



MOBILE  
INFO TEAM

# FULL REPORT

## 2023

**"Prison for Papers":**

**Last Resort Measures as Standard Procedure**

Researching Pre-removal Detention Centres on Mainland Greece





Mobile Info Team is a Greece-based organisation that provides advice and assistance throughout all stages of the asylum procedure. We raise awareness and advocate for changes to the asylum system in Greece, and work to end pushbacks as part of the Border Violence Monitoring Network.



We would like to thank Border Criminologies for their support with this research. Border Criminologies is based at the University of Oxford, and collates diverse forms of research that aim to go beyond academics by showcasing original research from a range of perspectives, supporting advocacy work and creating practical resources to help those working in the migration field. Our work falls into five main areas: Detention and imprisonment, Deportation, Law and courts, Borders and policing, Activism and advocacy.

We are grateful to the respondents who chose to share their difficult experiences of detention with us.

February 2023

Read the [Summary Report](#)

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# GLOSSARY OF TERMS

AEMY	Health Units SA (Ανώνυμη Εταιρεία Μονάδων Υγείας). Supervised by the Ministry of Health and Social Solidarity, and owned by the Greek State, Health Units SA has primary responsibility (delegated by the Ministry) for the provision of medical services in pre-removal detention centres.
BVMN	Border Violence Monitoring Network
CEAS	Common European Asylum System
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
CSO	Civil Society Organisation
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
ECJ	European Court of Justice
ERBB	Equal Rights Beyond Border
EU	European Union
GCR	Greek Council for Refugees
HCDPC	Hellenic Center of Disease Control & Prevention
ICRC	International Committee of the Red Cross
IOM	International Organization for Migration
IPA	International Protection Act
MIT	Mobile Info Team
MSF	Médecins sans Frontières
PRDC	Pre-removal Detention Centre
RCD	Reception Conditions Directive
RD	Return Directive
RIC	Reception and Identification Centre
UNHCR	United Nations High Commissioner for Refugees



# EXECUTIVE SUMMARY

Mobile Info Team is a non-governmental organisation (NGO) that has been based in northern Greece since 2016, providing information and assistance relating to the asylum procedure. Through our hotline services, our team of caseworkers and lawyers responded to an average of 706 enquiries per month in 2022 from people across Greece.

This report focuses on the detention of applicants of international protection and third country nationals subject to return orders who have been detained in one of six Pre-removal Detention Centres (PRDCs) on mainland Greece, as well as other police stations or special holding facilities, since 2020. Mobile Info Team undertook in-depth interviews with respondents from Afghanistan, Algeria, Egypt, Iran, Iraq, Kurdistan, Morocco, Pakistan, Syria and Türkiye, between the ages of 16 and 51 years old. Our questions were based on access to asylum, legal counselling, information, translation, hygiene conditions, basic facilities, medical and psychological care, access to education or recreational activities, and the practice of protests.

Our research highlights that particularly since the implementation of the International Protection Act in 2020, and the subsequent amendments, the use of detention for people on the move has become systematic and embedded in Greek law. Testimonies indicate the arbitrary use of detention both in terms of the reason and length of time that people are detained. Due to the lack of any reasonable prospect of removal in Greece, the deprivation of liberty for many of our respondents is not lawfully justified, breaching fundamental rights of people on the move.

Access to legal counselling in PRDCs on mainland Greece is extremely limited. Those who cannot afford expensive lawyer fees are left without information or advice, amplified by the critical lack of translators available in detention centres. The carceral environments of PRDCs, coupled with dilapidated structures, dysfunctional facilities, unsanitary conditions and a fundamental lack of access to healthcare has a significant impact on the psychological wellbeing of detainees. Through the analysis of extensive qualitative data, reinforced by visual data and a case register analysis of 151 enquiries related to detention, this report provides evidence that demonstrates that the conditions of detention centres in Greece do not meet international and European standards.

Mobile Info Team argues that detention measures and practices in Greece are not effective and do not comply with fundamental rights under international, EU or Greek law. We recommend that Greece acts urgently to respect its international and European commitments by:

## **Recommendations to the Greek state:**

- Ensure that the deprivation of liberty or use of detention for people on the move is only used as a measure of last resort, and in line with international and European human rights standards.

- End the use of detention for people on the move on grounds of public order and national security.
- End the use of detention for third country nationals in cases where there is no reasonable prospect of removal thus complying with EU Directive 2008/115/EC. A reasonable prospect of removal is only achieved when there is a high possibility of an individual being readmitted to their country of origin or a safe third country.
- End the use of detention for minors, and ensure that unharmed yet scientifically verified age assessment procedures are carried out upon arrival by medically trained and independent bodies.
- Establish adequate access to free legal aid for all people on the move in detention to challenge the legality of their detention decisions.
- Establish an independent detention monitoring mechanism, that is both well-funded and free from government influence and has the direct involvement of civil society organisations, with the mandate to independently investigate allegations of human rights violations, and publish regular findings in full for public access. The mechanism should prioritise transparent reporting and follow up, through an anonymous complaints procedure and the possibility for unannounced visits.
- Ensure adequate and timely access to health care for people on the move in detention, including psychological health care and effective translation services.
- Ensure that people on the move in detention have regular and free access to hygiene items and cleaning products, and guarantee that detention facilities, including all furniture, bedding and mattresses, are in a condition that ensures alignment with the standards required for dignified living and international human rights.

#### **Recommendations to the EU Commission:**

- To commence the non-disbursement of funds to the Greek state until an independent inquiry establishes that detention practices are in accordance with the European Charter of Fundamental Rights, and that detention is being used solely as a last resort in migration-related cases.

→ By independent inquiry we refer to a process that is transparent, whereby the actors leading the investigation are separated from state actors, civil society organisations also have the opportunity to give input, and the methodology, procedures and findings are made publicly available in full.

#### **Recommendations for the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment:**

- The Committee must consider setting forward the procedure provided for in Article 10, paragraph 2 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment due to the ongoing and well documented failure by the Greek State to make any progress towards implementing previous CPT recommendations on detention conditions.
- The Committee must consider implementing a country visit to Greece, paying particular attention to PRDCs considering that some facilities have not been visited for more than five years.



# KEY FINDINGS

## 5 months

## 45%

The average **period of detention time** across PRDCs was five months, however this ranged from a few days to beyond 18 months. Some individuals were repeatedly detained and released amounting to detention periods of 33 months.

of detainees were held for **longer than six months**.

## ➔ 80%

Nearly 80% of respondents had **applied for international protection**, and were either still in the asylum procedure, or had received rejections and had missed their appeal deadline or could not afford the 100€ fee to apply for a second subsequent application.

## ➔ 61%

of respondents across PRDCs reported **poor hygiene** conditions, including reports that centres are dirty, harbouring mould and infestations of rodents and insects.

## ➔ 40%

Over 40% of respondents across PRDCs were arrested **without knowing the reason for the arrest** in a language they understood.

## ➔ 80%

Access to **medical care** is a persistent issue across PRDCs, 80% of respondents reported either extremely limited access for urgent cases, or none whatsoever.

## ➔ 33%

respondents across PRDCs reported being **forced to sign** documents that were written in a language that they did not understand.

## ➔ 43%

of respondents indicated the **psychological ill-health** of themselves or their fellow detainees while in detention.

## ➔ 70%

of respondents indicated a critical **lack of information** and understanding.

## ➔ 20%


The quality of **food** reported across PRDCs was extremely low. Less than 20% of testimonies reported no food-related issues.

## ➔ 12

respondents indicated that everyone was provided with a **mattress**.



# INTRODUCTION



The introduction of the Schengen agreement, signed in 1985 but implemented as the Schengen Area in 1995, aimed to establish an area of free movement, particularly of people and goods.[1] In the years that followed, the Schengen Area expanded and more countries joined, currently totalling 26 states that do not have border controls between them. However, to compensate for the abolishment of internal borders, an array of measures have been established to fortify the external borders of Europe and prevent third country nationals from entering.[2] The past three decades have therefore seen EU Member States develop extensive legislative and administrative instruments to navigate the arrivals of people on the move, and order their removal if their stay is considered illegal. This, alongside the continued lack of harmonisation of the Common European Asylum System (CEAS), which enables governments to reform their own laws and practices, has seen immigration detention become institutionalised and normalised in European Union (EU) Member States.[3] Return procedures and Pre-removal Detention Centres (PRDC) facilitate the practice of detention, depriving third country nationals of their liberty in order to carry out their removal. Despite the fact that this should still remain the exception and a measure of last resort according to EU legislation, many EU States have resorted to detention as a de facto policy for irregular third country nationals. In Greece, the detention of third country nationals was enshrined in law in 2005,[4] and by 2010, Amnesty International[5] and Human Rights Watch[6] expressed severe concerns over the departure of detention practices from being used as a last resort, thus diverging from both law and human rights.

The influx of arrivals in 2015 to European borders also significantly increased the use of administrative detention for third country nationals. This is particularly the case for external Member States, including Italy and Greece,[7] which are common entry points to the EU. In Greece, the number of third country nationals subject to detention rose from 3,000 in 2017, to 4,000 in 2019-2020, yet the number of deportations has been steadily declining since 2018. This raises doubts with regard to the necessity and proportionality of detention.[8] Furthermore, in 2021, the Greek Ombudsman particularly noted the increase in administrative detainees of Afghan nationality, and with the continued suspension of readmissions to Türkiye since March 2020, this additionally raises questions regarding the reasonable prospect of removal.[9]



Not only is the practice of detention concerning due to the unlawful deprivation of a person's liberty, the conditions of PRDCs have been extensively criticised by civil society actors.[10] The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) has carried out country visits to Greece since 2005, consistently noting the substandard, and often appalling, conditions of PRDCs. Despite the strong recommendations made to the Greek State post country visits, many issues remain unchanged. In addition, some PRDCs have not been visited for over five years, failing to follow up on the concerns previously raised. In 2022, the only facilities that the CPT visited and inspected were judicial prisons, for example Korydallos and Nigrita. Several issues that emerged from the 2022 report are relevant to PRDCs, including the deterioration of conditions and treatment of detainees, severe lack of healthcare, and concerning divergence from European standards that pertain to human rights. These patterns are systematically witnessed in detention facilities across Greece, and require urgent attention.

This report analyses 50 interviews with people who have been detained since 2020 on mainland Greece, as well as including a case register analysis of more than 600 cases. The research was conducted between April and November 2022, with the aim of investigating the use and practice of administrative detention on mainland Greece, and particularly focusing on access to asylum procedures and the conditions of PRDCs. In this sense, we used 46 of the interviews with people in PRDCs for further analysis. The report additionally details a comprehensive overview of the legislative background of detention, at European and national level, as well as providing an in-depth site overview of each of the PRDCs on mainland Greece. Mobile Info Team has consistently noted the severe lack of access to basic services in detention centres, such as legal counselling, medical care and recreational activities. Our aim is to highlight the stark contrast between legal systems and the practical realities of detention in Greece. As such, Mobile Info Team highlights alternative measures to detention, all of which should be exhausted before resorting to the deprivation of liberty.

Despite detention being used in Greece to deprive people on the move of their liberty in several stages of the asylum procedure, including the proliferation of detention in Reception and Identification centres (RIC), or Closed Control Structures since 2020, this report focuses on people held in PRDCs on the mainland. In addition, we acknowledge the significant number of people detained in police stations for arbitrary reasons, and for long beyond the legal time limit of one month, under appalling conditions that many of our respondents also commented on. However, this report will not focus on these facilities, and instead, aims to analyse the detention of applicants of international protection in PRDCs, or third country nationals detained in PRDCs view of removal.

# LEGAL BACKGROUND

The following section of the report will briefly cover policy and legal structures regarding human rights, asylum procedures and reception conditions in detention on both a European and Greek level. This will be channelled into the legal context for both applicants of international protection and third country nationals subject to return orders. This provides the foundations on which to understand the extensive discrepancies between European structures and practices in Greece.

People on the move are particularly vulnerable to deprivation of liberty on both criminal or administrative grounds, which is often used by states to discourage irregular migration. Criminal charges may be based on the use of false documents or leaving their residence without authorisation. However, administrative detention is commonly used for irregular third country nationals, in connection with violations of immigration laws, for example, for overstaying an expired permit. Importantly, the purpose of administrative detention is to ensure that another measure, such as deportation or the asylum procedure, can be carried out. There are also many instances of administrative detention based on other grounds, such as public security. Administrative detention results in individuals being normally detained in special facilities - PRDCs in Greece - rather than in judicial prisons. This research focuses on the administrative detention of third country nationals and asylum seekers, rather than those held on the grounds of criminal charges, although some of the people we spoke with had also experienced detention for criminal reasons. This regards both applicants of international protection, and those detained in view of removal, the two legally defined groups that this report focuses on.

## **Basic Principles & Legal Structures for the Detention of Applicants of International Protection**

Detention is a severe interference with the basic human right to liberty and as such can only be applied in very specific circumstances and conditions. Therefore, there are several basic principles that need to be taken into account when considering whether an asylum seeker should be detained.

Detention of asylum seekers can only be implemented as an exceptional measure, in very clearly defined circumstances.[11] In the *J. N.* judgment,[12] the European Court of Justice (ECJ) ruled for the first time on the interpretation of the Reception Conditions Directive (RCD)[13] in relation to detention. In this judgment, the Court stated that: “detention is to be used only as a last resort, when it is determined to be necessary, reasonable and proportionate to a legitimate purpose.”[14]

Every case needs to be assessed individually, and detention only considered if other less coercive alternative measures cannot be applied effectively.[15] Alternative measures to detention can, according to Greek law for example, include regular appearance before the authorities, the deposit of an appropriate financial guarantee, or the obligation to reside in a certain geographic area.[16] However, despite obligation by law, the application of alternative measures in Greece are neither examined nor applied in practice.[17]

According to the European framework and to Greek law, asylum seekers cannot be detained “for the sole reason that he or she is an applicant for international protection or that he or she has entered the country illegally and/or stays in the country without proper documentation.”[18]



As deprivation of liberty must conform to the principle of necessity and proportionality,[19] the Reception Directive of the European Union as well as its transposition into Greek foresees an exhaustive list of reasons under which asylum seekers can be detained:[20]

- In order to determine or verify his or her identity or nationality;
- In order to determine those elements on which the application for international protection is based which could not be obtained in the absence of detention, in particular when there is a risk of the applicant absconding;
- In order to decide, in the context of a procedure, on the applicant's right to enter the territory;
- When a third country national is already detained and, subject to a return procedure, lodges an application for asylum merely in order to delay or frustrate the enforcement of the return decision;
- When protection of national security or public order so requires;
- Where the applicant should be transferred to another Member State under the Dublin Regulation and there is risk of the applicant absconding, in order to ensure proper implementation of the transfer procedure.

Only after an individual assessment and only if it is considered imperative and no alternative measures can be applied, can an asylum seeker exceptionally be detained for one of the above reasons. However, there are serious doubts whether the Greek police, as the competent authority to impose detention, is conducting individual assessments and is taking into account the particular circumstances of each case.[21] Also, the correct application of certain detention grounds for asylum seekers is not given. For example, the excessive use and misuse of public order grounds for the detention of asylum seekers has been frequently reported in previous years,[22] detaining applicants without a proper assessment if they represent a sufficiently serious threat.[23]

Asylum seekers can only be detained for as long as it is absolutely necessary and as long as the grounds for their detention are applicable. "Administrative procedures relevant to the grounds for detention set out in Article 8(3) shall be executed with due diligence. Delays in administrative procedures that cannot be attributed to the applicant shall not justify a continuation of detention." [24]

In Greece asylum seekers can be detained for an initial period of 50 days, which can be extended for another 50 days. The maximum time frame for an asylum seeker to be detained is 18 months.[27] Yet, the detention period in view of removal is not calculated in total time, meaning that the maximum time a third country national can be detained is 18 months while in the asylum procedure, plus an additional period of 18 months in view of removal.[26]

## **Basic Principles & Legal Structures for the Detention of Third Country Nationals**

Any third country national considered to be staying illegally and who is subject to return procedures can under certain circumstances be detained. Third country national in this sense means, a person who is not yet or not any more an asylum seeker. Like the detention of asylum seekers, the deprivation of liberty of third country nationals is considered a serious interference with basic human rights and therefore only admissible under certain strictly regulated conditions.

According to the Return Directive (RD),[27] which lays out the European Union legal framework for detention, the detention of third country nationals can only be ordered “to prepare the return and/or carry out the removal process, in particular when:

- a) there is a risk of absconding or
  - b) the third country national concerned avoids or hampers the preparation of return or the removal process.
- [28]

National authorities need to assess every available alternative to detention and can only detain a third country national if other less coercive measures cannot be applied effectively in a specific case.[29] Importantly, the Directive states that when it appears that a reasonable prospect of removal is no longer possible, individuals should be released from detention immediately.[30]

In 2020, a highly concerning amendment to the Greek transposition of the Return Directive, Law 3907/2011, was introduced, which overturned the principle that detention of third country nationals is only applied as an exceptional measure and where all other alternatives are not applicable. As a result, third country nationals who are subject to return procedures are detained in order to carry out the removal procedure. Only under the following reasons may third country nationals be exempt from detention and instead alternative measures could be applied:

- a) there is no risk of absconding or
- b) the third country national concerned is cooperative and does not hamper the preparation of return or the removal process or
- c) there are no national security grounds.[31]

This is explicitly in breach of Article 15 of the EU Return Directive and contributes to the systematic use of detention for third country nationals subject to a return order. Additionally, in practice, alternative measures are not applied for the detention of third country nationals.

The time frame of detention of third country nationals should be as short as possible and can only be maintained as long as removal arrangements are in progress and executed with due diligence.[32] As per Greek law,[33] the maximum time frame of detention is six months, but can be extended for an additional 12 months if

- a) the third country national refuses to cooperate or
- b) the receipt of the necessary documents from third countries is delayed.

## Legal Framework for Conditions of Detention

The conditions of detention are governed by two different frameworks: one for third country nationals, and one for asylum seekers. In Greece however, third country nationals and asylum seekers are both detained in PRDCs and are not detained separately. Article 10 of the RCD requires third country nationals to be kept separate from applicants of international protection in special detention facilities. However, when this is not possible, the detention conditions provided for in the RCD apply to third country nationals as well.

The Return Directive as well as its transposition into Greek law provide that third country nationals should be held separately from prisoners who are detained under criminal provisions, detained third country nationals should have access to emergency health care and necessary medical treatment and that they should be allowed to contact their legal representatives, family members and competent consular authorities.[34]

The Reception Conditions Directive as well as its transposition into Greek law additionally provides that detained asylum seekers also have access to open-air spaces and the possibility to communicate with representatives of the United Nations High Commissioner for Refugees (UNHCR) and relevant non-governmental organisations.[35]

The European Court of Human Rights (ECtHR) has highlighted that the place and conditions of detention is directly linked to the lawfulness of detention.[36] To avoid being branded as arbitrary, the place and conditions of detention should be appropriate, “bearing in mind that the measure is applicable not to those who have committed criminal offences but to aliens who, often fearing for their lives, have fled from their own country”. [37]

Important factors for the assessment if the place of detention is appropriate and is not in violation of the European Convention of Human Rights are, for example, the necessity of having sufficient personal space, access to outdoor exercise, natural light or air, availability of ventilation, adequacy of heating arrangements, the possibility of using the toilet in private, and compliance with basic sanitary and hygienic requirements.[38]



## Legal Framework for Detention of Vulnerable Persons

The Return Directive states that particular attention needs to be paid to the situation of vulnerable persons who are detained in view of their removal.[39] Also should unaccompanied minors and families with minors only be detained as a measure of last resort and for the shortest appropriate period of time.[40] Member States are also obliged to make the best interest of a child a primary consideration in the context of the detention of minors pending removal.[41]

The health and mental health of detained asylum seekers who are vulnerable needs to be a primary concern of Member States. “Where vulnerable persons are detained, Member States shall ensure regular monitoring and adequate support taking into account their particular situation, including their health.”[42] In case this monitoring leads to the conclusion that the situation of the detained asylum seeker has deteriorated, and/or the detention centres lack the facilities to provide adequate support, they should be released.[43]

## METHODOLOGY

Mobile Info Team carried out research between April and November 2022, in order to understand the practical reality of the asylum procedure whilst in detention, as well as assessing the conditions of PRDCs. We were limited by the closed systems that detention centres operate in, leading to a lack of access to the general public. As a result, we spoke to people across Greece who had been in detention at some point between 2020 and 2022.

