited, there were almost no organised activities. The kindergarten and play areas at Lesvos and Samos CCACs were welcomed but insufficient for the needs. Similar structures should be put in place at all the CCACs.<sup>51</sup> It was however positive that free Wi-Fi was offered at all centres. The Committee considers that immigration detention should be a last resort and limited in time, but if persons are deprived of their liberty for prolonged periods, they should be offered activities and educational classes to keep them busy. This requires staff to animate the activities such as sports instructors (football, basketball, etc.) or teachers.

**The CPT recommends that the Greek authorities take steps to offer organised activities within the CCACs, especially for children.**

#### **4. Unaccompanied and separated children**

131. At both the Kos and Samos centres visited, there was a dedicated section for unaccompanied and separated children (UASCs), access to which was controlled by a security guard. The sections were surrounded by high mesh fences topped with rolls of barbed wire. **In this regard, the CPT's recommendation made in paragraph 105 is also valid.**

132. At the time of the visit, the UASC section at Kos was accommodating 103 boys and four girls primarily from Syria, Egypt and Palestine in a one-storey prefabricated building with 24 sleeping rooms. Most of the children had been held in the centre for longer than a month. In numerous private interviews, the children stated that they had little to do (apart from playing some football and attending a few Greek language classes), and that they required sanitary products and underwear as well as socks, jackets and shoes. The boys also complained that the amount of food offered to them was too little.

The four girls (two of whom were 10 years old) were accommodated together in a room on the same corridor as the boys. They expressed their feeling of being unsafe, that some of the older boys would make sexual jokes and pull down their trousers. Consequently, the girls retreated into their room as a refuge. At night, there were no staff in the section to guarantee order and safety.

133. The UASC section at Samos was accommodating around 100 boys and 50 girls<sup>52</sup> primarily from Palestine, Somalia and Syria in two one-storey prefabricated buildings of 20 rooms each. The rooms were equipped with two sets of bunk beds, four lockable metal cupboards, a fridge and an air-conditioning unit. They each had a large window and artificial lighting. Many had been held in the "safe zone" since early/mid-September 2023 as the shelters on the island and on the mainland were all full up. Also, the lengths of stay were prolonged as the procedures to assign a relative of a UASC already in the CCAC as a guardian took time to complete.

The children were offered Greek and maths classes every weekday morning and, besides football and basketball, some evening activities were offered to the girls. Nevertheless, the children complained about a lack of structured activities and the fact that they were confined to the section.

134. At Kos CCAC, the staff allocated to the section for UASCs were far too few<sup>53</sup> and often were not present as they had other duties around the centre and were not in a position to assist the children in their asylum interviews. At Samos CCAC, the staffing levels were slightly better thanks to the NGO Zeuxis having allocated two psychologists, two social workers and two interpreters to work with the children. This allowed for a more systematic entry interview to be conducted and support to be offered to the children prior to their asylum interviews. However, many of the children felt they were not getting any support following the traumatic experiences of their journeys, and that they were not given any information about their asylum procedures in a language or form they could understand, or offered any legal aid.

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51. At the Fylakio RIC, there was a school room which children could attend for daily activities during the week.

52. Another 43 UASCs had been assigned a guardian (this is a relative) within the CCAC and were no longer held in the safe zone.

53. A lawyer coordinator, two social workers from the NGO Zeuxis, a part-time care giver and an interpreter.



135. Whenever children are held in dedicated sections in the CCACs, they must be offered the appropriate living conditions and support. Therefore, **the CPT recommends that the Greek authorities take steps to ensure that all children:**

- **are provided with clothing and shoes appropriate for the weather as well as sufficient quantities of hygiene products, including sanitary pads for girls;**
- **are provided with sufficient food of a varied nature containing the necessary vitamins and nutrients for growing adolescents;**
- **offered activities of a diverse nature in addition to school classes in the mornings;**
- **offered greater psychological and counselling support, as required, and legal advice and information in a language they can understand on the asylum process and their specific situation.**

Further, **the CPT recommends that the staffing levels in the UASC sections be strengthened accordingly.**

136. More generally, while recognising the challenges of coping with the arrival of large numbers of foreign nationals, the CPT considers that, in line with the principle of the “best interests of the child”, as set out in the International Convention on the Rights of the Child, and the case law of the European Court on Human Rights,<sup>54</sup> unaccompanied and separated children, as well as families with children, should not be detained. Instead, they should rather be transferred to appropriate open accommodation that is child-friendly and where their needs are being met. Greece has developed a panoply of support measures under the Special Secretariat for Protection of Unaccompanied Minors within the Ministry of Migration and Asylum outside of the detention framework, which are well renowned. By contrast, the CCACs are not appropriate places for holding children, due to their carceral design and insufficient staffing levels and support offered.