Due to the extensive reach that Mobile Info Team has with people on the move living across Greece through our Facebook page and WhatsApp hotlines, we predominantly recruited our participants digitally. In order to do this, we set up Facebook ads and boosted them over a period of six months, resulting in individuals reaching out to us to share their past experiences, with the support of translators. Mobile Info Team's caseworkers also recruited several participants through our hotlines, where individuals who were previously in detention reached out for support with their asylum procedure or their general situation. We additionally spoke with people who attend a local food distribution site, and were provided with a number of testimonies by the Border Violence Monitoring Network (BVMN) pertaining to people's previous experiences in detention.

Our research is based on interviews with people who have been detained in Greece at some point since the beginning of 2021. Whilst our research was focused on the six PRDCs in mainland Greece, and not those held in judicial prisons, we also spoke with people who were held in Korydallos - Greece's largest prison complex and main maximum security facility - and Nigrita Prison - who were asylum seekers. This provided another layer of understanding with regards to the arbitrariness of detention practices, as well as lack of adherence to asylum laws. In addition, despite many respondents having also been held in police stations or informal detention sites since being in Greece and sharing their experiences in such sites, we remained focused on PRDCs on mainland Greece: Xanthi, Paranesti (Drama), Corinth, Amygdaleza, Tavros (Petrou Ralli) and Fylakio. The distribution of interviews was not equally spread among each centre due to logistical and geographical constraints. As such, our research generated more in depth information on some PRDCs than others.

We undertook in-depth interviews with 50 respondents - including 46 who were held in PRDCs - including people from Afghanistan, Algeria, Egypt, Iran, Iraq, Kurdistan, Morocco, Pakistan, Syria and Türkiye, between the ages of 16 and 51 years old. Only one of our interviewees was female, which is somewhat representative of the ratio of males and females held in PRDCs in Greece. Therefore, this research is reflective of the situation in Greece, but does not account for the significant number of women who are also held and experience their detention differently. The interviews were semi-structured, enabling the conversation to be directed by respondents and their specific situations. Our questions were based on access to asylum, legal counselling, information, translation, hygiene conditions, basic facilities, medical and psychological care, access to education or recreational activities, and the practice of protests. Some interviewees shared our contact with friends who had also been in detention, expanding our outreach. All personal information is kept anonymous and no personal details are retained from interviews, to protect the identity of individuals, many of whom remain in precarious situations. Carrying out many of our interviews over the phone resulted in respondents feeling safer to share their experiences in an anonymous manner. Nevertheless, the majority of respondents did not fully understand their situation, the procedures or their rights, and many had experienced extremely challenging circumstances. Therefore, this research draws on personal experiences which may be impacted by trauma, psychological stress and confusion. Several respondents also shared visual data regarding the detention centres that they were held in. Some of these photographs have been anonymously included throughout the report to provide further evidence on detention conditions.

In order to support our findings from interviews, we carried out an analysis of our case register, monitoring people's enquiries regarding detention between 2021 and October 2022. More than 600 case files were analysed and 151 used to create a more general understanding of the types of issues Mobile Info Team's clients report. 95% of these 151 case files are men. Most of our clients have been detained in Corinth or Amygdaleza. In addition, we spoke with several civil society organisations (CSOs) operating in Greece and gathered information from a variety of online sources - including CPT reports - to gain historical insight into detention practices and perspectives from those who have access to detention facilities. Border Criminologies and BVMN supported us with the research process.



# PRDC SITE PROFILES

The following section will provide an overview to each of the six PRDCs on mainland Greece. The site profiles will indicate the location of the centres, provide a summary of key statistics, demographics and availability of facilities in each PRDC, a brief history of the site and conditions or reports associated with the site and an overview of the CPT visits and reports to each site over the past 10-15 years before presenting our research findings.

## AMYGDALAZA PRDC



Commonly known as:	Menedi Camp, Manidi
Opened:	April 2012
Capacity:	1665 (2013), 2,000 (2018), 800 (2021) [44]
Total number of detainees in 2021:	4384 [45]
Number of people in detention at end of 2021:	667 [46]
Number of doctors:	2 [47]
Number of psychologists:	0 [48]
People per room:	Caravan containers - up to 8 people per container
Access to mobile phones:	Yes with cameras
Hygiene products provided:	Once - small bottle of shampoo/soap and a towel upon arrival
Laundry facilities:	No
Actors:	International Committee of the Red Cross (ICRC); Greek Council for Refugees (GCR)

## History

Amygdaleza PRDC was opened in April 2012 as Greece's first purpose-built camp for detention of irregular migrants.[49] It was intended to implement Greece's National Action plan on Asylum and Migration Management, specifically, to increase the return rate of irregular migrants and deter irregular arrivals longer term.[50] In reality, a significant number of detainees have been held without purpose since its opening, an issue which persists today.[51] The site was composed of 250 containers divided along three sections, surrounded by a wire fence, and is in a remote location in the Attica region, approximately a 40 minute drive North of Athens. The construction and operation costs of Amygdaleza were largely funded by European sources (75%), alongside NGOs and private donors.[52] Once in operation, Amygdaleza was Greece's largest detention facility, with a capacity for 2,000,[53] and was established with the intention to ensure better quality facilities, however, this was immediately under criticism by CSOs and international human rights bodies.[54] Following a series of human rights abuses and four deaths by 2015,[55] including the death of a man who's medical situation was left unattended for months, hunger strikes[56] and detainees setting fire to bedding, an aggressive police response leading to rooms being left without electricity for days and the election of the new left-wing government in 2015, Amygdaleza was slowly evacuated.[57] However, despite government claims that it would be closed in 100 days, the centre remains, at a reduced capacity. The inadequate conditions and persistence of human rights violations in Amygdaleza have been consistently reported since.[58]

Amygdaleza also has a Special holding facility for unaccompanied minors, located nearby the PRDC. Although this report does not focus on detention of unaccompanied minors, a significant number of concerns have been raised by the CPT[59] and civil society actors,[60] particularly regarding the inadequate conditions,[61] psycho-social support facilities and services available. The CPT also reported that unaccompanied minors who caused problems in the Special holding facility for minors would be transferred to Tavros (Petrou Ralli) PRDC. In 2016, the facility was closed, however it was reopened, and throughout 2021 there was a total of 311 unaccompanied minors detained there.[62]

## CPT visits and Report Findings on Amygdaleza PRDC

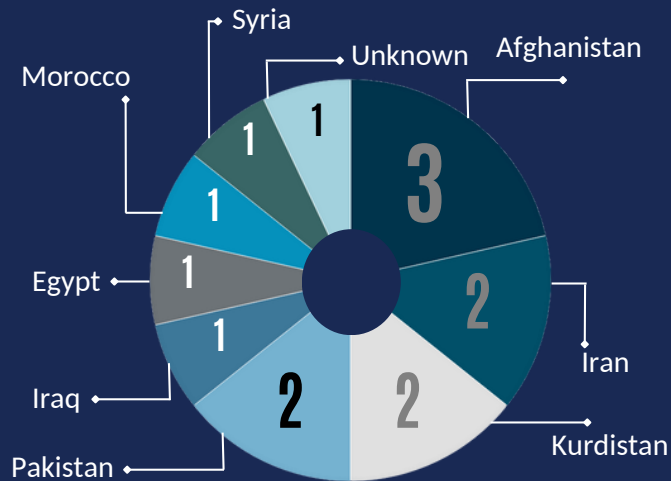
In 2015, the CPT carried out a visit to Greece to assess the implementation of the CPT's previous recommendations, specifically those contained in the reports on the 2011 and 2013 visits. The 2015 report[63] raises concerns with regards to the use of detention for unaccompanied minors in Amygdaleza PRDC, as well as concerning allegations of assault by police officers on a group being transferred from Amygdaleza PRDC to Athens Airport in 2013. However, there was no specific visit to Amygdaleza PRDC.

In 2018, the CPT made a subsequent visit to Greece and although not primarily focused on immigration detention, the delegation set out to investigate allegations of physical ill-treatment and conditions of holding sites in Greece. The report[64] concluded that Amygdaleza PRDC had acceptable conditions, adequate access to legal advice for issues related to detention and deportation, had access to doctors five days a week and two interpreters, and that detainees were able to use their phones with cameras and use WiFi. However, the delegation acknowledged the number of people who were being held in Amygdaleza PRDC under the so-called "IOM section", and who had allegedly signed up for voluntary return from Greece, yet in interviews with members of the delegation, stated that they explicitly did not want to return home and had not given their consent.[65] A lack of information and truly informed consent was apparent and therefore raised in the recommendations by the CPT, calling for necessary steps to be taken to ensure safeguards are respected in practice. In addition, the report describes concerns over the inadequacy of outdoor spaces in Amygdaleza PRDC, as well as distinct lack of communal spaces or recreational activities.

## Our Findings

Mobile Info Team spoke with 14 people who have been detained in Amygdaleza PRDC in the past. A small population of women are detained in Amygdaleza, separately from men, however, we only obtained one interview with an Iranian woman who was held in Amygdaleza PRDC. Therefore, 13 of our interviewees were male, between the ages of 20 and 47, with some of unknown ages. Despite there being a separate holding facility for minors, three interviewees specifically reported the presence of alleged minors in Amygdaleza. The nationalities of people who we interviewed varied, and included people from Afghanistan, Egypt, Iran, Iraq, Morocco and Syria.

We spoke to 14 men between the ages of 20-47 years old who were detained in Amygdaleza at some point since 2020 from the following countries of origin:



Detainees reported being held in Amygdaleza between just two days and ten months, with an average of five months. Most detainees were apprehended in Athens on the grounds of being undocumented or having expired documents - often without being informed of their situation or rights - with four people being transferred to other PRDCs after their time in Amygdaleza. More than 50% of interviewees who are or have been detained in Amygdaleza had tried to claim asylum since being in Greece, majoritarily whilst detained in Amygdaleza PRDC. Only three people we interviewed claimed to have access to counselling, information or representation from a lawyer, which were organised privately thus paying up to 2,000 euros. Translation issues were reported, although the situation was significantly better than in Corinth PRDC. One individual described being unable to claim asylum for four months when he was in Amygdaleza, despite expressing his will multiple times, and several others pointed to the severe lack of information communicated to them concerning their legal status, the reasons that they were detained and the period of time that they would be held for. This led to a considerable number of people communicating the high levels of stress in detention, causing deterioration of the mental wellbeing of detainees.

Source: Amygdaleza PRDC, MIT respondent



“

***There is one person who had been in detention for 22 months. So when newly people arrive in the jail, when we asked how much time are you here? When we tell them that one person is in the jail since 22 months, we had so much fear, tension and depression.***

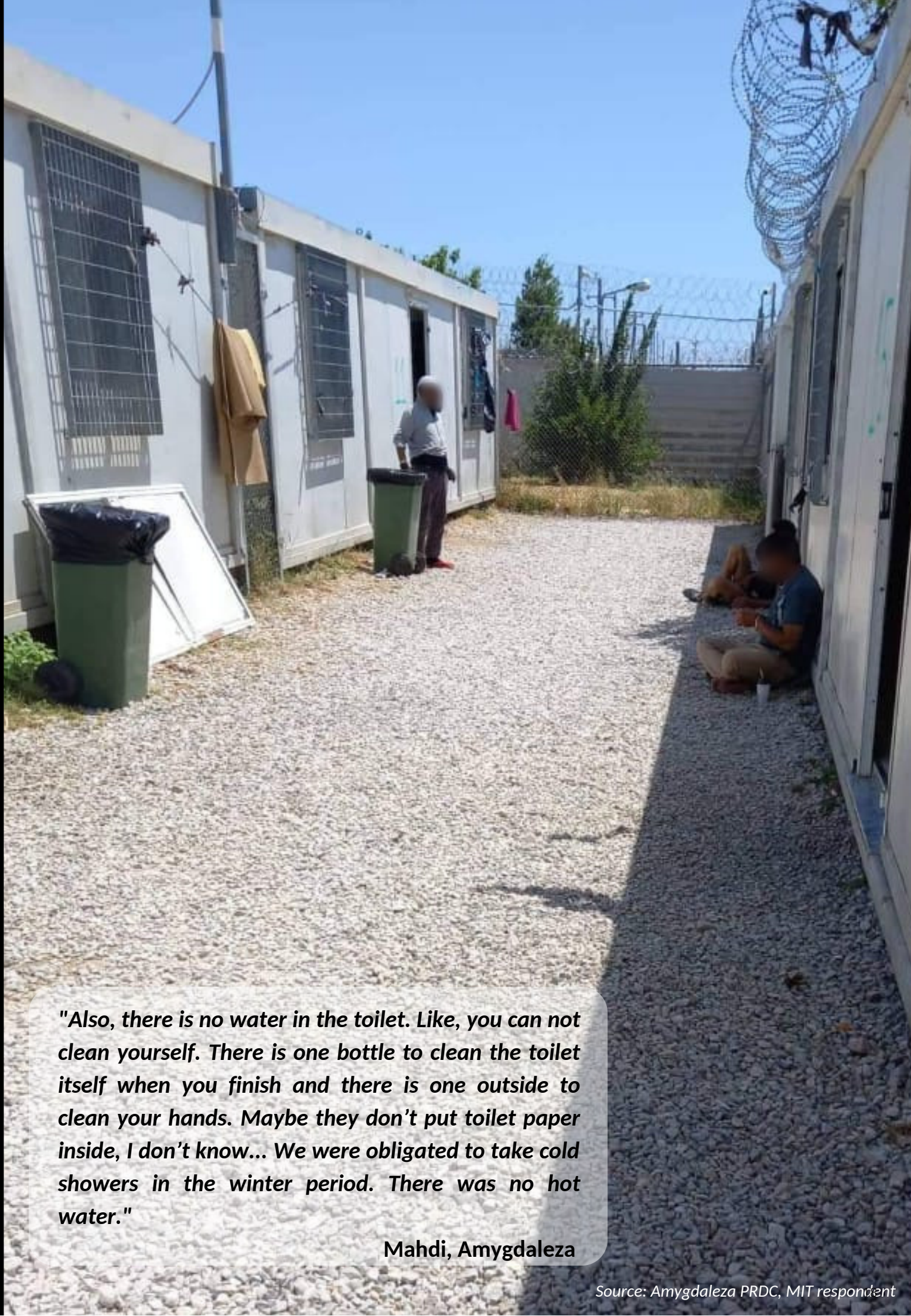
Imran, Amygdaleza

***There was none like there was no translator. There is no lawyer. There is no legal counsellor.***

Azhar, Amygdaleza

”





*"Also, there is no water in the toilet. Like, you can not clean yourself. There is one bottle to clean the toilet itself when you finish and there is one outside to clean your hands. Maybe they don't put toilet paper inside, I don't know... We were obligated to take cold showers in the winter period. There was no hot water."*

**Mahdi, Amygdaleza**



The general conditions reported on Amygdaleza are concerning. The number of people per room was varied, ranging between four to eight people per caravan container. Some reported there being metal bunk beds with mattresses, others were forced to sleep on the floor without a mattress or blanket. The hygiene conditions were consistently described as extremely poor, the toilets and showers often dirty and dysfunctional, with no access to laundry facilities or cleaning services. Similarly to Corinth, detainees were provided with a small bottle of shampoo, soap and a towel upon arrival, but regardless of the length of stay these were never replaced. In addition, interviewees reported that the food quality was low, and not remotely fresh or nutritious, pushing many individuals to pay for dry food from external sources including a weekly market. Those without financial resources were left with no other support. A significant lack of clothing was provided, particularly when seasons changed and respondents consistently reported that they were cold at night.

Although there is outdoor space surrounding the caravan containers, detainees reported that there were no recreational activities provided, neither a library. A third of interviewees described that the critical lack of activities or mental stimulation resulted in tensions and fights breaking out between detainees.

Despite the 2018 CPT report stating that the doctors and nurses were present five days a week, and the Directorate of the Hellenic Police stating that there were two doctors in Amygdaleza and three nurses in 2022, [66] all of the people we spoke with described extremely limited access to medical care, and often only in urgent cases.

In general, detainees health issues or medical requests were ignored, and the mental health of detainees was reportedly critical, with numerous individuals describing the suicidal thoughts they had.



Overall, our research found that people who were detained in Amygdaleza expressed the most consistent and concerning state of mental wellbeing in the centre, not only as a response to the prolonged limbo that they had faced without information, but further amplified by the harsh conditions of the centre - described as 'a stable, not even fit for animals' - and lack of psychological support.

Source: Amygdaleza PRDC, MIT respondent

**“** There was a general doctor who can give just very simple medicine but if somebody has psychological problems they don't believe them. I had some psychological problems. I was asking for that for like ten months, but they only took me to the hospital after ten months and they didn't help me at all.

Driss, Amygdaleza

**”**

# CORINTH PRDC



Commonly known as:	Korinthos/Corinthos
Opened:	2012
Capacity:	768 [67]
Total number of detainees in 2021:	2484 [68]
Number of people in detention at end of 2021:	891 [69]
Number of doctors:	1 [70]
Number of psychologists:	0 [71]
People per room:	12
Access to mobile phones:	Yes with cameras
Hygiene products provided:	One towel upon arrival, no soap/shampoo
Laundry facilities:	No
Actors:	GCR, Equal Rights Beyond Border (ERBB), International Committee of the Red Cross (ICRC), Vasilika Moon, Aletheia RCS and One Bridge to Idomeni

## History

Corinth PRDC was opened in 2012 with the aim of supporting the government's plan to expand its detention system and keep people on the move out of public view, together with Amygdaleza, Paranesti and Xanthi PRDCs. It is based on the Peloponnese peninsula in mainland Greece approximately one hour's drive away from Athens, and is located in a former military camp.[72] At the time of opening, the centre had

capacity for 1536 people, who were detained in eight two-storey buildings with dormitories of 33m squared, each with space for 12 people. [73]

The conditions in Corinth have remained systematically poor and relatively unmonitored throughout its history. In 2013, there were several reports of deaths in the facility. A critical lack of medical care and appropriate procedures led to the death of two Afghan detainees who were left untreated, and by the end of the year a third person from Afghanistan died after four months in detention through which his cancer was not medicated.[74] In addition, an individual committed suicide by jumping from the roof of a building in the detention centre, leading to several other people threatening to do the same.[75] Police violence in detention has also been reported in Corinth consistently since 2013, as well as a critical lack of access to legal aid including lack of translation, information, legal counselling and proper asylum procedures.[76]

As a result of the decision to prolong detention beyond the 18-month limit in 2014, people in Corinth began a hunger strike. The response by the police was severe, yet protests by detainees continued in 2015, 2016 when people set fire to mattresses in an attempt to protest the conditions of the centre and escape, in 2017 when 800 people refused food,[77] and in 2021 after a Kurdish asylum seeker reportedly committed suicide, having been detained there for 16 months.[78]

Importantly, at the beginning of 2015, the new government came into power and announced that detention centres would be closed, leading to a significant number of individuals being released from Corinth PRDC. However, by the end of 2015, the government resorted again to detention practices, and Corinth saw a huge rise in the number of North African detainees, predominantly, people from Algeria and Morocco.[79]

In 2016, the facility had capacity for 765 people,[80] but reports of dirty conditions, hot water for just one hour a day, and the prevalence of skin infections as a result of unsanitary bedding were publicised.[81] In addition, a lack of shoes, clothing, worship areas, recreational or educational activities and low quality and quantity of food was noted, in accordance with CPT reports which are detailed below. In the past, MSF attended the centre twice a week, providing medical support alongside a doctor from the Hellenic Center of Disease Control & Prevention (HCDPC), and Praksis and Arsis who offered psychological care.[82] Later in 2016 however, Aitima reported that the commander of the centre informed them that only one doctor from HCDPC attended Corinth four times a week.

## **CPT visits and Report Findings on Corinth PRDC**

In April 2015, the CPT carried out an ad hoc visit to Greece, specifically to examine the treatment of people in police custody and the application of safeguards surrounding detention. [83] Although the visit was not primarily focused on immigration detention, previous CPT reports highlight the persistent findings of poor treatment of irregular migrants, thus in 2015 they specifically visited both Corinth and Tavros (Petrou Ralli) PRDCs.

Importantly, the CPT visit and report assessed the situation prior to the significant legislative changes which were implemented by Nea Demokratia via the International Protection Act (IPA) in January 2020, and with subsequent amendments. Indeed, the previous government had implemented policies to limit the use of detention in February 2015, reducing the number of people held in pre-removal centres dramatically.[84]

Consequently, the expanded use of detention in the context of migration since 2020 requires an urgent reexamination, particularly in light of the report's pre-existing concerns on the treatment of migrants in detention.

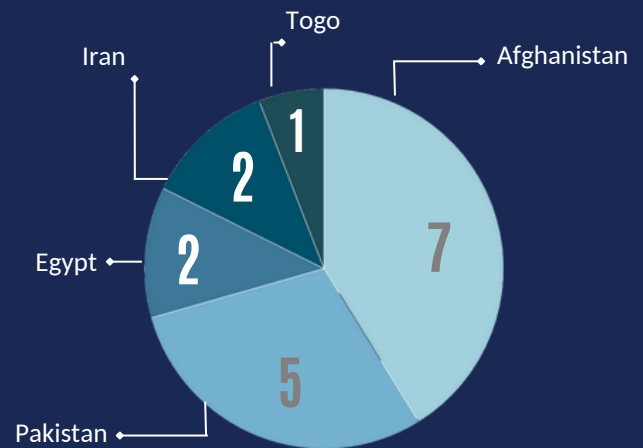
Despite subsequent visits to Greece, the CPT has not made any follow-up visits to Corinth PRDC since 2015. However in 2015, the report raised a number of concerns, predominantly referring to the lack of information detainees received as well as poor access to health care.[85] Notably, the lack of presence of any doctor for six months prior to the visit led to one untrained officer being responsible for managing the health care of hundreds of detainees.[86] As of the end of 2021, there was only one doctor present in Corinth, despite the fact that the law requires authorities to guarantee access to health care for detained asylum seekers, and the CPT having long urged the Greek authorities to improve the medical situation in detention.[87]

## Our Findings

Mobile Info Team obtained the highest percentage of testimonies from individuals who had been detained in Corinth, although several had previously been detained elsewhere in police stations or other PRDCs.

We interviewed 17 people who had been in Corinth who were all male between the ages of 16 and 38 (one individual who we discovered was a minor in retrospect). Over 20% of individuals mentioned that minors were frequently detained in Corinth, despite this being illegal. This issue has also been raised by lawyers from Equal Rights Beyond Borders.

We spoke to 17 men between the ages of 16-38 years old who were detained in Corinth at some point since 2020 from the following countries of origin:



*There were a few people, they arrested many Afghani people and some of them were minors, around 16 or 17 years old. But they were there. They didn't help them to be held separately, like in a minor's place or something else. They just never listened to us. They are also giving a lot of rejections...Exactly they have their Tazkira [Afghan ID] and they have these documents. I've seen some of them. They really were minors.*

Sardar, Corinth”

Seven of the people we interviewed were from Afghanistan, however we spoke with people from Egypt, Togo, Pakistan and Iran. Since 2015 however, the majority of people being held in Corinth were from North Africa, Pakistan or Bangladesh, covering countries with low recognition rates.[88] Everyone we spoke to reported that they were arrested on the grounds of being undocumented, and over 90% of detainees had tried to apply for asylum, or were still in the asylum procedure and had submitted an appeal. Six detainees that we spoke to had also been detained in other police stations or PRDCs, including Amygdaleza and Tavros (Petrou Ralli) PRDCs. A significant lack of information regarding individuals' application status in detention was apparent, with only five people mentioning having had access to a lawyer, two of which were paid for and organised privately.



Communication issues were also frequently mentioned, with no availability of translators, particularly for Farsi speakers, leading to individuals missing their opportunity to lodge an asylum application or appeal. In addition, people were reportedly never informed of how long they would be held in Corinth. Several detainees described the critical lack of access to asylum procedures in Corinth, and that most people got negative decisions hence being kept for extensive periods of time, before being released with a police note. Regular deportations from Corinth are not taking place, although ERBB noted that since the bilateral agreement in 2022, people are being returned to Pakistan and Bangladesh.

The quality of food and hygiene conditions reported were extremely poor, with a third of individuals citing this as the main challenge they experienced. Food is provided three times per day in Corinth, but was reported as not fresh, often spoiled and several days old.

A severe lack of medical care was expressed, with one doctor present who only provides support in extremely urgent cases. Detainees are reportedly forced to wait several months before they receive health care. Individuals also frequently mentioned being quarantined for over one month on the grounds of COVID-19 measures, restricting their already limited freedom further. One psychologist is present in Corinth, yet detainees reported it being incredibly difficult to access regardless of the fact that severe psychological ill-health was indicated by over 90% of individuals when they were in detention. Our interviewees explained that access to outdoor spaces is restricted, and no other activities are provided leading to a general situation of dire mental health. As a result of these conditions and prolonged periods of being imprisoned in legal limbo, tensions among detainees was also frequently reported, with fights breaking out as people struggled to gain access to basic necessities. Interviewees also explained that the authorities routinely manipulated detainees in order to amplify tensions between them, for example, by purposefully providing rooms next door to each other with or without air conditioning, or other facilities.

Our research also found that individuals in Corinth experienced the longest periods of time in detention, with an average of seven months and with reports of people held for beyond 18 months. There was a general perception by people who were held in Corinth, civil society actors and by the community that being detained in Corinth was one of the worst of all the PRDCs, and that once people were there, it took a long time for them to be released. Corinth was consistently referred to as worse than prison. Lastly, 'difficult cases' were often reported to be transferred to Corinth, for example, individuals who protested the poor conditions in other PRDCs.

“

*There is a really small space to go out. We couldn't do any exercise or walk around. It was about 14 metres. Just.. I don't know how to explain this, in 14 metres how it could be possible to do exercise or to walk?*

*In the winter, I don't know exactly, but the place that I was living in, it was really cold and freezing. When I asked them to give me an extra blanket or clothes they said we don't have it here. Also, because when the weather is cold it hurts more. When I asked them for anything they just ignored it.*

Hussein, Corinth

*Never, they never move anybody to the public hospital. They just they said you can drink some water.*

Sayed, Corinth

*'I'm sick, I need to see a doctor' they don't care about it, they just send them to a room where there is no light to see anyone. For example, one of my friends had psychological problems and he had bad mental health so when he said that they just didn't care about it they just ignored everything.*

Abdul, Corinth

”



“

*Yes when they seized my card and they told me it expired I sought asylum in the detention centre. But with my experience, if you are in the detention centre and you seek asylum they will never give you asylum. They reject your case, no matter how your case is. From my experience - and I was in detention for almost 15 months - nobody in that detention has sought asylum and had a positive decision. They do not give a shit about your case, especially when your case has been rejected.*

*We could sleep only for four or five hours and that's it. Actually, we couldn't sleep because of lots of thinking and stress that we have like.. because we were living in a place that we never know what, when we can get out from there or if we would get deported. When and why we are there, like, nobody explained to us. Their behaviour and reaction was like we were a criminal. It seems to us that their behaviour is as if we killed or murdered many people.*

Emmanuel, Corinth

*I can say that there is a bathroom for 48 people. 48 people and everybody should wait. There is no warm water and only cold. And also it is really hard to use it because you needed a water bottle to fill it and then wash ourselves. Like it was hard to do.*

Sayed, Corinth

”



*"It's true that we are refugees in Greece, but we are human, we need to clean our body or we want to wash our clothes. They don't even give us soap to wash our bodies, so I think that's really bad for human beings."*

**Ghulam, Corinth**



Source: Corinth PRDC toilet, MIT respondent



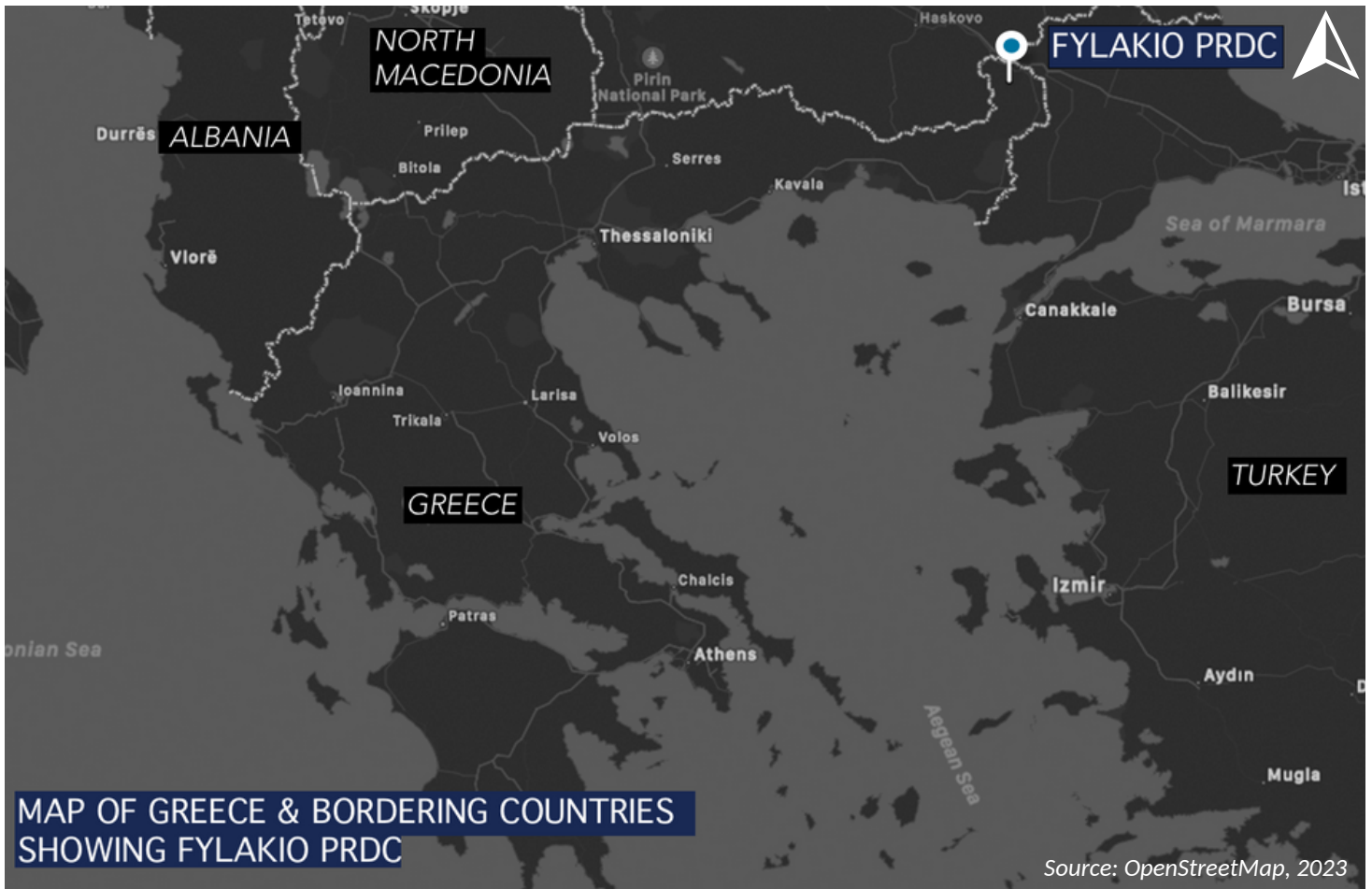
Source: Corinth PRDC toilet, MIT respondent

*"I think sometimes their behaviour hurts us mentally. Cause when they were searching us and they threw all of our stuff out then that's somehow...it's... I felt like we are not human. Their behaviour with us was not normal, like, as a person."*

**Mohammad, Corinth**



# FYLAKIO PRDC



Commonly known as:	Orestiada camp
Opened:	2007
Capacity:	232 [89]
Total number of detainees in 2021:	2146 [90]
Number of people in detention at end of 2021:	104 [91]
Number of doctors:	1 [92]
Number of psychologists:	0 [93]
People per room:	Varied
Access to mobile phones:	No
Hygiene products provided:	No
Laundry facilities:	No
Actors:	GCR, UNHCR

## History

Fylakio PRDC is located in the north-east of Greece, 30 minutes drive from Orestiada, and is close to the Evros border with Türkiye. The special holding facility for migrants opened in 2007 with a capacity of 374, yet the CPT visit in 2013 concluded that it was not constructed for more than 188 detainees.[94] In the past, the centre has been reported to accommodate up to 700 people at one time.[95] The facility is composed of a closed building with seven large, barred cells, with bunk beds.[96] In 2013, the first reception and identification centre in Greece was opened adjacent to the PRDC, yet both are surrounded by fences, surveillance cameras and barbed wire.[97] Detention, on the grounds of registering an individual's identity for asylum claims, is also de facto applied at the RIC for 25 days.[98]



Fylakio has consistently been accused of extremely concerning conditions and treatment of detainees. In 2010, there were repeated reports of protests, including minors threatening suicide, and a group of Iranian people who went on hunger strike by sewing their lips together with shoelaces.[99] Both men, women, families and unaccompanied minors are detained in Fylakio PRDC. When the National Committee for Human Rights and the Greek Ombudsman visited the centre in 2011, unaccompanied minors had been detained in Fylakio for more than five months exposed to cold temperatures, sleeping on the floor and in spaces flooded with sewage.[100] The CPT visits and subsequent reports below detail the numerous allegations of ill-treatment and conditions in Fylakio which were described as amounting to inhuman or degrading treatment.[101]

## **CPT visits and Report Findings on Fylakio PRDC**

In January 2011, a CPT delegation carried out a visit to Greece to examine establishments holding foreign nationals, following concerns that Greek authorities had failed to tackle the structural deficiencies, poor conditions and allegations of ill-treatment. Fylakio special holding facility was specifically visited, and their report[102] noted that the centre did not conform to the standards put forward by the CPT in 1997. The carceral design of the centres, were described as totally inappropriate, as well as the lack of lighting, ventilation, personal hygiene products, ability to obtain a change of clothes, or cleaning products. The centre was described as overcrowded, with people detained in cells covered by floor to ceiling bars, in conditions which could be considered amounting to inhuman and degrading treatment.[103] The extremely hostile interaction between police officers and detainees was also acknowledged, and includes reports of ill-treatment of detainees in the visits room, where bloodstains were discovered on the walls. The eight officers on duty in the centre for 448 people detained at the time, was considered totally insufficient in terms of officer to detainee ratios.

A CPT delegation returned to Fylakio special holding facility in 2013, and the report continues to raise concerns with regard to the overcrowding of the centre, conditions and alleged police violence, recommending that the centre only be used for holding persons for short periods.

Five years later, in April 2018, a CPT delegation returned to Fylakio PRDC. Despite their previous recommendations, the material conditions were found to be appalling,[104] and totally unsuitable for long-term detention. The centre remained over capacity holding 421 foreign nationals - including 103 children - and up to 95 people in a cell, who were all waiting to be transferred to the new adjacent RIC. As a result, people had less than 1m squared of space each, and people were granted just 10-20 minutes outside per day. In addition, no renovations had been undertaken since 2013, and a number of reports of verbal abuse by police officers, racist language, physical ill-treatment including kicks, baton blows and slaps were made to the delegation.[105] The report noted that there was the presence of one doctor five days a week and four nurses present for six days a week between them, but medical equipment and translation was severely lacking. The presence of a psychologist was acknowledged, however, this was considered insufficient for the number of people being held. Finally, the 2018 report notes the credible allegations made by detainees regarding the occurrence of pushbacks from the centre to Türkiye, often through violent means. As such, it was strongly recommended that people detained in Fylakio PRDC be protected against the risk of refoulement.

Likewise, the March 2020 CPT delegation visit and report highlights concerns of police violence at Fylakio PRDC, and general treatment of detainees as “animals”.[106] The provision of legal advice in the centre for detention and deportation was described as inadequate, and individual’s ability to lodge an appeal against their deportation was conditional on them being able to access a lawyer. Lack of translation services led to ineffective communication between detained people and medical or legal staff.

These consistent and repeated criticisms of the centre expose the appalling conditions of detention in Fylakio PRDC and its inability to fulfil its purpose in respect of fundamental rights. As such, the CPT called on the Greek authorities to close down or completely renovate the centre to ensure that people were no longer held in such a carceral environment, people had access to minimum spaces of 4m squared plus unrestricted access to the outdoors, activities, community rooms, clean beds and ventilation.[107]

## Our Findings

Mobile Info Team spoke to eleven people, including one woman, who had been detained in Fylakio PRDC, and were all between the ages of 20 and 45 years old.

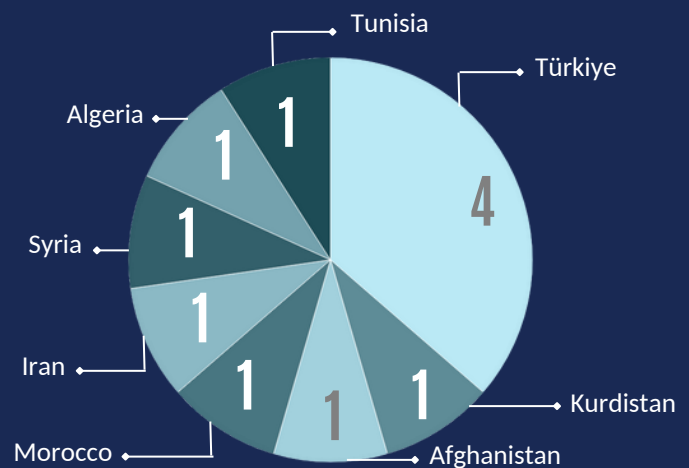
In general, our research highlighted that people are detained in Fylakio PRDC for short periods of time, for an average of approximately one month. As the RIC is next door to Fylakio PRDC, and often does not have enough capacity to accommodate the number of people arriving and who require reception and identification procedures, it is clear that the PRDC gets used in support of the RIC, confusing many applicants. As such, five of the people we spoke to were held in Fylakio PRDC for a maximum of a month, before being transferred to Paranesti PRDC for extended periods of time. This system immediately conflates reception conditions and procedures with those of control and detention. Detainees described that they were treated as criminals upon arrival to Greece and that the situation in Fylakio PRDC amplified this.

Despite all eleven individuals that we spoke to expressing their will to claim asylum, respondents explained that their requests for legal counselling and proper procedures were ignored. In particular, some detainees felt that the registration and interview processes were rushed, and their questions for appealing left unanswered. A severe lack of information provided to detainees was apparent in all the testimonies; our research highlighted that individuals did not understand what their status was or what their rights were, and received no advice in navigating the asylum system from the authorities. However, six of them had recourse to a private lawyer who was able to explain the procedure to them and clarify their rights.

**“ No, they barely spoke to me. I know the asylum procedure and that as a political refugee I have rights, but when I tried to express myself they shouted at me in Greek or ignored me. ”**

Ajar, Fylakio

We spoke to 10 men and 1 woman between the ages of 20-45 years old who were detained in Fylakio at some point since 2020 from the following countries of origin:



The conditions reported by all respondents held in Fylakio PRDC were appalling. In particular, the unsanitary situation of showers and toilets was highlighted, which were often also utterly dysfunctional and only with hot water for a short period of time per day. People explained that bed frames were dilapidated and mattresses so dirty that one interviewee reported that the beds were infested with insects, forcing detainees to sleep on the floor. There is a lack of air conditioning and heating devices in Fylakio PRDC, as well as poor lighting and ventilation. Respondents also described that it was always the same kind of food, the quality of food was low, and there was not enough provided - usually just twice a day.