**The CPT recommends that the Greek authorities end the detention of unaccompanied and separated children in the CCACs.**

## **5. Persons with special needs and vulnerabilities**

137. The delegation found that there were large numbers of persons with special needs and vulnerabilities being held in both the Kos and Samos CCACs at the time of the visit, whose needs had not been clearly identified. It is difficult to know the extent of the needs without a systematic individual risk and needs assessment. The delegation met men, women and children with clearly identifiable vulnerabilities who were being exposed to potentially serious harm in all three CCACs it visited.

For example, the delegation met:

- Young women who were being held with unrelated single men in the same container;
- Families and single mothers with small children who were being locked in with many single men (see footnote 48), with no toilet or private space; needless to say, they were terrified;
- Many women in an advanced state of pregnancy who had not been properly identified and followed: one pregnant woman had to sleep outside for three nights and later miscarried; another woman from West Africa who was eight months pregnant felt completely abandoned and spent her days lying on the floor in her dilapidated cabin which she shared with two young women and eight single men, all of whom spoke only Arabic;
- Women who were victims of trafficking in human beings, domestic or gender-based violence or forced labour, and who were not being identified and supported;<sup>55</sup>

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54. See, *inter alia* European Court of Human Rights, *H.A. and Others v. Greece*, no. [19951/16](#), 28 February 2019; and *Rahimi v. Greece*, no. [8687/08](#), 5 April 2011.

55. See also the Group of Experts on action against trafficking (GRETA) report on Greece of 23 March 2023 – [GRETA\(2023\)3](#), paragraphs 139 to 159, on the need to improve the timely identification of survivors of trafficking. See also the baseline evaluation report by the Group of experts on Action against Violence against

- Families and individuals with special needs and vulnerabilities that were not being addressed such as, at Kos CCAC, an Afghan family with three children, the oldest of whom, a boy of 10, had complex intellectual disabilities, and the youngest of one year had severe developmental delays after having had brain surgery. The family was sleeping on the floor in a container designed to be a shop and had not seen any healthcare or other staff members to discuss their specific needs since their arrival ten days earlier. The delegation also noted that families with children were not offered dry warm clothes when they arrived at the centres, despite cold temperatures and constant rain.

138. The delegation was concerned that no proper assessment of special needs and vulnerabilities or medical screening (see paragraphs 141-142) was being carried out upon arrival at the CCACs visited. The current admission process does not address the individual circumstances of newly arrived persons, and especially those with special needs and vulnerabilities, such as: unaccompanied and separated children, families with small children and notably single mothers with children, pregnant women or persons with serious health conditions, as well as survivors of torture or other forms of ill-treatment, trafficking in human beings or sexual and gender-based violence. It appears that far too little is being done by the Greek authorities to identify such persons.

Initial screening is also essential for the prompt identification of illness or transmissible diseases, allowing for the patients to be prioritised and accommodated in a suitable environment. The screening should take the form of a written healthcare checklist on the day of arrival to identify medical emergencies. Ideally, there should be a second screening after several days to identify special needs and vulnerabilities flagged during the initial screening.

On a basic level, such screening should also identify whether persons require food supplements due to pregnancy or breast feeding, and whether growing children or infants need to be supplied with nappies or baby formula on an ongoing basis, as well as appropriate footwear and clothing.

139. Remedying such a situation requires urgent action at the three CCACs. The delegation invoked Article 8, paragraph 5, of the Convention and requested that the Greek authorities take immediate steps to establish a proper risk and needs assessment together with a comprehensive medical screening for all new arrivals in the CCACs of Lesbos, Kos and Samos – on the day of their arrival – in order to identify persons in a vulnerable situation and subsequently develop appropriate care plans for them before allocating them to accommodation. In addition, a properly regulated accommodation allocation policy must be put in place. This will require reviewing the current procedures and reinforcing the staffing levels, as necessary.

140. By communication of 5 February 2024, the Greek authorities indicated that, in all CCACs, the Medical Control and Psychosocial Support Unit staffed by EODY personnel is tasked with performing the initial medical screening and vulnerability assessment. This includes an initial triage process to identify medical emergencies and cases that may require special assistance, a subsequent medical screening and assessment of vulnerabilities by a medical doctor, and a quick assessment of special reception needs through a standardised questionnaire. Each CCAC also has appointed focal points for (a) gender-based violence, victims of torture and trafficking in human beings, (b) child protection and unaccompanied children, and (c) other vulnerabilities. Moreover, it is planned to issue standardised allocation procedures that will ensure a suitable allocation of foreign nationals even in times of increased arrivals, as well as an information management software tool for monitoring shelter allocation.

The CPT welcomes the approach outlined by the Ministry of Migration and Asylum. However, its findings during the 2023 visit clearly showed that such procedures were not operating, and it considers that the staffing resources need to be significantly enhanced to ensure that all persons in a situation of vulnerability are effectively identified upon arrival (see also paragraph 143). **The CPT recommends that the Greek authorities take the necessary steps to reinforce the personnel tasked with assessing special needs and vulnerabilities in all CCACs. See also the recommendation in paragraph 144 below.**

## 6. Healthcare services

141. Overall, access to healthcare and quality of care at both Kos and Samos CCACs was extremely poor, and it was insufficient at Lesvos CCAC.

At Kos CCAC, the triage process was completed at the same time as the asylum registration process, which resulted in some persons waiting as long as 30 days to see a doctor for the first time. The delegation met many persons whose healthcare needs were not being met.

142. At Samos CCAC, the triage process for new arrivals was completed within 24 hours but it was carried out by a nurse 'from memory' – there was no formal checklist or triage template – and negative findings or psychological problems were not recorded. Further, the triage process was carried out so rapidly that it proved to be of little value; the delegation observed that 40 persons who had just arrived in the centre were triaged in less than an hour – approximately one minute for each patient contact. This is wholly inadequate, and not surprisingly the triage did not pick up important health concerns. For example:

- A young woman from Afghanistan who was three months pregnant went to healthcare as she was feeling unwell, short of breath and nauseous. She was given some medication told to walk and eat but no follow up appointment or referral to hospital was made. Two weeks later her health deteriorated with abdominal pain and weakness, was taken to the hospital by ambulance and miscarried.
- Another young woman who was HIV positive and six months pregnant was informed that there was no provision for HIV medication on Samos, and yet she was not prioritised for transfer to Athens, where she would have been able to access the appropriate medication.

143. The healthcare team at Kos CCAC consisted of one doctor, two nurses and four social workers.<sup>56</sup> The doctor, who was on a short-term secondment from the military, was still in training, and lacked the necessary experience to address the needs of the centre's residents. No plans were in place to replace him once his secondment ended.

The healthcare staff at Lesvos CCAC was comparatively better with two doctors, six nurses, three psychologists, two midwives and a social worker, as well as four interpreters, but still insufficient for the needs of the population of the centre.

The healthcare team at Samos CCAC consisted of four nurses, a health visitor, two interpreters and a psychologist. However, two of the nurses were involved in purely administrative tasks that were not clinical and a third nurse was used as a patient escort to navigate people around the local hospital when they were transferred out of the CCAC for care. The remaining nurse was responsible for new patient triages and urgent medical issues within the CCAC.

144. Clearly such small healthcare teams are totally inadequate to address the needs of over 3 500 men, women and children or even half that number. While the CPT takes note of the planned launch of the so-called "Hippocrates" project for the provision of medical care and psychosocial support in all CCACs, it is not clear whether this project will have a positive impact on staffing resources.

**The CPT recommends that the Greek authorities take immediate steps to significantly reinforce the healthcare teams. As a first step, each CCAC should have one full-time doctor and three nurses for every 500 persons to ensure that the healthcare centres can be fully operational. Contingency plans should be put in place to augment the medical staffing levels when arrival numbers surge. In addition, provision should be made to ensure good access to gynaecological and paediatric services given the number of women (including pregnant women) and small children in the centres.**

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56. A part-time psychologist who visited the CCAC once a month had recently left.

145. The situation at Samos CCAC was alleviated to some degree by *Médecins Sans Frontières* (MSF) operating a mobile clinic three times a week with a team consisting of two doctors, a midwife, two nurses, three psychologists and a social worker.<sup>57</sup> The delegation observed that residents in the centre formed long queues to access this service. However, there was a need for the CCAC to be more reactive to the requests from the MSF team for transfers out of the centre to hospital.

146. The pharmacies in all three CCACs were very small and relied on donations from a social pharmacy on the islands for medications. However, in nearly all cases, residents had to buy their own medication if they could afford it.