Our research indicated that general ill-treatment, verbal aggression and racist language toward detainees was experienced, noted by nine people that we spoke with. Some of the interviewees explained that there was a shared understanding amongst detainees that they would not be held in Fylakio for long, thus they did not resist the behaviour of police in the facility, in the hope of being treated in accordance with the law. However, eight people we spoke with also noted their pervasive fear of being pushed back to Türkiye, particularly considering the proximity to the Evros border.

It is clear that Fylakio PRDC is not used extensively to detain people for long periods of time, rather, it doubles up as support for the RIC. Therefore, its purpose differed to the other PRDCs that we researched, however the pattern of a carceral environment and control tactics are consistent with other detention facilities.

*It was supposed to be a camp where people can ask for asylum and get support, but it is built like a prison and you don't have access to even the basics most of the time. You stay in containers that are dirty and wait, not sure how long you have to wait for, to have something that should be your basic right. The food was bad and they treated us like we were not human. We were in the end just happy to leave that place, and not to be pushed back to Turkey.*

Ismail, Fylakio

“

*In Fylakio they kept us in container houses almost the whole time and did not go outside —only for a few minutes every day. The food was very bad and it was dirty—there were bugs in the beds that bite a lot at night, so we slept on the floor. In the day it was very hot with no air, at night very cold without blankets. Everything had bugs and was dirty. The shower did not work, and there was only a little hot water in the day. The toilet and everything was very dirty.*

Ajar, Fylakio

*I know people are often pushed back. For our people who are political in Türkiye and Kurdistan this is very dangerous as you can be in prison for a long time or be killed by police.*

Ajar, Fylakio

”

# PARANESTI (DRAMA) PRDC



Commonly known as:

Drama

Opened:

September 2012

Capacity:

300 [108]

Total number of detainees in 2021:

528 [109]

Number of people in detention at end of 2021:

288 [110]

Number of doctors:

1 [111]

Number of psychologists:

1 [112]

People per room:

6-18

Access to mobile phones:

Yes, but with camera broken

Hygiene products provided:

No

Laundry facilities:

No

Actors:

International Organization for Migration (IOM), UNHCR, GCR, UNHCR

## History

Paranesti PRDC is located in north-east Greece, in a small village called Paranesti 25km away from Drama and 200km away from Thessaloniki.[113] The centre was opened on the 28 September 2012,[114] in a former military site with a capacity of 557.[115] Paranesti is composed of six rows of containers, surrounded by a fence and further enclosed in a barbed wire fence.[116] In 2016, Paranesti PRDC had a capacity for 977 detainees, but by 2020 this dropped to 500,[117] and down to 300 in 2021.[118]



The conditions and access to basic services in Paranesti has fluctuated since 2013. For example, in 2016, AITIMA visited the centre and found the conditions generally adequate, with recreational activities, worship spaces and air conditioning or heating facilities provided.[192] In the same year, Human Rights Watch published a report detailing the unsanitary conditions in Paranesti, where dirty blankets, bug and mosquito infestations were prevalent.[120] A severe lack of hygiene and non-food items have been reported in Paranesti.[121] At the end of 2018, there were no social workers, psychologists or doctors visiting the facility at all,[122] resulting in a lack of medical screening taking place on admission, additionally leading to the failure of age assessments being carried out.[123] 15 minors were detained in Paranesti PRDC throughout 2021,[124] yet this practice has been consistently reported since 2016.[125]

Hunger strikes have been frequently practised in Paranesti. In March 2015, 23 detainees began a hunger strike in protest of the conditions of the facility, demanding release and documentation, which lasted until 8 April making it one of the longest hunger strikes in the history of detention centres in Greece.[126] The authorities in the detention camp responded with intimidation and threats of relocation to other PRDCs in the country.[127] In April 2020, as a response to the tense context of the COVID-19 pandemic and subsequent temporary closure of the asylum system, as well as inedible food quality, 500-600 detainees across six wings of Paranesti refused their meals.[128] The response by camp managers was extreme; people were locked inside and the supply to the food market was cut off. Hours later, a riot squad was reportedly brought in with OPKE (heavily armed units), and detainees were severely beaten.[129]

Pushbacks directly from the centre have been frequently recorded, whereby individuals were officially released, and subsequently taken to the Evros border and forced back into Türkiye.[130] On the 23 April 2020, BVMN reported that a large group of people were taken from the centre, driven to the border in coaches, tortured for a period of six hours using electric discharge weapons, water immersion and batons, before being pushed back over the Evros river border to Türkiye.[131] The respondent who shared their experience reported that this pushback mechanism from Paranesti PRDC had happened to around 400 people in the previous weeks.

## ◆ CPT visits and Report Findings on Paranesti PRDC

In 2013, a CPT delegation visited Paranesti PRDC, alongside Xanthi, Amygdaleza, Fylakio and Tavros (Petrou Ralli). At the time, the centre held 324 people, however, the delegation later found out that 17 minors and 50 adults had been moved two days prior to the visit.[132] The centre was also found to lack furniture such as tables and chairs, rooms were cramped and overfilled with bunk beds accommodating up to 30 people per room, and detainees had severely limited access to the outdoors, for just an hour to two hours a day.[133] The report also noted the urgent need for the facility to be renovated, as mould and water leaks were evident. The living space provided for detainees was also reported as below the 2m squared recommendations. The delegation also observed that police officers openly carried batons inside Paranesti accommodation areas, raising concerns with regard to the use or threat of violence.

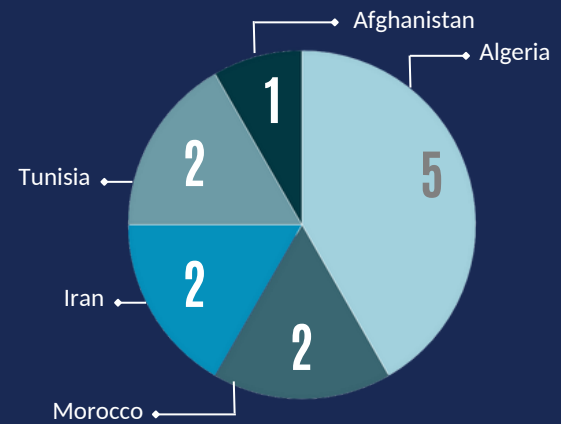
Since 2013, there have been no CPT visits to Paranesti PRDC. Considering the recent reports of severe violence after the hunger strikes, and extensive policy changes in terms of detention of asylum seekers and third country nationals, this time period is concerning and the report is heavily outdated.

## Our Findings

Mobile Info Team spoke with twelve men who had been detained in Paranesti PRDC, majoritarially Algerian, but including people from Afghanistan, Iran, Morocco, and Tunisia. The age demographic varied between 22-37 years old.

The average time that people were held in detention was seven months, but varied between one month and 13 months. Respondents were commonly apprehended in Thessaloniki, or in other cities in Northern Greece such as Kavala. Everyone we spoke to was arrested as a result of expired documentation or a lack of documentation, however, several detainees were arrested despite the fact that they had valid asylum seeker cards - on public order grounds - although respondents did not understand the reasons why. More than 50% of individuals we interviewed had been previously detained in a police station. No minors were reported by respondents who were held in Paranesti PRDC.

We spoke to 12 men between the ages of 22-37 years old who were detained in Paranesti at some point since 2020 from the following countries of origin:



*Yes, yes, multiple papers and if you don't sign they will sign themselves. So I didn't know, so I signed 2 papers, 1 I signed and I understood it was about being kept inside and the paper I didn't understand I didn't sign. It wasn't in Arabic, it was all in Greek. Somebody inside, who was Greek, I asked him and he told me it is just about you being kept here, and the other he told me it is because you are a danger to society.*

*No, there was no translator, people from the community were translating. The one speaking Greek or English. Mostly Greek because the officers inside don't speak any English.*

Ali, Paranesti

*I spent 25 months in prison just for the papers.*

Youcef, Paranesti



More than 70% of the people we spoke to had tried to apply for asylum, or were still in the asylum procedure. Despite our research showing that translation services were available in Paranesti PRDC, 50% of the people we spoke with did not get access to them, and were forced to go without or to get support with translation from fellow detainees. People were extremely ill-informed with regards to asylum procedure information, the status of their application, or the length of time that they would be held for when in detention. This information was corroborated by other organisations that we spoke to, including UNHCR who reported consistent translation issues and gaps in information provision. Respondents frequently reported that they would be fingerprinted, or forced to sign documents that they could not understand. 90% of the people we interviewed did not have access to legal counselling in the PRDC, leading to significant confusion on the system for appealing asylum decisions, or making subsequent applications. Interview dates or appointments with the asylum unit were described as being arbitrarily distributed, and sometimes detainees were only informed of them on the same day.



Our research found that the UNHCR and IOM made regular visits to Paranesti PRDC, although the main focus of IOM visits were reported to be referring people for voluntary return procedures. UNHCR visits monthly, in order to refer vulnerable cases to legal actors, and discuss the situation with authorities and medical services such as AEMY. Respondents also reported irregular visits from ICRC, however without any particular services or follow up support provided, to their knowledge. Local CSOs are able to send packages to support individuals in Paranesti PRDC with non-food items, such as hygiene products and clothing.

People who were detained in Paranesti PRDC described overcrowded spaces, sharing rooms with between 6-18 people and an average of 10, with one toilet and shower per container. It was reported that each container was organised by nationality. 50% of detainees described poor hygiene conditions; although they reported that they were provided with bunk beds, mattresses and blankets, they were extremely dirty. In the winter, respondents reported being extremely cold and not being provided with extra clothing or blankets. This was affirmed by UNHCR who reported severe shortages of clothing and lack of heating or warm water. In addition, people are not provided with soap, towels, or cleaning products, rather, they were expected to buy it themselves from a market - selling cigarettes, sim cards and other items - which attends the PRDC on a weekly basis. The food followed a similar level of quality, and was described by 70% of detainees as inadequate, inedible - often using expired ingredients and cold - or in too small quantities. As a result, hunger strikes were detailed by respondents, although this often reportedly led to a strong police response.

“

*Nobody advised me what to do. There wasn't any person, no one advised me what to do. Just I did it by myself. I wasn't prepared for the interview, that's why I was rejected I think. Cause nobody told me.*

**Baqir, Paranesti**

*About the food, it's like dog food.*

**Ahmed, Paranesti**

*There were not enough beds and blankets and when you asked for more blankets or to wash your laundry they just ignored you. Sometimes the temperature was minus 10 so we told them we needed the blankets. But they ignored us.*

**Abdelkader, Paranesti**

”





Source: Paranesti PRDC, BVMN

According to respondents, Paranesti PRDC does not provide recreational activities or education services, there is no library, and detainees can only use a small outdoor space surrounding the containers.

In accordance with the presence of a doctor and three nurses in Paranesti, nearly everyone we spoke to described that there was access to medical care, however, in very limited capacity. Medication, such as basic painkillers and sleeping tablets, were reported to be prescribed, with little other options for treatment. In absolute emergencies, respondents reported that people were sometimes taken to hospital to be treated. Despite there being a psychologist in the PRDC, access to psychological care was reported as extremely limited, with requests often going ignored, or extensively delayed, with waiting times of four months.

People frequently described being treated like criminals in Paranesti. In addition, Paranesti PRDC does not allow people to use their phones with cameras, which respondents felt was a way of keeping the poor conditions concealed.

“

*We could never go out of our space, which was very small. Like from our room when you open the door, there's just a really small space where you can just walk. We didn't have a library or something, and we couldn't get out of our little space.*

Hamza, Paranesti

*We just receive some medication for .... some painkillers. Even for that they didn't treat us, because they don't have the treatment or something to do with us. Just they gave us a painkiller and that's it.*

Baqir, Paranesti

*I know someone who wants to see a psychiatrist and he was waiting 4 months, he is there, I know him.*

Ahmed, Paranesti

*Because they told me "You are a danger to society". And I said something like "I didn't do nothing, I didn't do any crime. I have the papers that say that I'm free and I was in a cage when it happened this crime" or whatever I don't know.*

Amine, Paranesti

*They give us phones, but they take the camera off, so I want to show you where I lived, how I lived but they did it on purpose in order to not record the kind of food and the place, etc.*

Youcef, Paranesti

”



# TAVROS (PETROU RALLI) PRDC



Commonly known as:	Petrou Ralli, Alladapon
Opened:	September 2005
Capacity:	150 [134]
Total number of detainees in 2021:	1003 [135]
Number of people in detention at end of 2021:	84 [136]
Number of doctors:	1 [137]
Number of psychologists:	0 [138]
People per room:	4-6 per cell
Access to mobile phones:	No
Hygiene products provided:	No
Laundry facilities:	No
Actors:	House of Women, GCR, UNHCR

## History

Tavros (Petrou Ralli) Central Holding Facility for Aliens, located in Tavros, Attica, was one of the first centres designed specifically for detaining third country nationals,[139] and was opened in September 2005 with a capacity of 340. The facility accommodated detainees in locked, barred cells along a corridor, on three separate floors dividing men, women and children.[140] Despite all children being officially transferred to the minors' detention centre in Amygdaleza in 2012, CPT reports suggest that there were still minors being held there as late as 2016.[141] Likewise, no women were held in Tavros (Petrou Ralli) between 2015-2017, however after the closure of the womens' Elliniko facility, many women were transferred to Tavros (Petrou Ralli) once more.[142]



The conditions reported in the past from Tavros (Petrou Ralli) are critical. Concerns in 2012 were focused on the serious overcrowding - leading to several detainees sleeping on the floor - the lack of privacy, lack of access to the outdoors, requirement for people to request permission to use the bathroom forcing people to defecate in plastic bags, unsanitary spaces resulting in an overpowering smell, lack of recreational activities causing severe deterioration of psychological health and general understanding of detainees own situations being minimal.[143] This overview corroborated the 2008 visit, after which Human Rights Watch raised heightened concern over the prison-like structure and conditions of Tavros (Petrou Ralli), as well as the severe lack of medical care and overall ill-health of detainees as a result of the absence of cleaning products, sanitary spaces and basic services.[144] The report argues that detainees' experiences in Tavros (Petrou Ralli) constitutes inhuman and degrading treatment.[145] According to their research, access to asylum procedures in Tavros (Petrou Ralli) were also arbitrary and non-existent, as individuals were forced to take part in a humiliating selection process for lodging an application and translation was inadequate.[146]

In 2016, Tavros (Petrou Ralli) holding facility was officially changed into a PRDC, yet the situation remained much the same. On average, people were detained in Tavros (Petrou Ralli) for 6-18 months, and in 2017, people were unlikely to be deported, rather were released in Greece.[147] In 2017, visitors were still permitted to the centre, yet it did not seem to influence the poor conditions of the centre. Reports of police abuse were also raised in 2017 after an alleged escape attempt, with violent video footage from inside the wing shared online.[148] Despite this evidence, and the detainees being so badly injured that they were transferred to a hospital, a criminal case was built against them charging them as guilty of revolt a year later. [149] The reports of violence, lack of renovation and poor hygiene conditions amounting to inhuman treatment persisted in 2017 and 2018, and in February 2017, a 45-year-old detainee died raising serious questions about the responsibilities of the police.[150] ARSIS also implemented an intervention programme supported by UNHCR in Tavros (Petrou Ralli) in 2017, carrying out weekly visits to provide legal support for unaccompanied minors, families, young adults and vulnerable cases in detention. This revealed several incidents including self harm by minors, arson and beating and forced undressing by officers against two unaccompanied minors.[151] In May 2018, a fire broke out burning an entire wing, allegedly as a result of a protest, leading to further ill-treatment and violence by the police.[152]

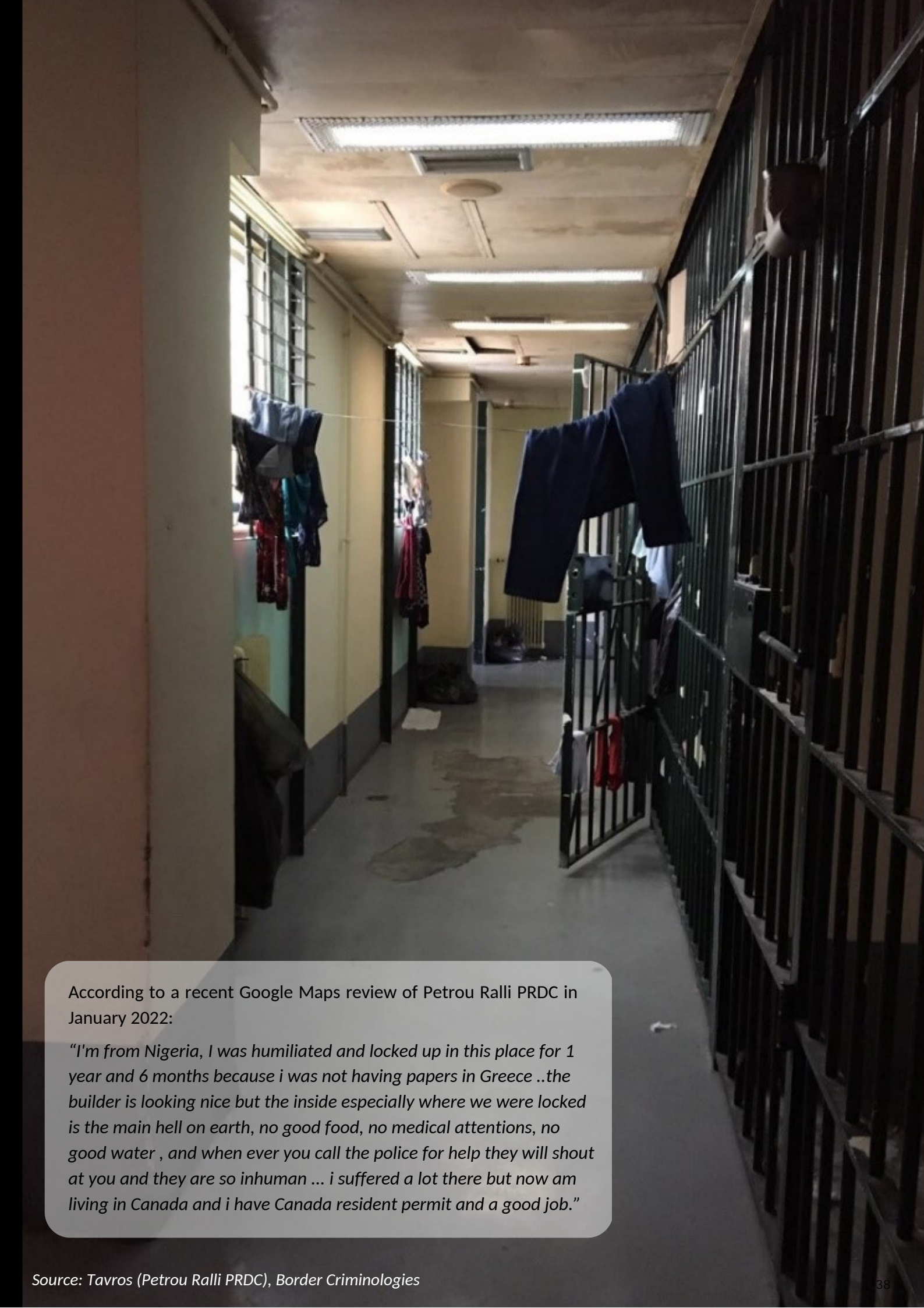
2020 in Tavros (Petrou Ralli) was characterised by hunger strikes by the women, attempted suicide[153] and accusations of sexual harassment and violence.[154] In January 2020, the Greek Helsinki Monitor filed their fifth complaint to the Prosecutor and Ombudsperson regarding allegations of police violence, including both physical and verbal ill-treatment, sexual harassment and the conditions of the PRDC.[155] In general the centre has a deep and systematic history of rights violations that are extremely alarming.