Moreover, there was no proper recording of healthcare interventions, including as regards transfers to hospitals, which meant that up-to-date medical records did not exist. The only recording of information in a centralised medical record seemed to concern Covid testing.

**The CPT recommends that the pharmacies in all three CCACs be stocked with a range of the most in-demand basic medication, which can be provided to residents free of charge. Further, a medical record should be established for every resident upon their arrival and systematically updated each time there is a healthcare intervention.**

147. At Samos CCAC, the basic healthcare equipment was adequate with an Electrocardiogram (ECG) machine, oxygen and a defibrillator and lifesaving equipment all in working order. However, at Kos CCAC, there was no defibrillator, and the ECG machine was not working. Such lifesaving equipment is essential in any large residential facility and **the CPT recommends that the Greek authorities ensure that all CCACs have operational up-to-date lifesaving equipment, including an ECG machine, oxygen and at least one defibrillator.**

148. At both Kos and Samos CCACs, there was an obvious lack of space and equipment in the areas being used to provide healthcare services. Yet both CCACs had large, specifically designed medical centres within their own compounds, located near the entrance to the centre, that were not being used due to a lack of staff. These medical facilities were clean, well equipped and included a spacious waiting room. The delegation proposed during the visit that these medical centres be brought into immediate service and used as a first day triage screening for all new arrivals prior to their allocation to an accommodation area to enable prompt identification of illness, special needs and vulnerabilities.

The CPT considers that at both CCACs a two-step screening process should be introduced, with triage screening on the day of arrival to identify specific needs and vulnerabilities which would be followed by a second stage screening to help identify those with psychological distress, mental health needs and other vulnerabilities, such as survivors of torture or other forms of ill-treatment, trafficking in human beings or sexual and gender-based violence.

**The CPT recommends that the Greek authorities bring into operation the specifically designed medical centres in each CCAC and ensure that they are appropriately staffed. Further, it recommends that a two-step screening process be introduced in all CCACs as set out above** (see also paragraph 138).

## **7. Staffing issues**

149. The CPT has consistently emphasised that working in an immigration detention centre is highly challenging for staff. Consequently, the CPT places a premium upon the supervisory staff in such centres being carefully selected and receiving appropriate training. Staff should possess well-developed qualities in both the fields of interpersonal communication and cultural sensitivity, including on trauma-informed care, given the diverse backgrounds of the detained population. Further, at least some staff should have relevant language skills and they should be taught to recognise possible symptoms of stress reactions displayed by detained persons and to take appropriate action.

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57. MSF also operated a mobile clinic outside Lesvos CCAC.

150. In each of the CCACs visited, the core management staff under the Reception and Identification Service (RIS) was relatively small. For example, at Kos CCAC, there were only 33 RIS employees responsible for managing the centre. They were supported by a host of other agencies, notably a private security company (84), the Hellenic Police (66), the Asylum Service (18), eight translators and one teacher. In addition, various EU and UN agencies had some 49 personnel working in the centre and there were four NGOs present with 19 personnel.<sup>58</sup>

However, only the RIS personnel could address issues pertaining to the management of the centre. The private security personnel had a very static role as they were only responsible for locking and unlocking the various internal gates of the centre and for checking who entered and left the main entrance of the centre. They had no mandate to intervene or engage with residents in the centre. Likewise, the Hellenic Police performed only a security function, patrolling the perimeter, controlling access to certain sections of the CCACs and having an intervention group on stand-by if any incidents arose.

151. Given the importance of being able to engage with new arrivals in the CCACs and to ensure that their basic needs are met, it is important that there is a good communication with staff. RIS staff should be present in all the accommodation blocks every day to address any needs arising. It is also important for more staff with appropriate communication skills to be employed by the CCACs, who can act as cultural mediators and provide basic information on life in the centres and the procedures being undertaken to process their cases.

Teams of social workers, psychologists and interpreters, such as those provided by the NGO Zeuxis to the unaccompanied minors' "safe zone" at Samos CCAC, should be operating in all the accommodation sections in every centre. The Committee considers that a better deployment of the available staff resources could be put into place, which would result in more interaction and better communication with the residents.

**The CPT recommends that the Greek authorities review the staffing needs of the CCACs with a view to reinforcing the presence of personnel within the various accommodation sections of the centres. Further, such staff should be provided with the necessary training, notably inter-personal skills, for working with foreign nationals. In addition, a contingency staffing roster should be drawn up which can be deployed whenever the number of residents in the centres rise above their normal operational capacity.**

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58. At Samos CCAC, similar staffing ratios were in place with 68 RIS personnel, 108 private security, and 66 Hellenic Police officers. The staffing levels at Lesbos CCAC were slightly better with 80 RIS employees, 110 private security, 187 police and border guards and another 171 employees to cover cleaning, maintenance, catering and other support roles, as well as representatives from various EU and UN agencies and NGOs. At the Fylakio RIC, the staff included three managers, nine police officers carrying out the registration procedures, 33 contracted staff, 32 cleaners, 53 private security officers and 42 police and border guard officers, as well as 23 persons from various agencies such as UNHCR, IOM, EUAA, Arsis and Metadrasi.

### C. Informal forcible removals at borders – “pushbacks”

152. In the reports on the 2018 and 2020 visits,<sup>59</sup> the CPT addressed the issue of informal enforced return operations of foreign nationals from Greece to Türkiye both along the Evros land border area and at sea, without consideration of their individual circumstances, vulnerabilities, protection needs or risk of ill-treatment when returned (informally referred to as “pushbacks” or “driftbacks”). The Committee gathered sufficient evidence to conclude that pushbacks took place. Some persons had indicated that they had been pushed back multiple times.

153. The increasing resort to violent pushback practices at Europe’s borders with minimal accountability by state actors has led the CPT to set out its views in its 32nd General Report.<sup>60</sup> In particular, the Committee has identified diverse *modus operandi* of pushback operations and established clear patterns of physical ill-treatment deployed against foreign nationals. The CPT has advocated for reinforcing the safeguards against *refoulement* and ill-treatment, and for promoting the operation of independent monitoring and complaints mechanisms at the borders. Any allegations of pushback operations must be effectively investigated and those involved be held accountable.

154. During the 2023 visit, the CPT delegation again received many consistent and credible allegations of persons pushed back, often violently, across the Evros river or at sea to Türkiye. The allegations were obtained through detailed interviews with persons detained throughout Greece in various CCACs, PRDCs and other police and border guard establishments. Most allegations on pushbacks at sea referred to the period prior to the tragic sinking of a boat near Pylos in June 2023. However, the delegation received several allegations dating from mid-October to early November 2023 in relation to pushbacks across both land and sea borders. Many allegations obtained in different locations from various unrelated individuals, including unaccompanied and separated children, corroborated the detailed descriptions and stories received elsewhere. The persons who alleged that they had been pushed back from Greece to Türkiye had subsequently re-entered Greek territory<sup>61</sup> and had been apprehended by the Hellenic Police or the Hellenic Coast Guard and transferred to a CCAC or police and border guard station or, regarding older allegations, were held in a PRDC. Two patterns emerged.

155. As regards alleged pushbacks at the land border in the Evros region, detained persons reported that they had crossed the Evros river from Türkiye and had arrived on Greek territory, where they were apprehended by police officers or unidentified masked men in military fatigues and brought to a holding place (usually a building but sometimes in the open) where they were held for several hours. Several persons interviewed by the delegation alleged that they had to kneel with their hands behind their back or lie down on the floor, head down, and that they were subjected to baton blows, kicks or punches if they disobeyed. After several hours, they were placed in overcrowded vans. They were then reportedly brought to the river by men dressed in dark clothes or military fatigues, wearing balaclavas and equipped with sticks. Several alleged that they were forced to undress. All stated that their personal belongings were removed, including money and mobile phones, before they were placed in boats and taken across the Evros river. The delegation also received corroborating allegations that some of the alleged pushbacks were carried out by foreign nationals employed for this purpose, who were wearing balaclavas and wielding plastic sticks.

For example, a Pakistani national met at Xanthi PRDC, alleged that in January 2022, he was apprehended together with a group of 14 other persons by unidentified masked men in military fatigues near the village of Feres after he had crossed the Evros River from Türkiye to Greece. He was subsequently brought to a police detention facility, where he was held for one day, together with over 30 foreign nationals, including two women. He alleged, that in the late evening two persons in plainclothes entered the cell and that he was subjected to several blows with a metal rod on the back of the thighs. All detained persons were allegedly forced to undress, had their belongings removed and had to lie down on the floor; those who did not obey were struck. He further claimed that, at around midnight, the group was loaded together with a second group of over 30 persons in the back of a van by four unidentified masked men dressed in black clothes, and brought to the riverbank.