## **CPT visits and Report Findings on Tavros (Petrou Ralli) PRDC**

Since 2005, the CPT has carried out several visits to the Tavros (Petrou Ralli) Special holding facility for irregular migrants.[156] The reports raised consistent concerns regarding the utterly unhygienic conditions, lack of natural light, lack of access to the outdoors or recreational activities. After their visit in 2013, the CPT reported that Tavros (Petrou Ralli)'s detainees complained about infested blankets, lack of hygiene products and lack of access to toilets forcing people to urinate in bottles. In addition, many people were detained up to 12 months without any information on their legal situation or their futures. Finally, the delegation was concerned about the totally inappropriate carceral design of the facility, and recommended that the centre would only be used for holding people for short periods of time.

The 2015 CPT visit reported similar concerns, and requested urgent interventions following the severe issues with detention of unaccompanied minors in the centre despite being ill-equipped to support them.[157]





According to a recent Google Maps review of Petrou Ralli PRDC in January 2022:

*"I'm from Nigeria, I was humiliated and locked up in this place for 1 year and 6 months because i was not having papers in Greece ..the builder is looking nice but the inside especially where we were locked is the main hell on earth, no good food, no medical attentions, no good water , and when ever you call the police for help they will shout at you and they are so inhuman ... i suffered a lot there but now am living in Canada and i have Canada resident permit and a good job."*



The delegation further spoke with several individuals who were held in an isolated wing, and who required psychiatric care, many due to suicide attempts. A fundamental lack of appropriate support services were provided including no presence of pre-screening procedures upon arrival, and with long delays in all access to health care.

In 2016, the CPT delegation's report[158] reiterated their previous concerns, calling the cells 'filthy', and expressed severe disappointment at the lack of follow up from their recommendations. The report also highlights the credible allegations of physical and verbal ill-treatment of detainees by police officers in Tavros (Petrou Ralli), supported by medical evidence.

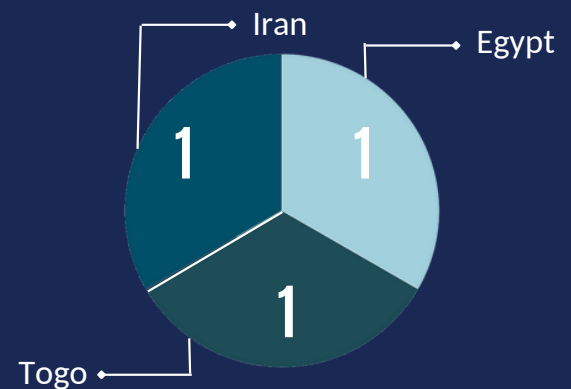
There have not been any follow up visits to Tavros (Petrou Ralli) since 2016, and since it officially became a PRDC. This is alarming, considering the extensive reports of concerns raised by the CPT in the past.

## Our Findings

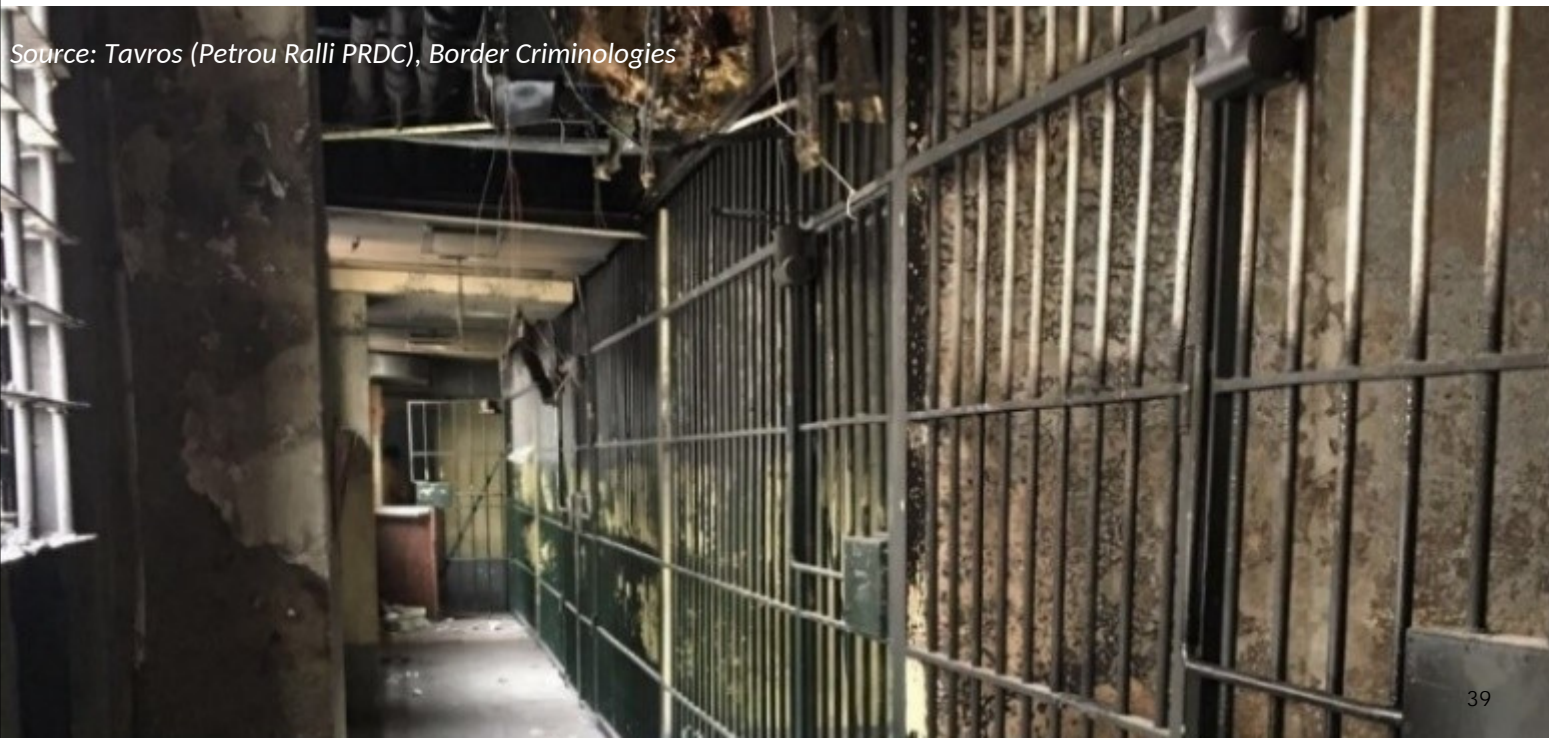
We only obtained three interviews with people who were held in Tavros (Petrou Ralli). The respondents included individuals from Egypt, Togo and Iran, one of whom was 20-years-old, one 27-years-old and one 28-years-old. All three were held in Tavros (Petrou Ralli) before being transferred to other detention centres, one for a five month period.

The respondents were apprehended for their lack of legal documentation, and able to apply for asylum in Tavros (Petrou Ralli), however with very little information, translation or legal counselling. As a result, they received rejections, but did not understand how to appeal or lodge a subsequent application. The general conditions were reported as extremely poor, dirty and specifically, that the structure of the facility both indoors and outdoors, was reminiscent of a prison.

We spoke to 3 men who were 20, 27 and 28 years old who were detained in Tavros (Petrou Ralli) at some point since 2020 from the following countries of origin:



Source: Tavros (Petrou Ralli PRDC), Border Criminologies



“

*After I was arrested again I was taken to the Alladapon, it wasn't easy at all. It wasn't easy. In Alladapon I was more like, is more or less like a prison again. Because that place you are not allowed to use your phone and then you are locked in the cell. Unless you want to go to the toilet you have to shout and call the officer on duty before they will come and open for you. Because in the room, in the cell you had there is no bathroom, in the cell, there is nothing. In the cell, you have to sometimes, if you call the police, some of the police officers, there are so... let me say, arrogant. They will not even mind, their mind will be on their phones. So, you have to, like, suffer. Sometimes you have to look for a bottle and then pee inside. Then, after, maybe open the gate then you go and you throw it.*

*I think when they just arrest them, from the police station, mostly they deport them directly from Alladapon. Alladapon directly.*

”

Emmanuel, Tavros (Petrou Ralli)

Source: Tavros (Petrou Ralli PRDC), *Border Criminologies*





# XANTHI PRDC



Commonly known as:

Opened:

Capacity:

Total number of detainees in 2021:

Number of people in detention at end of 2021:

Number of doctors:

Number of psychologists:

People per room:

Access to mobile phones:

Hygiene products provided:

Laundry facilities:

Actors:

Xanti, Zanti

August 2012

210 [159]

786 [160]

210 [161]

0 [162]

0 [163]

4-10

Yes with cameras

No

No

UNHCR, IOM, ICRC, GCR

## History

Xanthi PRDC, a former police academy, was opened in August 2012 and is located in the north-eastern city of Xanthi, western Thrace, which is over 200km away from Thessaloniki and just 100km away from the Evros border. In 2012, the facility had a capacity of 480 people, who are held in 76 dormitories across two, two-storey buildings enclosed within a fenced area.[164] Upon its opening, GCR visited Xanthi, and reported complaints of guards beating minors who were subsequently taken to hospital.[165] A lack of healthcare, medication, hygiene items and cleaning products were also acknowledged at the time.[166]

In 2016, there was no doctors working in Xanthi,[167] but by the end of 2018 there was a presence of one doctor, which dropped back to zero by the end of 2021.[168] Instead, if detainees were sick, they were taken to one of three nurses or the hospital. Reports describe that the general situation and conditions in Xanthi were sufficient and adequate in 2013.[169] However, in March 2018, only two of the 12 toilets were functional, and detainees were in desperate shortage of hygiene items, clothing, shoes, clean mattresses and blankets.[170]

Hunger strikes and protests have been reported from Xanthi. Until October 2012, detainees who applied for asylum whilst in detention had to stay a maximum of three months, however, the Presidential Decree 116/2012 extended this period to one year. For irregular migrants who do not apply for asylum in detention, the maximum time period exceeds 12 months and in specific cases could be held for 18 months.[171] In November 2012, an Afghan detainee sewed his lips together in protest, and in 2013, as a result of their prolonged detention times, 20 people went on hunger strike.[172]

Pushbacks have been recorded as taking place directly from Xanthi by BVMN.[173] One specific incident regards a pushback in January 2021, whereby the respondent reported that he was informed he was being released after six months detention in Xanthi PRDC, and subsequently driven to the Evros border and ferried halfway across the river to an islet.

## CPT visits and report findings on Xanthi PRDC

The April 2013 CPT visit to Greece found that the situation for irregular migrants held in police stations was dire, and that pre-removal detention sites were overly-focused on security matters; they were overcrowded, understaffed and that reports of ill-treatment by the police were increasing.[174] Although, in Xanthi specifically, the delegation found that most police officers acted correctly, rooms were generally acceptable and had furniture, natural lighting and adequate ventilation.[175] Access to the outdoor forecourt was limited to one hour a day, a concern raised by the CPT delegation. There have not been any subsequent visits to Xanthi PRDC, which is alarming considering the near ten year gap since the last report, and considerable changes in policy and expansion of immigration detention since.

## Our Findings

Mobile Info Team only managed to speak with four people who were detained in Xanthi. This included people from Pakistan, Türkiye and Algeria, between the ages of 20 and 46. One respondent was detained in Xanthi after being transferred from Paranesti, the second was transferred to Xanthi after being apprehended in Athens and held in Amygdaleza, the third detained for five months after being apprehended in Didymoteicho and the fourth was apprehended in Xanthi after being detained there four times for a total period of 33 months.

We spoke to 4 men between the ages of 20 and 46 years old who were detained in Tavros (Petrou Ralli) at some point since 2020 from the following countries of origin:





Two of the people we spoke to were apprehended on the grounds of being undocumented or having expired documents, although one individual had an asylum seeker card. The individual who had been detained multiple times in Xanthi PRDC explained that the situation and conditions had worsened over time. The average time period for people held in detention was around six months.

The general conditions described by respondents in Xanthi were poor, with three people stating that the spaces were not even fit for animals. The dilapidated structures of the facility were reported to be in severe need of renovation, particularly the bathrooms, of which only two toilets were functioning and used by 100 people. Individuals reported that they were not provided with toilet roll, shampoo or laundry facilities, rather they had to wash their clothes by hand. Mattresses and beds are provided in Xanthi, yet in poor and dirty conditions. Individuals described that they were provided with all three meals in the morning, for themselves to ration throughout the day. Respondents did however report that they were able to use large outdoor spaces from early morning until midnight. There was no access to Wifi, but respondents were able to use their mobile phones and top up the sim cards with data online. People were able to order basic items such as cigarettes, dry food items and hygiene products which were compiled in a list daily and provided by sundown.

Despite the presence of medical actors, the people we spoke with said that they were only accessible for urgent cases. In general, the perception of Xanthi PRDC amongst the limited number of detainees we spoke to and other actors who have a regular presence or interaction with the centre, consider it extremely poor in terms of conditions, but less severe in terms of access to both indoor and outdoor space.



Source: Xanthi PRDC, MIT respondent

“

*Everything is bad, this place is like an abandoned building. The bed is a dirty mattress. The food is not good. Abandoned place, very old, not even animals can stay there. I can send you videos of the place.*

Unknown, Xanthi

”



Source: Xanthi PRDC, MIT respondent



Source: Xanthi PRDC, MIT respondent

“

*The third place, Xanthi, is an actual prison: sanitary conditions are bad, we washed our clothes by hand, the food is not good, and there is very little information about why you are there and how long you will stay.*

Aslan, Xanthi

*I was supposed to see a doctor the first day I was there as I have bad diseases but I was not taken to a hospital or to be seen by a doctor. But I have seen people who spend time there, they stabbed themselves, they opened their bodies with their knives because of stress.*

Unknown, Xanthi

”

## Access to Procedures in Detention

Despite EU legislation and Greek law making a strong preference for applicants of international protection and third country nationals subject to return orders being detained separately, in practice, this does not happen. As such, the two legally defined groups are usually held together, creating no distinction or clarification regarding their status. This, compounded by the critical lack of information provided to detainees, deprives people of accessing relevant procedures thus denying their legal and human rights. Nevertheless, the two groups will be analysed in terms of access to procedures separately, due to the different legal structures that apply to each.

### ◆ Length of Detention Period

Particularly since 2020, the use of detention for people on the move has become systematic in Greece, both for applicants of international protection and third country nationals subject to return orders. Administrative deprivation of liberty should only last for the time necessary for deportation and should never be indefinite; according to the Human Rights Committee, "detention should not continue beyond the period for which the State can provide appropriate justification".[176] Yet our research illustrated the arbitrariness of detention practices in Greece, regarding both the reason and length of time that people are held for.

### ◆ Third Country Nationals Detained in View of Removal: New Arrivals and Rejected Applicants

According to EU legislation, third country nationals who are subject to return procedures should only be detained in order to prepare their return or carry out the removal process when there are no other sufficient and less coercive measures that can be effectively applied.[177] In particular, the RD specifies the risk of the detainee absconding, and any individual who hampers the preparation of return or removal process, as justification for detention measures. However, since the concerning amendment of Article 30 of Greek Law 3907/2011 in 2020, third country nationals who are subject to return procedures are no longer detained by exception, rather by status quo, unless there is a decision by the competent authority that the individual is not a risk of absconding, being uncooperative or a national security threat.[178] The reversal of this law has resulted in the detention of third country nationals subject to return becoming the norm, diverging considerably from European legislation.

Nevertheless, the amendment to Article 30(1) of Law 3907/2011 still states that detention should only be imposed and maintained for the absolutely necessary period of time to process the removal process, which should be developed and executed with due diligence.[179] In addition, Article 30(4) of Law 3907/2011, as well as EU legislation[180] explicitly details that in the event that a reasonable prospect of removal no longer exists, detention ceases to be justified and the individual should be released immediately. Yet according to our research, these safeguards are not implemented in practice in Greece.

The fundamental lack of official readmission procedures taking place from PRDCs contributes to concerns that the detention of many third country nationals is not legally justified. For example, the return of individuals



who arrived via Türkiye and are considered safe there have not been implemented for more than two years.[181] Many of our respondents explained that they were rejected because they should be returned to Türkiye on the basis of the safe third country concept, and were detained for extensive periods of time. This includes a significant number of Afghan nationals - who represented over 20% of respondents - despite the ongoing critical situation in their country of origin since August 2021,[182] and the lack of prospects of return to Türkiye.

In addition, neither EU Readmission Agreements or bilateral agreements have ever been formalised between Greece and a significant number of our respondents' countries of origin. For example, despite the Commission receiving a mandate from the Council to negotiate an EU Readmission Agreement with Algeria in 2002, Morocco in 2003 and Tunisia in 2014,[183] negotiations with Morocco have been on hold since 2015, negotiations with Algeria have not yet started beyond informal dialogue and despite "good progress at a technical level in 2018", the process was put on hold with Tunisia due to elections.[184] This means that removal must be organised individually, and the country of origin must readmit nationals being returned from Greece on a case-by-case basis. In practice, administrative and political barriers delay or even halt returns taking place at all. Nearly a quarter of our respondents were Algerian, Tunisian or Moroccan nationals, and majoritarily detained in view of removal. Yet according to European statistics on readmission procedures,[185] a very small proportion of Algerian, Moroccan and Tunisian nationals are actually returned. For the years 2018, 2020 and 2021, in total, 34 Algerians, 3 Moroccans and 4 Tunisians were forced to return. Meanwhile, 12 170 orders to leave were delivered for third country nationals from Algeria, 1 705 from Morocco and 160 from Tunisia. This data therefore indicates that only 0.28% of Algerians, 0.18% of Moroccans and 2.50% of Tunisians who were issued with an order to leave the territory were actually returned. This does not appear to justify the detention of a significant number of people who are subject to return procedures, which, in practice, will not materialise.

The immediate release of detainees who lack a reasonable prospect of removal was reiterated by the ECJ judgment Kadzoev in November 2009, [186] which additionally specified that Member States cannot invoke grounds of public order or safety for detaining persons under the RD. Therefore, rejected asylum seekers can only be detained while their removal process is being carried out for six months, with an extension of up to 12 months "in cases where regardless of all their reasonable efforts the removal operation is likely to last longer owing to: (a) a lack of cooperation by the third-country national concerned, or (b) delays in obtaining the necessary documentation from third countries." [187] Considering the systematically low number of returns from Greece, concerns are raised as to the likelihood of obtaining necessary documentation within the 18 month time-frame, and thus the justification for detention.

“

*They asked me a lot of things except the reason that I left my country [Afghanistan]. So they just asked all the things about Türkiye or why I didn't apply for asylum in Türkiye, why I came here. So, they tell me that I should have stayed there. Lots of questions and I answered them all, all of them. But after three months they gave me a rejection when I asked them, "What is the reason that I was rejected?" They said we don't know.*

*Yes I appealed all the decisions but I don't know ... I don't have any help, I haven't heard any answer about it. I also already have the papers that show that in 2019 I was deported from Türkiye to my country [Afghanistan]. I gave this paper to my lawyer and it shows that Türkiye has already deported me in the past. But I don't think it helps my application.*

Hussein, Corinth

”

In practice, people with rejected asylum applications are held for arbitrary periods of time. According to our findings, these periods were in fact dependent on the PRDC and the number of people arrested, versus detention facility capacities, thus leading to the length of detention periods being a matter of whether or not there is space at a given time, or if individuals could afford expensive lawyer fees to object their detention orders. Corinth and Paranesti held detainees for the longest periods, with averages of six to seven months, yet with some detained for beyond 18 months. Whilst it is likely that people who were detained for beyond 18 months were detained as asylum seekers and subsequently in view of removal, which restarts the maximum time limit, the lack of enforced deportations taking place from PRDCs in Greece raises doubts as to the legal justification provided for these lengths of time and whether the proceedings are conducted with due diligence. These doubts are applicable to the significant number of people subject to extended periods of detention in Greece without prospects of removal. The majority of people we spoke to across all PRDCs were not informed about the length of time they would be held for, and if they asked, were answered with the legal maximum of 18 months.