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59. See, in particular, the CPT’s 2020 visit report ([CPT/Inf \(2020\) 35](#)), paragraphs 53 to 60.

60. See the extract from the CPT’s 32nd General Report on [The prevention of ill-treatment of foreign nationals deprived of their liberty in the context of forced removals at borders](#).

61. Many persons recounted several pushback episodes that they had endured during the previous two years.

The group was then led by at least 10 armed persons who wore military fatigue and balaclavas and who spoke Greek, to an inflatable boat which was operated by two Bangladeshi nationals who brought them to the Turkish side of the river, where they were left in the freezing temperatures without clothes until they were found by Turkish border guards.

156. As regards alleged pushbacks at sea, persons crossing the Aegean Sea from Türkiye to the Greek islands by boat claimed that they were intercepted by the Hellenic Coast Guard and removed back to Türkiye without any assessment of the risk of *refoulement*. Some alleged that they were forced to board a larger vessel before being placed on an inflatable dinghy and towed back to Turkish waters. Other persons claimed that they were intercepted by speedboats manned with masked persons in black clothes who violently boarded the boat and destroyed the engine or threw it into the sea, towed them farther out to sea and left them adrift in unseaworthy boats. A number of persons alleged that they had been apprehended by police officers or persons wearing masks after having arrived on the islands, notably Kos and Samos, and were thereafter transported to a port area, placed on a vessel and taken out to sea, where they had to disembark onto small life rafts, and were set adrift. Many persons also stated that on one or more occasion prior to successfully reaching a Greek island they had been intercepted by the Turkish Coast Guard and returned to Türkiye.

For example, in an interview conducted at the CCAC Lesbos, a group of Eritrean nationals alleged that they were intercepted by a Hellenic Coast Guard boat in the Aegean Sea and pushed back into Turkish waters in the night of 6 to 7 July 2023. They claimed that one of the unidentified masked men, all four of whom were dressed in dark clothes, boarded the boat and hit a man whom he suspected of being the driver of the boat across the head with the butt of a gun handle causing him to collapse unconscious. The masked man then removed the engine, threw it into the water, and forced the group to hand over their mobile phones and money. The boat was left adrift for several hours until the group was picked up by the Turkish Coast Guard. The man who had been struck on the head remained unconscious and was brought to a Turkish hospital, where he reportedly died early the next morning.

157. As was highlighted in the 2020 visit report, the CPT delegation also heard about families being separated due to a pushback operation. For example, in March 2023, a mother and two of her children were reportedly apprehended by masked men after landing at night on Samos and, along with other persons, were taken back out to sea and left adrift on a small raft until they were picked up by the Turkish Coast Guard. During the apprehension and *refoulement*, the mother had become separated from her third child, a four-year old girl, who ended up in Mytilene under the protective custody of the prosecutor. Attempts to reunify the daughter with her mother are ongoing. Nevertheless, such a case clearly illustrates the tragic consequences of the violent practice of *refoulement*, which places the lives of persons seeking asylum at risk.

158. The Greek authorities have maintained, in their response to the report on the 2020 visit and in various exchanges, including with the delegation at the end of the 2023 visit, that there was no evidence to implicate Greek law enforcement agencies with incidents of violent forcible removals from Greek territory across the land border with Türkiye in the Evros region.

Clear orders and instructions were given by the Hellenic Police to respect the human rights and dignity of all foreign nationals who arrive irregularly in the country and that detained persons shall not be returned before their application for international protection is examined. The Greek authorities also refuted the allegations implicating the Hellenic Coast Guard of disabling migrant boats and pushing them back into Turkish waters, or of persons being apprehended on land and subsequently transported out to sea and left adrift.

The Greek authorities have pointed to the oversight mechanisms in place such as the Greek Ombudsman and the National Transparency Authority, in addition to the prosecutor's office, as evidence that any alleged pushback operations would be subject to scrutiny. They also informed the CPT that the *modus operandi* of the human smuggling groups is to tell persons crossing into Greece that they should make up stories that they had previously been forcibly removed from Greece. The CPT is unconvinced by such reasoning as persons seeking asylum, especially women and children, have nothing to gain by making up stories of pushbacks.



159. Moreover, the evidence to date seems to highlight that no effective investigations have been carried out into allegations of violent forcible removals from Greece to Türkiye. On 17 October 2023, the Greek Ombudsman published the 2022 Special Report of the National Mechanism for Arbitrary Incidents (*Εθνικού Μηχανισμού Περιστατικών Αυθαιρεσίας – ΕΜΗΔΙΠΑ*), which concludes that only one in seven internal administrative investigations by the Hellenic Police could be deemed complete and thorough. The report shows an increase, in 2022, in the number of complaints received concerning alleged pushbacks received (16 complaints)<sup>62</sup> and in the number of cases referred to it by the Fundamental Rights Officer of the European Border and Coast Guard Agency (Frontex) (five cases)<sup>63</sup>. The report also refers to seven cases of alleged refoulement of persons already present in major urban areas of Greece.<sup>64</sup>

Further, the CPT understands that the National Transparency Authority had received over 200 documented complaints of pushbacks by June 2022. Apparently some 88 of these complaints referred specifically to incidents involving the Hellenic Coast Guard and they had been transferred to the Naval Court Prosecutor for investigation. However, there is no information on how such cases are progressing or whether the investigations are being carried out in accordance with the criteria set out by the European Court of Human Rights and its caselaw, and the standards promoted by the CPT.<sup>65</sup> In the past, the CPT has raised questions over the effectiveness of investigations into alleged ill-treatment by law enforcement officials.<sup>66</sup>

**The CPT would like to be informed of the outcome of the completed investigations undertaken by the National Transparency Authority to date and to be informed about how many complaints in total it has received relating to pushback operations. It would also like to receive information about the number of cases being examined by the Naval Court Prosecutor and the outcome of these investigations. Likewise, it would appreciate being informed whether any alleged cases of pushbacks across the land or sea borders have resulted in law enforcement officials or other individuals being charged or prosecuted.**

160. Moreover, numerous accounts of alleged pushbacks have been documented by several organisations, such as Médecins sans Frontières,<sup>67</sup> the Greek National Commission for Human Rights (GNCHR)<sup>68</sup> and UNHCR. In particular, UNHCR stated that during 2020-2021, it recorded 539 incidents of informal enforced return at land and sea, involving at least 17 000 people, during which potential violations of several rights were reported. Among those were the rights to life and to protection from torture, inhuman or degrading treatment as well as, *inter alia* the right to seek asylum.<sup>69</sup> The CPT understands that UNCHR has continued to raise concerns over such practices.

The findings of the CPT during the 2023 visit concord with those documented by UNHCR.

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62. This adds to the 21 pending complaints received between 2019 and 2021, and the 15 complaints that are being examined as part of the Ombudsman's own initiative investigation.

63. In addition to the two cases referred to the Ombudsman in 2021.

64. See Greek Ombudsman, National Mechanism for the Investigation of Arbitrary Incidents (EMIDIPA), [2022 Special Report](#), October 2023. The delegation also received a couple of detailed allegations of persons apprehended in Thessaloniki and transported, along with other persons, to the border area in a police van. Their possessions and mobile phones were confiscated before the journey. In the border area, they stated that they were subjected to blows with sticks from a few police officers and had to undress before being pushed back across the river to Türkiye.

65. See the extract from the CPT's 14th General Report on [Combating Impunity](#).

66. See, for example the report on the CPT's 2019 visit to Greece ([CPT/Inf \(2020\) 15](#)), paragraphs 84 to 92.

67. See MSF, [In plain sight: The Human Cost of Migration Policies and Violent Practices at Greek Sea Borders](#), November 2023.

68. See Greek National Commission for Human Rights, Recording mechanism of incidents of informal forced returns, [Interim report](#), January 2023.

69. See [UNHCR submission](#) to the European Court of Human Rights in the case *S.A.A. and Others v. Greece* (no. 22146/21) in July 2022.



161. Greece currently has several dozen applications concerning alleged pushbacks pending before the European Court of Human Rights, which may or may not result in a violation of Article 3 of the European Convention on Human Rights (procedural limb and/or substantive limb).<sup>70</sup> In many cases, the applicants complain that they were pushed back from Greece to Türkiye although the Court had granted interim measures under Rule 39 of the Rules of the Court.<sup>71</sup> This included five applications where the Court indicated an interim measure at the time of the CPT's 2023 visit.

For the CPT, there is sufficient evidence to conclude that pushbacks to Türkiye have taken place and continue to take place, albeit on a smaller scale at present. The focus now must be on ending violent, dangerous and illegal pushback operations once and for all.