Our research additionally pointed to the use of re-detention, whereby people reported being trapped in a cycle of repeated detention and release.

Upon being released, several individuals reported being given a police note, stating that the person has to leave the country voluntarily after 25 days. However, this frequently resulted in their subsequent apprehension and detention for not complying with their legal obligation to voluntarily leave the country. Some were detained for up to 33 months across four separate time periods in PRDCs across Greece. According to the EU immigration commentary, the 18 month maximum time frame is absolute and if a third country national has been detained in view of removal for a combined total of 18 months, they cannot be detained in view of removal again on the grounds of not having valid documentation.[188] In addition, the limited number of formal readmissions, and random patterns of detention and release, evidences the dysfunctionality of the return procedure indicating insufficient justification for detention, which lies in clear violation of both EU and Greek law. As such, the deprivation of liberty for many of our respondents in these circumstances does not appear to be lawfully justified, and instead is used as a mechanism of intimidation and deterrence, breaching fundamental rights of people on the move according to the Charter of Fundamental Rights of the European Union,[189] the ECHR[190] and the International Covenant on Civil and Political Rights.[191]

“

*I was in Xanthi four times, for eighteen months, then for six months, then again for six months, and again for three months.*

Manzoor, Xanthi

*Yeah for now what I heard is that the longest you can stay here is 18 months. The longest people have stayed here is 18 months. The minute you get to 18 months, the day you get to 18 months you get released to go out....But if you seek for appeal, they will just tell you ok the detention centre the authorities here will just sign for you they will just forward it for you. When you are there within one month they will tell you your case is rejected. So after staying for 18 months, they'll give you one month to leave the country, two months, sometimes one week, depending. It depends. Some people get 2 months to 3 months, some people get 1 week and 2 weeks to leave the country. So if you go out again and the police catch you again they have to take you back to the detention centre, which is another problem we are facing.*

Emmanuel, Corinth

”

“ This is, about the paper and the procedure...like you spend the whole year and then you take a paper for 25 days... as soon as you are out, they catch you and they bring you back again.

Manzoor, Xanthi



Source: Xanthi PRDC, MIT respondent

## ◆ Detention of Applicants of International Protection

Despite individuals being considered applicants of international protection after just an oral expression of willingness<sup>[192]</sup> in EU and Greek law, due to a lack of access to asylum procedures, many third country nationals are unregistered as applicants and detained under the assumption of being on Greek territory without legal formalities. Upon their application for asylum being lodged inside the PRDC, respondents reported their detention being prolonged, despite their entrance into the asylum procedure. Central to European law is the guarantee that individuals should not be detained for the sole reason of being an applicant of international protection.<sup>[193]</sup> However, in practice, a significant number of applicants are detained on the excessive and arbitrary attribution of legal grounds, particularly since the implementation of the IPA and its subsequent amendments.

Specifically, the grounds for detaining an applicant who had lodged their application prior to detention was introduced,<sup>[194]</sup> resulting in a considerable number of individuals being apprehended and detained in spite of their expression of willingness, or even asylum seeker status and documentation. In October 2011, the ECtHR judgment on the application *Aud v. Bulgaria* ruled that where the deprivation of liberty is concerned, legal certainty is required in respect of each and every element relevant to the justification of the detention.<sup>[195]</sup> However, the ambiguous reasons our respondents were held for were often reportedly justified by the risk of being a threat to public order, or in the context of ‘suspicion of absconding’; justification that relies on the opinion of a competent authority rather than tangible evidence. The frequent and excessive adoption of public order grounds for depriving individuals of their liberty by Greek authorities, whilst they should be beneficiaries of material reception conditions, is alarming, and breaches the central pillars of the CEAS.



During sweep operations and random police checks, particularly in public urban spaces, several applicants reported being apprehended and checked for documentation. One individual described providing his asylum seeker card upon request by the authorities, and subsequently being taken to a police station before being detained for several months without being given any reasoning, in a language he understood. These random and unsubstantiated apprehensions demonstrate the use of detention as a method of control in Greece, despite not following procedures or providing sufficient justification.

“It was an old van, white, no sign. Then the police checked everything, asking “Why are you here? Are you a drug dealer?” I said no, they kept saying “you are a drug dealer”. They didn't find anything, they checked my [asylum seeker card] ID, it was valid. Then they said we will take you to the police station and check you again and I said “no problem”. So they didn't even handcuff me, we went to a police station, it was in Thessaloniki, they put me inside the cell for 5 hours, it was really small, and I didn't know why they kept me there. I was really hungry, just waiting. Then they checked me again, they didn't find anything, I said “now you should let me go, you haven't found anything, I haven't done anything wrong so, let me free” and they said “no, you have to take off your laces from the shoes”, then I knew it, I knew that they are gonna put me somewhere for long because why would they ask me to take it off? I was arrested at 7:30 at night and I was kept in the police station like 8-9 hours so in total around 3 o'clock in the morning they took me to another police station, which is called Megalo, it's like the biggest police station and when I entered there, they handcuffed me and they were really tight, the handcuffs. And when they took me there, I found other people, in the same cage, like me they had their documents valid, they had done nothing but they kept them there.

We stayed in this police station for a total of 14 days then they took us, they told us “hey we want to take you out, but we don't want to release you in Thessaloniki so we will bring you somewhere else and then release you”. And they brought a bus, a blue bus. They put us inside the bus and they drove us for like 3-4 hours to Paranesti. When we entered this camp, this detention centre sorry, they checked us again. I was an asylum seeker. I was detained there for six months.

Ali, Paranesti

Source: Paranesti PRDC, BVMN



In addition, 63% respondents indicated that they had applied for asylum while in detention, yet were not released upon doing so and continued to have their detention prolonged. This would indicate that those detained in view of removal due to lack of documentation, were subsequently detained as applicants on new grounds. The high frequency of these cases raises strong doubts regarding the review for the grounds of detention and the legal justification provided for its extension. Instead, it indicates that third country nationals in PRDCs have their detention systematically extended despite their application for international protection and the newly required sufficient reasoning. In the case *A. A. v. Greece*, [196] the applicant was forced to remain in detention following the filing of his asylum application despite the suspension of the procedure for his return. The ECtHR found that the period of detention and its extension following the registration of the asylum application was not justified with a sufficient reason, which did not make the detention necessary for the purpose pursued.[197] This case reiterates that these practices do not lie in accordance with the principles of absolute necessity, as per EU legislation and Greek law,[198] and violates the right to liberty without sufficiently justified legal means.[199]

Finally, unjustified delays, due to internal systems and lack of communication amongst authorities, also led to several respondents waiting just to lodge their application. Yet according to Article 50(5) of Greek law 4939/2022, applicants should only be held in detention for as long as is absolutely necessary, and in particular, 'delays in administrative procedures that cannot be attributed to the applicant shall not justify a continuation of detention'. In addition, Article 69(7)[200] states that detainees who wish to lodge an application for international protection should be provided with an appointment to lodge the application no later than ten working days after their verbal expression of willingness. Yet in practice, respondents were detained for several months while they waited for their application to be lodged. Rather than their expression of willingness being prioritised, respondents described situations whereby procedures were treated with a general lack of urgency and without follow up or information regarding their status. These systemic delays, as well as the ambiguous and flexible legal grounds for detaining an applicant of international protection, creates a conducive environment for arbitrariness leading to violations of Article 5(4) ECHR.

“

*I don't know the exact reason but they told me that I entered this land illegally so I will be taken to a closed camp. The only thing they told us is that we are dangerous in their society. We had a space where we prayed for Muslim people and one guy was understanding the Greek language. I used to hear this word all the time when I asked and he told me what that word means. Kíndynos [danger] is the word.*

Walid , Paranestii

*My brother and I went to the officers there saying like please write my name down. I want to apply for asylum. Then they said, it's all good. You come tomorrow, we'll take it. And that was the same thing every day except the weekends because you can't apply for asylum on the weekend, so that was the case for like 4 months and I was really frustrated and exhausted and like mentally really tired. Then I just paid a lawyer. I gave him 1.200 euros and when the lawyer went, he said your name was never taken to the office, that's why you spent four months here. That's why you are here for like four months. So when the lawyer went, he went and helped me to apply for asylum. So the officers never took my name to the list - the ones who wanted to apply for asylum. OK, so is it this is, this is why I am really sad and it was truly hard for me because I felt like I spent four months for nothing, for no reason.*

Azhar, Amygdaleza

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# Access to Legal Counselling, Information & Translation

## Access to Legal Services

### Access to Legal Services in Detention Regarding the Asylum Procedure

Nearly 80% of respondents had applied for international protection, and were either still in the asylum procedure, or had received rejections. Those who received rejections had either missed their appeal deadline or could not afford the 100 euro fee to apply for a second subsequent application. Individuals who had previously applied, but received negative decisions, are legally considered as third country nationals staying illegally in Greece, and are therefore subject to detention in view of removal under the amended Law 3907/2011.[201] However, many people who were detained on these grounds did not receive appropriate information, translation or access to legal counselling in order to complete their asylum procedure fairly. In fact, the majority of people we spoke to did not know their legal status while in detention, or the status of their application. As a result, many individuals who are now considered under Law 3907/2011 - and no longer under asylum law - had been deeply impacted by a lack of access to legal aid and thus international protection throughout their time in detention. This pattern indicates a systematic attempt to endanger applicants' access to information and legal counselling throughout their asylum procedure and subsequent removal, thus depriving access to their freedom and rights.

Only seven respondents were able to access free legal services from the state or an NGO, and only four respondents reported access to free legal support in the asylum unit for their asylum procedure, although this was sometimes offered online through a video call. Applicants for international protection are only granted free legal aid for their asylum procedure when appealing a rejected decision.[202] As a result, people are left with two options; find support from an NGO or a private lawyer. The issue of legal representation and assistance is one that is raised repeatedly by our clients. Across Greece, legal NGOs providing support to people in detention are limited, but include GCR, Equal Rights Beyond Borders, Equal Legal Aid as well as Mobile Info Team. All organisations report a lack of capacity to support detained individuals, forcing people to search for alternatives. People frequently reported the use of privately paid lawyers to support them with their asylum procedure, although many could not afford this, leaving them in an information void which is amplified by detention.

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*So, actually, the interpreter and I talked to them. They told us that because your case has been rejected, you should pay 100 Euros. I said I don't have it unfortunately, how can I pay for it? They said if you're outside the jail, also you have to pay it, it's the rule for everyone just the same. I said If I am outside, I can work, I can pay for it. But inside how I can pay you? How can I bring you some money here? And he said that then they hung up. They said it's your problem, it's up to you.*

Sayed, Corinth

*So actually, I got rejected 3 times, then they asked me to pay 100 euros to a lawyer, so I paid, then the lawyer helped me for my procedure, so after they helped me to get out, I got my protection.*

Ehsan, Amygdaleza

*Yes, [I want to appeal my rejection] but actually in order to appeal I need to have a lawyer. I don't have it here, so I can't apply for that. So I haven't appealed, I have to wait to go out and then to appeal.*

Esfandiar, Paranesti

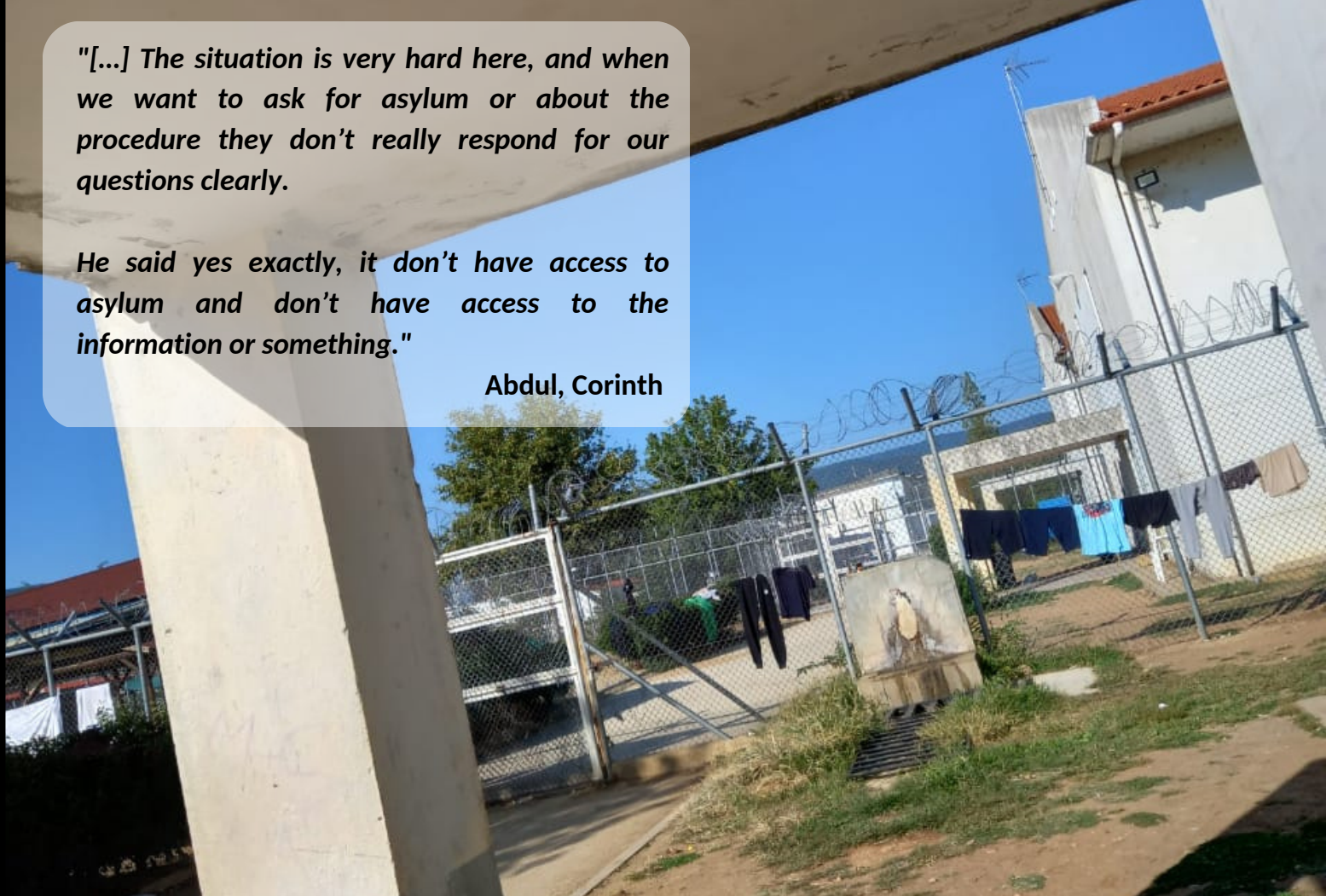
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"[...] The situation is very hard here, and when we want to ask for asylum or about the procedure they don't really respond for our questions clearly.

He said yes exactly, it don't have access to asylum and don't have access to the information or something."

Abdul, Corinth



Source: Xanthi PRDC, MIT respondent

## ◆ Access to Legal Services to Challenge Detention Decisions

In general, access to legal counselling in PRDCs on mainland Greece was extremely limited. European law lays down the requirement for Member States to offer the possibility to request free legal assistance and representation for asylum seekers in detention to challenge their detention decision,[203] which is also transposed in Greek law.[204] In practice however, there is no functional free legal aid system for asylum seekers established to challenge their detention decision.[205] As a result, multiple respondents reported paying non-standardised fees for private lawyers, of up to 2,000 euro, for appointments over the phone, and at times, with little follow up. Those who could not access lawyers or afford lawyer's fees, were left without an effective possibility to challenge their detention orders, which is in contradiction to European and Greek law. For detainees in facilities without access to mobile phones, for example in Tavros (Petrou Ralli), this indicates a further barrier to reaching legal services when they are not sufficiently provided within the centre.

Of those who were able to afford the expensive fees for a private lawyer, several reported being released, particularly respondents of Afghan nationality who's asylum claims were rejected on the grounds of inadmissibility. Others specifically detailed that they paid lawyers and individuals to provide a host address in order for them to be released, evidencing that they are not at risk of absconding. This reiterates that people are detained unlawfully, and are just unable to reach the legal support they need to object the decision. In its report from both 2018 and 2020 visits to Greece, the CPT issued formal recommendations to the Greek authorities to take concrete action to ensure that all foreign nationals who are deprived of liberty by the police under aliens' legislation are granted the rights of notification of custody, access to a lawyer are placed in a position to effectively exercise this rights. Yet according to our research, two years later, this has not been implemented. Corinth presented the lowest levels of access to legal support in our research, corroborated by ERBB's research.

## Translation and Information

Further compounding issues of access to legal services, was the distinct lack of translators available to support people and explain the reasons for their arrest and detention. Our research concluded that the majority of people were either forced to go without crucial information, use fellow detainees to support them in translation thus breaking client privacy, or at best, receive translation services over the phone. Regarding applicants for international protection, this specifically violates EU legislation[206] as well as Greek law[207] on conditions for detention which designates that all applicants should be informed immediately in a language they understand, the reasons for detention and procedures laid down in national law.[208] In addition, the RD provides that third country nationals should be systematically provided with information which explains the rules applied in the facility and sets out their rights and obligations.[209] Yet, over 40% of respondents across PRDCs were arrested without knowing the reason for the arrest in a language they understood. Where information or documentation was provided, it was often in Greek. Many respondents specifically noted that their treatment was that of criminals, yet they did not understand what they had done wrong, indicating their confusion at the reasons for their detention. In the judgment *M.S.S v Belgium and Greece* in 2011, the ECtHR noted “the systematic placement of asylum-seekers in detention without informing them of the reasons for their detention is a widespread practice of the Greek authorities”.[210] In its report in 2020, the CPT specifically recommended that sufficient funding should be made

“

*I could not get any response from the lawyer, so I decided to assign a new lawyer and one of the guys inside the prison told me there is someone, a lawyer, that he knew, and he was introduced to me. Then I signed a contract with him which I had to pay 1,800 euro, and after that, after signing that contract, I was supported by the lawyer and finally I was released.*

Afran, Corinth

*They never provide a lawyer or somebody who can explain. They push you to pay for a lawyer. Everyone just wants to go outside so they will spend all their money to go out. All the lawyers who come to these places and try to take the case are big scammers and take the money. Some paid 2,000 euros. It's an indescribable place and I don't want to talk about it so much.*

Unknown, Amygdaleza

*In the police station they told me they are going to take me to an open camp and when I got to Drama I found out that Drama is a closed camp, is a detention, not an open camp. And when I asked about a lawyer they told me that a lawyer is not going to help me here.*

Walid, Paranesti

*[When I asked the police for asylum] there wasn't any interpreter to translate. I can speak a little of Greek. So I explained what I wanted.*

Ghulam, Corinth

*I needed to pay a lawyer to get out. So I paid somebody that went with the lawyer to the court and he told the court that when I go out of detention, he will look after me. I gave them the [hosting] address and the lawyer went to court in order to get me out.*

Sami, Fylakio

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available to ensure that interpretation services are available when required. Yet according to our research, the limited access to translation persists indicating that insufficient action has been taken to follow up on CPT recommendations.

In addition, respondents who were held across PRDCs, as well as in police stations, reported being forced to sign documents that were written in a language that they did not understand. 33% of people across PRDCs reported being forced to sign papers. Only 4 out of 50 people explicitly stated that they had not been forced to sign any documents. Some respondents even reported being threatened if they did not cooperate. The 2020 CPT report also stresses that detained persons should not be required to sign official documents in a language they do not understand, recommending that either a copy of individuals' documents are systematically provided to detainees in a language they can understand, or the content should be translated. This is evidently not consistently practised in Greece.

Issues of translation and a lack of information were also specifically reported by respondents during their asylum procedure. As previously noted, respondents reported difficulties communicating their expression of willingness to apply for asylum with detention authorities. This was amplified by a lack of translation available in detention centres.