162. **The CPT reiterates its recommendation that the Greek authorities act to prevent any form of pushbacks taking place either across the Evros River border or at sea in the Eastern Aegean by law enforcement officials, military or coast guards personnel, as well as by foreign nationals employed to carry out such tasks. All foreign nationals arriving at the border or present in the territory of Greece who wish to request international protection should be effectively protected against the risk of *refoulement*, including possible chain *refoulement*. To this end, every foreign national intercepted or apprehended at the border should:**

- be individually identified and registered;
- be offered the opportunity to apply for asylum, which involves an individual assessment of the risk of ill-treatment, on the basis of an objective and independent analysis of the human rights situation in the countries concerned;
- be issued with an individualised removal order and placed in a position to effectively make use of the legal remedies against their forced return.

**When deprived of their liberty, foreign nationals should, from the very outset of their deprivation of liberty, enjoy the protection of the fundamental safeguards against ill-treatment during detention, notably the rights to notify a third party of their detention, to have access to a lawyer and to a doctor and to be systematically and fully informed of their rights, their legal situation (including the grounds for their detention) and the procedure applicable to them. Individualised detention orders and custody records should be systematically used if a foreign national is apprehended to prevent arbitrary detention.**

Further, in the context of border control activities at both land and sea borders, all law enforcement officials or state agents involved should display clearly visible identification numbers or tags on their uniforms. There can be no justification for balaclavas to be systematically worn. Border control activities should also be video recorded to prevent both ill-treatment and false accusations and be systematically monitored. In this regard, the Greek authorities should guarantee the operation of effective and independent monitoring mechanisms for systematically monitoring border control activities.<sup>72</sup>

**The CPT would like to be informed of the actions being taken by the Greek authorities to ensure that pushback operations no longer take place.**

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70. See, in particular, the two communicated cases in *G.R.J. v. Greece and 1 other case* (nos. 15067/21 et 24982/21) and *A.D. v. Greece and 1 other case* (nos. 4034/21 et 15783/21). To date, the Court has communicated [35 applications](#) concerning alleged pushback operations from Greece to Türkiye to the Greek authorities.

71. See, for example, Greek Council for Refugees, [Information Note on interventions and on interim measures granted by the ECtHR in cases regarding pushbacks](#), updated on 26 January 2024. The Court ordered the Greek authorities not to remove the persons from the country's territory and, in most cases, to provide them with food, water and medical care. The Court also requested information on whether the persons had submitted asylum applications and whether they had access to the asylum procedure.

72. See the extract from the CPT's 32nd General Report on [The prevention of ill-treatment of foreign nationals deprived of their liberty in the context of forced removals at borders](#), CPT/Inf (2023) 7 – part.

163. The CPT wishes to make it clear that during the 2023 visit, its delegation heard many accounts that the Hellenic Coast Guard had treated the foreign nationals they intercepted at sea professionally and provided them with the support they needed to reach land safely. Such professional and humanitarian approaches are undermined by the actions of certain official actors who carry out violent, dangerous and illegal pushbacks of foreign nationals arriving in Greek territorial waters by boat.

**The CPT recommends that the Greek authorities take concerted action to ensure that the lives of foreign nationals arriving by sea are not placed at risk by being violently intercepted and refouled.**

## APPENDIX I – ESTABLISHMENTS VISITED

The delegation visited the following places of detention:

### Establishments under the authority of the Hellenic Police:

#### **Pre-removal detention centres:**

- Corinth Pre-removal Detention Centre
- Fylakio Pre-removal Detention Centre, Evros
- Kos Pre-removal Detention Centre
- Paranesti Pre-removal Detention Centre, Drama
- Tavros (Petrou Ralli) Pre-removal Detention Centre, Athens
- Xanthi Pre-removal Detention Centre

#### **Police and border guard stations:**

- Athens Airport Special holding facility
- Omonia Police Station, Athens
- Drapetsona Police Station, Piraeus
- Didymoteicho Police Station, Evros
- Feres Police and Border Guard Station, Evros
- Neo Cheimonio Police and Border Guard Station, Evros
- Orestiada Police Station, Evros
- Soufli Police and Border Guard Station, Evros
- Tychero Police and Border Guard Station, Evros
- Kos Police Station
- Mytilene Police Station, Lesvos

### Establishments under the authority of the Reception and Identification Service:

#### **Reception and Identification Centres:**

- Fylakio Reception and Identification Centre, Evros

#### **Closed Controlled Access Centres:**

- Lesvos Closed Controlled Access Centre
- Kos Closed Controlled Access Centre
- Samos Closed Controlled Access Centre

### Establishments under the authority of the Hellenic Coast Guard:

- Lesvos Coast Guard holding facility, Mytilene, Lesvos