For those applicants who were able to progress through the asylum procedure, the majority felt unprepared and anxious for their interviews, sometimes being given just a few hours to prepare for their appointment. Obtaining the correct evidence, legal support and information for their interview was often not possible



*When I had my interview the interpreter was translating by phone and I didn't understand him because he was talking in another language.*

Sardar, Amygdaleza

*One time the authority came to me and asked me to sign a paper. Because it was in Greek I said I didn't know, I don't want to sign it. They just shouted at me, that's why you don't want to sign it. Yes, they forced me to sign the paper.*

Fazal, Corinth

*No, there was no translator, people from the community were translating. The one speaking Greek or english. Mostly Greek because the officers inside don't speak any english.*

Ali, Paranesti

*We don't have any access to an interpreter or translator, whatever I want to ask, only it's not available for Farsi speakers, any translator for others like Urdu, they are available. Lots of accessibility but for us, no.*

Abdul, Corinth

*No, [they did not explain the asylum procedure], they barely spoke to me. I know the asylum procedure and that as a political refugee I have rights, but when I tried to express myself they shouted at me in Greek or ignored me. Yes, [I asked for asylum in detention] many times. The other people there too. I saw the police get very angry many times when he asked. No, there was no interpreter. But I think some police understand Turkish.*

Ajar, Fylakio





in short time scales, leading to negative decisions. The administrative and logistical barriers that people have to overcome in order to navigate the legal systems in detention centres are significant, without the additional burden of misinformation, lack of interpretation or access to legal counselling and their rights.

Overall, our research evidences the lack of numerous procedural safeguards across PRDCs in Greece, resulting in a void of clear information and understanding by detainees regarding their legal rights, status, the asylum procedure, the reasons for their detention and the length of time that they would be held. 70% of respondents across PRDCs demonstrated confusion over these topics, explaining the little communication they received from authorities or the asylum service leaving them in a legal limbo. These issues raise concern as to people's right to effective remedy, making it impossible for individuals to understand the reasoning for their detention, or how to challenge it.

“

*No, they had an asylum office so you wait and whenever your turn comes you do your interview and they don't tell you until the date. They don't inform you a week before, just they call you at 8 o'clock and you wake up and you do your interview.*

Ali, Paranesti

*Yes, I asked for asylum in detention. I don't speak English or Greek so I couldn't understand anything. No, [there was no translator]. One time in the camp there was someone who spoke Turkish who helped, but otherwise no.*

Aslan, Xanthi

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Source: Xanthi PRDC room, MIT respondent

# Detention Conditions

As previously highlighted, both applicants of international protection and third country nationals detained in view of removal are usually held together in PRDCs in Greece. In the event of these two legally defined groups being detained together, both EU legislation[211] and Greek law[212] require all detainees to be treated according to the conditions defined for applicants of international protection. As such, the conditions of detention will be analysed for both groups together.

## ◆ A Carceral Environment

Similarly to detainees in Kos PRDC,[213] many respondents across Greece expressed their beliefs that detention facilities constituted a carceral environment. Of the people we spoke to almost 50% of the interviewees compared their PRDC to a prison. Over 20% of respondents mentioned being treated like criminals and four individuals reported being treated like animals. It should be noted that the comparison between the PRDC as a prison is unanimous among the detainees in Fylakio. The general use of surveillance equipment and architectures of security are evident across the PRDCs and are illustrated in photos. The presence of authorities carrying weapons, the use of CCTV cameras, the accommodation structures surrounded by barbed wire fences - in some cases PRDCs were double fenced - and the metal cages or barred cells used specifically by Corinth and Tavros (Petrou Ralli), are symbolic of a carceral landscape. This has been consistently raised by CPT reports, in 2014[214] the delegation regarded Fylakio and Tavros (Petrou Ralli) totally inappropriate in their carceral design, and in their follow up visit in 2016, the CPT expressed disappointment that the conditions remained the same.

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*They never listened to us, like ... they just gave us some food, like criminals, their behaviour. They put food in front of the rooms and then after they just took it and that was it.*

Sardar, Corinth

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Source: Paranesti (DraPRDC, BVMN)





Respondents also noted the general lack of interaction between detention facility staff and detainees, unless they were being counted at night, asked for information or punished for 'misbehaviour'. When they were spoken to, respondents mentioned that they were frequently referred to by their detention numbers, rather than by name. Furthermore, they reported unprovoked verbal insults and racist remarks by the authorities, as well as the use of handcuffs contributing to treatment associated with crime. This had a visible impact on the mental wellbeing of detainees.

“

*If I had been a drug dealer, I wouldn't have to stay for one year. Back home in Tunisia I would just stay a few months and go out. I felt like a criminal without doing anything.*

Walid, Paranesti

*They act like we are criminals. Not only for me, for everybody there.*

Abdul, Corinth

”

“

*Yes I applied for asylum at the camp, they asked me for my personal details, I gave them a quick interview and they don't care about it, they applied for that and they just treat me so bad and then they just they took me from Fylakio to Drama and in a really bad situation, like a criminal, they took me in a closed van, they took me to Drama and it was so bad.*

Makan, Fylakio and Paranesti

*It's so stressful for the people inside. Some people get angry when they don't get their rights, like medicine and sometimes they don't give them what they need and they start to climb the fence and protest and don't take the food and start shouting. I felt like a criminal without doing anything.*

Walid, Paranesti

*When they arrest me they just kick me in the car and the behaviour was so bad and just.. they behaved to me as if I was a criminal and with their equipment that they have... There's something they put in their hands, for criminals, handcuffs.*

Fazal, Corinth

”





# General Conditions

## Hygiene and Condition of Spaces

In accordance with the carceral environment of detention centres in Greece, the general conditions inside PRDCs was consistently reported to be poor. Not only are the physical buildings and furniture broken, dilapidated and bare, but basic facilities such as washing machines, beds, lighting, toilets and showers are dysfunctional. Several respondents reported that the number of people sharing one toilet was exceedingly high, as many were in need of repair or extremely dirty. For example, in Xanthi, respondents reported 50 people sharing one toilet, and in Corinth, one was shared between 48. In addition, the majority of people we spoke to described that showers were dirty, there was rarely any hot water, and soap was not provided except for one bar distributed upon arrival. The Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment imposes a set of legal obligations on states regarding detention conditions, which specifically refer to cleanliness, size of space, access to heating, electricity and water as well as items like bedding.[216] The ECtHR also takes into account the amount of sleeping space available to detainees, when considering a potential violation of Article 3 ECHR.[216] Reports from respondents indicate that the levels of cleanliness, availability of material items such as bedding and the size of space available to detainees does not meet these standards. Among the 46 interviewees in PRDC, six respondents specifically reported that there was a lack of mattresses provided to all detainees in a cell, and only 12 individuals indicated that everyone was provided with a mattress.

Furthermore, detainees are expected to keep the spaces clean themselves, yet are not provided with cleaning products for the rooms, bodies or their clothes. Items such as toilet paper, towels or sanitary products are not provided either, but can be purchased from a market in certain PRDCs. Resultantly, the centres are generally dirty, harbouring mould and attracting infestations of rodents and insects. This was specifically reported by seven respondents across PRDCs. Finally, respondents mentioned that in Amygdaleza, the disparity of access to facilities created tensions, as some individuals would have a functional shower or air conditioning, and others would not, forcing them to ask to share creating complex dynamics between detainees. We assert that being forced to navigate these tensions in order to gain access to basic facilities is undignified, and respondents reported on the suffering of some detainees as a result. The state of these facilities is illustrated by the photos below.

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*The conditions are worse than for animals, it's like a stable, it's not even right to even put animals in this place.*

Khalil, Amygdaleza

*The bathroom and toilet it's not at all.. it's hard to use. Because the shower didn't work, the toilet didn't work, nothing.*

Fazal, Corinth

*They kept us in cells that were dirty with no bathroom that worked, and very bad conditions. It smelled like urine and there was nowhere to sleep. Then they moved us to this camp, which had container houses and a big building. We had to stay in the containers most of the time. It was an official camp, but still like a prison because you can't leave and the rules are strict. There were beds and a bathroom, but it was small and also not in good condition.*

Meryem, Fylakio

”



“

*So yes access to one toilet but it is really dirty and not good, there is no access to good hygiene in the detention centre.*

**Ehsan, Amygdaleza**

*It was like a big room, you know, like a caravan and it had a toilet, one toilet, one shower. And we were in each caravan between 14 to 18 people.*

**Ali, Paranesti**

*It was the bathroom and hygiene that was bad because, it was a small toilet for more than 30 people who was living around and everyone wants to have the shower or go to the toilet but it was too dirty, it was really dirty and also the cats and other animals they went there for the pee and it was, I don't know how to explain it.*

**Makan, Paranesti**

*There are some people who were sleeping in the bed and the bed is broken, so people are sleeping on the floor and you know, because it's a very stressful place and a lot of people have their own issues and they are waiting.*

**Sohan, Amygdaleza**

”

**"Oh my god... it's very bad. They had only 2 toilets and 100 people used these two toilets."**

**Manzoor, Xanthi**





These unsanitary conditions have a drastic impact on the health and wellbeing of detainees, denying a dignified living environment and significantly increasing the levels of stress of respondents. As previously mentioned, when applicants of international protection are detained alongside third country nationals subject to return orders, both groups should be treated in accordance with the RCD. The RCD states that applicants who are in detention should be treated with full respect for human dignity.[217] The treatment of detainees in Greek PRDCs does not align with European legislation, on the basis of the conditions of the detention centres alone. This brings to question Article 50(2) of Greek law,



[218] whereby the absence of appropriate detention facilities, and difficulty in ensuring decent living conditions for applicants should be taken into account before issuing a detention order or extension. Furthermore, the systematic lack of access to functional toilet or shower facilities and cleaning products could amount to degrading treatment, and a violation of Article 3 of the European Convention, as per the *Ananyev and others v. Russia* ruling.[219] According to the ECtHR and the CPT, the judgment ruled that:

“access to properly equipped and hygienic sanitary facilities is of paramount importance for maintaining the inmates’ sense of personal dignity. Not only are hygiene and cleanliness integral parts of the respect that individuals owe to their bodies and to their neighbours with whom they share premises for long periods of time, they also constitute a condition and at the same time a necessity for the conservation of health. A truly humane environment is not possible without ready access to toilet facilities or the possibility of keeping one’s body clean.” [220]

In the same Court ruling, the provision of sanitary precautions including measures against infestation with rodents, fleas, lice, bed bugs and other vermin was emphasised, in order to prevent discordance with the ECHR. The frequent reports of insect infestations, particularly in Corinth, also lies in contradiction to this ruling.

Building on the latter jurisprudence the Court recalls in its case of *Aden Ahmed v. Malta* that several aspects of material conditions are taken into account in assessing compliance with Article 3. This includes “the possibility of using the toilet in private, and compliance with basic sanitary and hygienic requirements”.[221]

**“ Inside the prison when I was there we had to bear the problem of insects, that they were biting us, and stinging us during the night and it was difficult to sleep during the night. We made a lot of complaints but nobody care about that and that meanwhile we had a lot of mental problems. ”**

Afran, Corinth

## Food & Water

The quality of food reported across PRDCs was extremely low. In general, respondents felt that there was enough food provided, usually 2-3 meals a day, yet the terrible quality resulted in the majority of people not eating it, preferring to buy dry food items from the markets where possible instead. Several people we spoke with described that food was not fresh, but often spoiled and mouldy making it inedible. Others noted that the variety of food was minimal, and that the same food was served daily, notably in Corinth multiple respondents complained about only being served potatoes every day. Only 8 people did not report food-related issues, indicating that more than 80% of respondents across PRDCs have experienced such difficulties. This is illustrated in photos below.

In the case of *Muršić v. Croatia* the Court quoted one of the Recommendations of the Committee of Ministers of the Council of Europe, the appendix to which recalls that special attention should be paid to the provision of sufficient and suitably prepared and presented food.[222] In addition, the Court ruling refers to the Mandela rules, which defines that food of nutritional value adequate for health and strength, of wholesome quality, should be served.[223] Finally, the Court ruled that for detentions of a longer duration, the authorities must guarantee a balanced planning of menus, if necessary by setting up an internal structure for the catering of detainees. This is not consistent with the reports from people in detention centres in Greece.[224]

Despite the majority of respondents stating that they had free access to tap water, which on the whole was clean, one individual reported that unless you paid for bottled water, there was only access to dirty water from the bathroom. This resulted in stomach problems and skin infections.

Source:  
Corinth PRDC food, MIT respondent



“

*The food is, like, they gave us food three times a day. The only thing that we can find inside the food is potatoes, like, I mean really, we ate only potatoes for many months, only potatoes. Most of the food is of them. It made us feel dizzy sometimes because we didn't eat anything else except the potatoes or some beans. We felt like we were weak.*

Sardar, Corinth

*The food was really... some of it expired, sometimes really hard, the quality was really shit. And yeah, one time people did a hunger strike just because of food you know.*

Ali, Paranestii

*And then the food is also not good at all, sometimes the food is spoiled food, you cannot eat the food. You have to throw the food away. When you complain they don't care about you.*

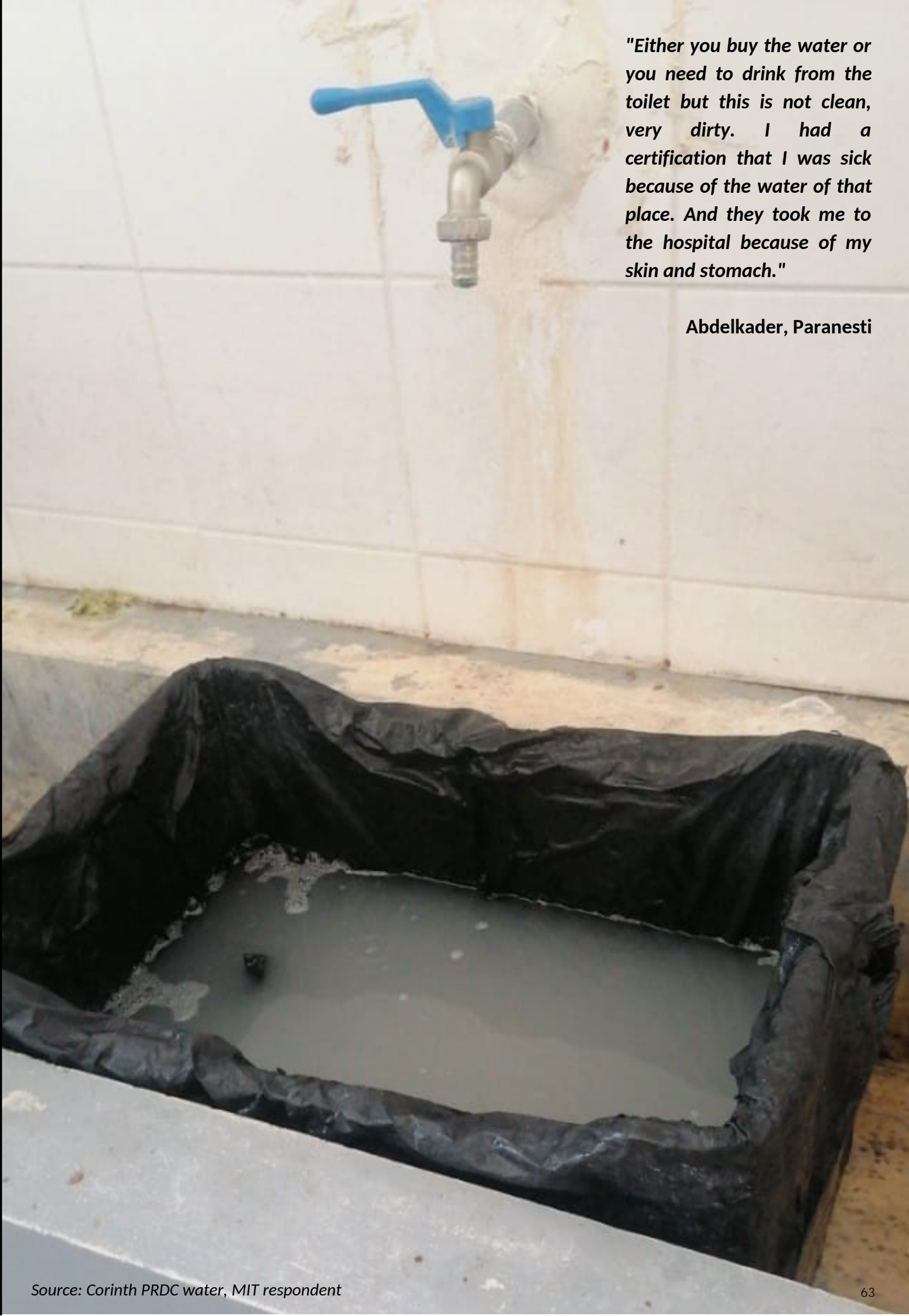
Emmanuel, Corinth

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*"Either you buy the water or you need to drink from the toilet but this is not clean, very dirty. I had a certification that I was sick because of the water of that place. And they took me to the hospital because of my skin and stomach."*

**Abdelkader, Paranesti**







Source: Xanthi PRDC room, MIT respondent

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The food that they were providing to us was something that we just needed to fill in our stomachs because we were hungry and we had to eat that otherwise it was not something that you can imagine was something edible. And 80% of the time that they were giving out food it was made of potato.

Afran, Corinth and Amygdaleza



Source: Amygdaleza PRDC room, MIT respondent

It's not fresh, sometimes some meals are left for 3 days, you cannot eat them, they don't care about that. And then sometimes they bring you one meal for the whole day. If it is patat [potatoes], the same morning afternoon for the whole week. The same food for the whole week.

Emmanuel, Corinth

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# Access to Medical Care

## Delays, Low Capacity & Lack of Translation

Access to medical care is a persistent issue across PRCDs in mainland Greece. CPT reports since 2013 have highlighted this problem, yet a lack of appropriate action has been taken to align with the CPTs recommendations. AEMY, a public limited company, has been the medical provider of detention centres since 2017, when the responsibility was transferred to the Ministry of Health and the Health Unit SA.[225] However, medical staff shortages, including doctors, nurses, psychologists and translators have been frequently reported,[226] leading to the CPT raising extreme concern over the public health risks associated with PRDCs in Greece. Our research substantiated these arguments; only 20% of respondents reported satisfactory access to medical care, and 80% reported either extremely limited access for urgent cases whereby individuals would be transferred to hospital, or none whatsoever. Of all the cases we have analysed in our database, in all languages of exchange, access to medical and psychological care is one of the priorities of our clients and one of the main challenges.

Multiple barriers were identified with regards to medical care, including a critical lack of doctors or translators - in most facilities there was just one doctor but in some centres there was only the presence of nurses - resulting in low capacity for care. As a result, appointments were available at limited times, creating long delays for individuals who needed urgent support. According to Article 16(c) RD, emergency healthcare and essential treatment of illness should be provided, and Article 51(7a) of Greek law[227] states that applicants should receive appropriate medical care during detention. Yet some respondents in Corinth reported delays of more than five months. Not dissimilar to the issues of inadequate access to legal translation, medical translation was rarely available to people in detention, who often had to use the support of fellow detainees to understand the doctor. This raises additional concerns regarding patient confidentiality.

In addition, the people we spoke to frequently pointed to the dismissive attitude of doctors, who only responded to absolute emergencies, or provided basic painkillers. Even in emergency situations, the lack of immediate response to certain incidents by the police lead to medical actors being called too late. For

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*There have been instances where two people have committed suicide. That happened in the camp. The person was suffering, so he called the police, the person went to the washroom inside and then he hanged himself. And he died. From Pakistan. There have been instances of at least two or three people who have died because of an emergency. We call the police. By the time the police arrive, it is too late.*

Emmanuel, Corinth

*It must be a really serious condition in order for them to take it seriously. There is a doctor but the best thing he is gonna do is give you something to calm you. So people beat themselves in order to take them to the hospital. So probably they damage themselves. So that's why they take them to the hospital.*

Iliyes, Corinth

*Because they just take the people to the hospital that stab themselves, because a lot of people were doing it inside and I wasn't the kind of guy who was hurting myself so everything was fine, but I didn't like it, I wanted to be treated well, but in the same time I could not hurt myself to have his rights.*

Walid, Paranesti

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example, a respondent recalled a situation whereby an individual who was suffering committed suicide and died following the insufficient response. This issue of dismissiveness, and arguably negligence, led to several reports of detainees attempting to self harm, in order to be taken to hospital. Respondents described detainees stabbing themselves or beating themselves up severely, so that they would reach the threshold of being taken seriously. This was reported in our conversations with multiple people who were detained in Corinth, Paranesti and Amygdaleza. Furthermore, the previous issues discussed pertaining to a lack of translation are applicable to access to medical care too, limiting detainees' capability to express their needs clearly.

Overall, the lack of healthcare, amplified by the general poor hygiene conditions of facilities resulted in individuals' health deteriorating drastically whilst in detention. Detainees reported the development of breathing problems and skin conditions, especially after cold winters. Coldness in the cells was emphasised by more than 20% of the testimonies. The European Court of Human Rights considers that "suffering from cold and heat cannot be underestimated as such conditions may affect one's well-being, and may in extreme circumstances affect health." [228]

Several respondents reported longer-term conditions, including cancer, diabetes and joint problems. However, the lack of medical access and support persisted, and detainees indicated that people were treated neglectfully in detention.

Despite European legislation not providing specific details on the health services of detention centres, the ECtHR has expressly clarified that state acts and deprivation of healthcare can, in certain circumstances, trigger responsibility to prevent a violation of Article 3 ECHR. In the ECtHR judgment *Kudła v. Poland* in 2000, specifically rules that the state must ensure:

"that a person is detained in conditions which are compatible with respect for his human dignity, that the manner and method of the execution of the measure do not subject him to distress or hardship of an intensity exceeding the unavoidable level of suffering inherent in detention and that, given the practical demands of imprisonment, his health and well-being are adequately secured by, among other things, providing him with the requisite medical assistance". [229]

Furthermore, the Court also ruled that national authorities must ensure that treatment in prisons is prompt, and regular monitoring should be implemented for sick detainees to prevent their conditions from worsening. [230] In situations where this is not possible, detention could be found to be in violation of Article 3 ECHR, as was the case in the 2016 judgment of *Sakir v. Greece*.

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*And then, if you were sick and wanted to see the doctor, it was very difficult. Sometimes it takes you months. The clinical surgeon because there is one doctor who is taking care of thousands of people here so before you can get assessed by him, even when you report when you say you are sick, you want to see the doctor, it will take like one month or two months or five months.*

**Emmanuel, Corinth**

*He had cancer and it was urgent to be treated, so they just told him that you can go if you want, but you have to drive by yourself, it's up to you to find the place, to find the doctor. And yeah that's it.*

**Esfandiar, Drama**

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## Psychological Healthcare

Psychological healthcare, reported by respondents both in regards to themselves and fellow detainees, was extremely poor across detention facilities in Greece. The presence of psychologists was limited, if at all, and similarly to doctors, they were reportedly dismissive of detainees cases. Several respondents explained that their psychological struggles were ignored, with some even reporting verbal abuse by the authorities as a result of expressing their difficulties. This is particularly concerning following our research which indicated that a quarter of respondents expressed severe psychological difficulties including depression and self-harm practices, citing it as one of the main challenges. The combined lack of stimulation, information, ability to exercise, access to psychological support, poor treatment by authorities and lengthy detention periods, generates a critical landscape for mental wellbeing.

The ECtHR has consistently held that Article 3 ECHR imposes an obligation on the state to protect both the mental wellbeing of persons deprived of their liberty, as well as the physical health. In addition to the *Kudła v. Poland* case, the *Ananyev and others v. Russia* and *S.D. v. Greece* cases are further examples of reaffirmation of this principle.[231] The experiences described by detainees in Greece utterly disregard wellbeing and dignity, and demonstrate the routine failure by the Greek authorities to improve the situation in detention centres.

Furthermore, Article 2 ECHR - regarding the prevention of suicide - may also be relevant when considering questions of mental health. This is particularly important as respondents referenced incidents of suicide in PRDCs and general threats of suicide amongst detainees, indicating the lack of response by authorities or medical actors. Historically, suicides have been reported across PRDCs in Greece, [232] and despite the CPT's recommendations, the situation has not improved. In 2020, the CPT called upon the Greek authorities to ensure that all migrants detained for more than 24 hours should be interviewed and examined to identify any mental health problems. [233] This should be included in a screening process to assess if detention will have an impact on the individual's psychological health. Furthermore, if an individual requires treatment upon assessment, it should be provided in a timely manner.[234] The ECtHR has applied principles of psychological treatment, including for psychiatric disorders involving suicidal tendencies, for people deprived of their liberty,[235] and the longer term implications of detention on individuals should thus be considered and applied to detainees in Greece.

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*There is a general doctor who could give just very simple medicine but if somebody has psychological problems they don't believe them.*

*I was really depressed, because the depression and suicide thoughts were so hard that sometimes I just put a knife to my head and my friends would have to help me.*

**Driss, Amygdaleza**

*We didn't have access to any health service. So when we said, like "we want to see a doctor, we are really sick", they said "you can drink water, it's not any problem". The situation were really bad there, I had like mental health problem and all the time I tried to beat myself so, but they just ignore.*

**Ghulam, Corinth**

*Next to us was another camp, it was one Turkish or Kurdish guy, he was arrested there for 19 months and they said to him when you finish this last month, 19 months, you will be out. So, he finished his last month and he go to them and he said to them I want the freedom as you told me so they said to him no, there is no freedom or something for you right now, so he entered to the bathroom and he killed himself there, he hanged himself there, so he died there.*

**Ayoub, Corinth**

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# Access to Outdoor Spaces and Recreational Activities

Access to outdoor spaces and recreational activities are considered a crucial element contributing to the wellbeing of detainees by the Court, and a lack of possibility of activity in the open air can cause applicants to "feel isolated from the outside world, with potentially negative consequences for his physical and moral wellbeing".[236] The CPT is often referred to by the ECtHR in defining minimum standards in this subject, which includes outdoor exercise and preferably, a broader programme of out-of-cell activities.[237] Importantly, the outdoor space, or recreational area, should be "reasonably spacious and whenever possible offer shelter from inclement weather", and while a minimum of one hour per day outdoors is considered mandatory, "according to the relevant international standards prisoners should be able to spend a reasonable part of the day outside their cells, engaged in purposeful activity of a varied nature (work, recreation, education)."[238] The Court also judged that even in absence of the intention to humiliate a detainee by placing them in poor conditions which do not provide these minimum standards, a violation of Article 3 of the Convention could still be found.[239] Thus, in 2013, the ECtHR states "quite apart from the necessity of having sufficient personal space, other aspects of physical conditions of detention are relevant for the assessment of compliance with Article 3. Such elements include, in particular, access to outdoor exercise, natural light or air, availability of ventilation, adequacy of heating arrangements, (...)".[240] Finally, the RCD specifies that detained applicants - and those third country nationals detained in the same space according to Article 10(1) - should have access to open-air spaces.[241]

In practice, people detained across Greece are provided with access to outdoor spaces, yet in limited hours and spaces, depending on the PRDC. For example, access to outdoor courtyard space in Xanthi is less restricted, but in Corinth detainees are only allowed outside for a few hours, and in Paranesti there are only a few metres of space reducing the possibility for exercise. Respondents in Corinth described the suffocating feeling of being kept in cells of 12 people without having access to the outdoors, creating tensions and critical mental health. According to respondents, none of the PRDCs in mainland Greece provided recreational activities or materials to do so, including both sports and educational services. Several people we spoke to asked for us to send simple items such as footballs, to distract them from their environments and support their mental wellbeing. Finally, our research found that places of worship were not provided in detention facilities.



*There is nothing, no gym, no football, no study or something.  
There is nothing from this kind of activities.*

Iliyes, Corinth

*When they let us outside, it's a small place, we had only 2-3 metres in front of us; like  
it's close everywhere and we can not do sport, we can not do something or do any  
activities, we didn't even have a ball, at least to play between ourselves or  
something.*

Sofiane, Paranesti



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*Because we were congested inside they didn't allow us outside to get some fresh air. So we were always inside like that yes toilet, washroom, the same place. More than like 12 people in the same room.*

*No no no, no. There was no place of worship, so when you want to worship you have to sit on your bed and then worship there. And most of the people are Muslims, they worship in groups, maybe in the room they will just lay their mat there congregation, in the room there. If you are Christian you have to make your bed your place of worship.*

*So it would help if they opened the gate in the morning. 12 in the afternoon the place is very hot, you have to go out and take some fresh air, but they will lock you in again. And you have to stay inside from that 12 PM till the morning before you get access to go out. You are always there like in a poultry farm. So that's also causing another tension because we were in there close to each other, always 24/7 seeing each other we become fed up with each other. If the gate was open then at least I could have gone out if I was tired of my room. At least I could then go out and walk some and relieve some stress. If I'm in the room for 24 hours then the depression is increasing. So with little tension people just want to do something to just release the tension. So that's why there's too much fighting. Because you feel bored so you just have to do something to get some mental release. That is how it's happened.*

*So, it would help if you could have 2 or 3 hours for sports, maybe 1 hour for classes and another hour for language learning. It would also keep us busy and it would relieve stress. So if you can maybe complain about that, it would help people and it would make people not feel depressed. It would maybe help to feel like you have your little freedom.*

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Emmanuel, Corinth

Source: Amygdaleza PRDC, MIT respondent





# ◆ CONCLUSION

The detention of both people seeking asylum and third country nationals in view of removal in Greece is carried out in a disproportionate manner, and under distressing conditions which do not align with upholding the dignity of detainees. In addition, the recent amendments to Greek law regarding detention have diverged considerably from EU law, allowing for the further expansion and normalised use of depriving individuals of their liberty.

The removal of the obligation to examine alternatives in the amendment made to L3907/2011 by Article 5 4686/2020 is particularly concerning, reversing the use of detention for third country nationals in view of removal from an exception to the default practice. In addition, the amendments introduced by the IPA which enabled the detention of individuals who had already entered the asylum procedure, normalised detaining applicants of international protection, despite it being an exceptional measure of last resort in EU law. As such, despite third country nationals subject to removal and asylum seekers sitting under different EU and Greek laws, both groups have witnessed the systematic practice of detention, and are usually treated as one general category; certainly the people who we spoke with did not distinguish along these legal lines, and viewed their detention as randomly enforced regardless of the content of their asylum seeking claim. A lack of clarity and information provision in a language detainees understand is also therefore a critical concern, highlighting the severely limited understanding that people had regarding the reasons for their detention.

The current use of immigration detention in Greece lies in breach of EU legislation. Yet, current practices in Greece do not even align with Greek law. Furthermore, the persistence of use of detention despite there being an extremely limited number of deportations from PRDCs and only for specific nationalities raises strong doubts regarding the proportionality and justification for their detention, which lies in violation of both Greek and EU law. This results in the length of detention being entirely arbitrary, with no standardised procedures for the release of individuals who are still subject to return orders. In addition, the maximum time limit of administrative detention of 18 months, or even 36 months in certain cases, is excessively used and disproportionate. Furthermore, without sufficient evidence to justify, for example, detention on the commonly given grounds of public order, applicants of international protection are held arbitrarily. Any threat to public order should not be based on vague legal terms, rather, should be evidenced with a specific accusation with given reasons.[242]

Detention has become a de facto element of asylum and removal procedures in Greece, subjecting individuals to harsh conditions without lawful justification. Furthermore, the carceral environments which PRDCs physically resemble, as well as detainees consistently reporting being treated as 'criminals', contributes to the landscape of control and containment which keeps third country nationals isolated and separated from Greek society. The conditions reported and illustrated by photos throughout the report indicate the appalling hygiene, poor access to medical care, non-existence of recreational activities and extremely restricted access to legal and translation services. Deficient procedures and the deprivation of liberty therefore systematically deprives people of accessing legal aid and other information, endangering their right to access international protection and right to effective remedy. Despite several years of the CPT calling on the Greek authorities to urgently implement changes to the facilities, the issues persist, which was further affirmed by the Greek Ombudsman in 2021.[243] As a result, Mobile Info Team is concerned that people in detention facilities are subject to treatment which deny their fundamental rights, and conditions which may amount to inhuman or degrading treatment and thus a violation of Article 3 of the European Convention on Human Rights.

## Difficulties Reporting on These Issues

Mobile Info Team is also highly concerned by the lack of effective reporting mechanisms within detention facilities. Compounded by the restricted access to sites by CSOs and the public, and the evident lack of access to legal support, detainees are at high risk of being deprived of their rights and effective remedy. Yet, without regular monitoring systems or feedback structures, people in detention are left with little options. Despite some detention centres enabling detainees to use their mobile phones, Tavros (Petrou Ralli) does not permit their use, further limiting detainees' contact with individuals and organisations outside. Paranesti PRDC additionally breaks the cameras on detainees' phones, which respondents frequently reported was to restrict visibility on the poor conditions inside and reduce public awareness. The UNHCR, ICRC and IOM are some of the few organisations that are allowed to access detention centres, however, respondents felt that their visits were infrequent and perceived that they were in some way tied to the Greek state, limiting what they felt that they could report. Finally, the precarious situation that many detainees are in regarding their legal status, access to financial and social services and healthcare led to people fearing speaking out. This is of grave concern and points to the organisation of systems and structures which aim to silence people in detention.

**“** *Yes of course everyone, they took everyone's phones, cameras from us. The detention that I was in, as I know from 160 people, no one has any cameras and actually if the police find anyone with a camera, then they are in trouble.*

Makan, Paranesti

**”**

**“** *They give us phones, but they take the camera off, so I want to show you where I lived, how I lived but they did it on purpose in order to not record the kind of food and the place, etcetera.*

Youcef, Paranesti

**”**

# RECOMMENDATIONS

Mobile Info Team argues that detention measures and practices in Greece are not effective and do not comply with fundamental rights under international, EU or Greek law. We recommend that Greece acts urgently to respect its international and European commitments by:

## Recommendations to the Greek state:

- Ensure that the deprivation of liberty or use of detention for people on the move is only used as a measure of last resort, and in line with international and European human rights standards.
- End the use of detention for people on the move in police stations for periods in excess of 24 hours. Further, those detained in police stations should be provided with their own mattress, bedding, access to food and water, and the facilities should be maintained in a decent state of hygiene.
- Guarantee an individualised assessment is carried out to ensure that all alternative measures are exhausted prior to detaining people on the move. Implement the mandatory and widespread use of alternatives measures to detention as already established by Greek law .
- Guarantee effective access to the asylum procedure without delay in detention.
- End the use of detention for third country nationals on grounds of public order and national security.
- Establish adequate access to free legal aid for all people on the move in detention to challenge the legality of their detention decisions.
- End the use of detention for third country nationals in cases where there is no reasonable prospect of removal thus complying with EU Directive 2008/115/EC. A reasonable prospect of removal is only achieved when there is a high possibility of an individual being readmitted to their country of origin or a safe third country.
- Guarantee that people on the move in detention have effective access to information regarding their situation, rights and possibility to appeal in a language that they understand.
- End the use of detention for minors, and ensure that unarmful yet scientifically verified age assessment procedures are carried out upon arrival by medically trained and independent bodies.
- Ensure that a translator is present in all communications between detention authorities and people on the move in detention.



Establish an independent detention monitoring mechanism, that is both well-funded and free from government influence and has the direct involvement of civil society organisations, with the mandate to independently investigate allegations of human rights violations, and publish regular findings in full for public access. The mechanism should prioritise transparent reporting and follow up, through an anonymous complaints procedure and the possibility for unannounced visits.

Guarantee NGOs and civil society organisations open access to detention centres, including PRDC's, with the possibility to provide medical care and distribute food and non-food items inside.

Ensure adequate and timely access to health care for people on the move in detention, including psychological health care and effective translation services.

Establish medical assessments for all people on the move prior to arrival in detention centres by medical actors to assess their vulnerability to detention measures with the possibility to reassess alternative measures.

Implement a timetable of regular recreational activities for people on the move in detention for longer than a few days, including educational classes, sport activities as well as access to a library, place of worship, and outdoor space that complies with European and international law.

Ensure that people on the move in detention have regular and free access to hygiene items and cleaning products, and guarantee that detention facilities, including all furniture, bedding and mattresses, are in a condition that ensures alignment with the standards required for dignified living and international human rights.

## Recommendations to the EU Commission:

To commence the non-disbursement of funds to the Greek state until an independent inquiry establishes that detention practices are in accordance with the European Charter of Fundamental Rights, and that detention is being used solely as a last resort in migration-related cases.

By independent inquiry we refer to a process that is transparent, whereby the actors leading the investigation are separated from state actors, civil society organisations also have the opportunity to give input, and the methodology, procedures and findings are made publicly available in full.

To open infringement procedures against Greece on the basis of the incorrect transposition of the EU Return Directive into Greek law, particularly the systematic detention of third country nationals in view of removal.

Abolish the use of detention for asylum applicants on grounds of public order and national security to avoid their arbitrary detention.



To trigger the rule of law framework - launching an investigation to assess the situation in Greece regarding the detention of people on the move, issuing recommendations from the Commission and monitoring their implementation.



To take all necessary measures to ensure that the EU law on the use of detention of people on the move and the conditions that they are held in are upheld within the Greek state, including by facilitating routine unannounced visits from independent inquiry bodies.

## **Recommendations for the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment:**



The Committee must consider setting forward the procedure provided for in Article 10, paragraph 2 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment due to the ongoing and well documented failure by the Greek State to make any progress towards implementing previous CPT recommendations on detention conditions.



The Committee must consider implementing a country visit to Greece, paying particular attention to PRDCs considering that some facilities have not been visited for more than five years.

# ENDNOTES

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8. See the Greek Ombudsman, Return of third country nationals, Special report 2021, available at: <https://bit.ly/3RzFh5w>
9. *Ibid.*
10. See Greek Council for Refugees, Country report: Condition in detention facilities, Greece, last updated on May 2022, available at: <https://bit.ly/3l2k3Kg> ; And see Greek Council for Refugees and OXFAM, Detention as the default, 2021, available at: <https://bit.ly/3jzOe29>
11. See Article 15 of the Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast), available at: <https://bit.ly/3Y9xVlp>
12. See ECJ, case J. N. v. Staatssecretaris van Veiligheid en Justitie, C-601/15 PPU, 15 February 2016.
13. See Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast), available at: <https://bit.ly/3YqoWIR>
14. See ECJ, case J. N. v. Staatssecretaris van Veiligheid en Justitie, C-601/15 PPU, 15 February 2016, para 63.
15. See Article 8(2) of the Directive 2013/33/EU and Article 50(2) of Hellenic Republic Law No. 4939/2022.
16. See Articles 50(2) and 50(3) of Hellenic Republic Law No. 4939/2022 and Article 22(3) of Hellenic Republic Law No. 3907/2011.
17. See AIDA Country Report : Greece, 2021 Update, p.112, available at: <https://bit.ly/3HZQCzn>
18. See Article 50(1) of Hellenic Republic Law No. 4939/2022.
19. See Kay Hailbronner and Daniel Thym, EU Immigration and Asylum Law - A Commentary, Second Edition, 2016, p.1412.
20. See Article 8(3) of the Directive 2013/33/EU and Articles 50(2) and 50(3) of Hellenic Republic Law No. 4939/2022.
21. See AIDA Country Report : Greece, 2021 Update, p.209, available at: <https://bit.ly/3HZQCzn>
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23. See Greek Council for Refugees, Country Report: Grounds for detention, Greece, last updated on May 2022, available at: <https://bit.ly/3wWTMqA>
24. See Article 8(3) of the Directive 2013/33/EU and Article 50(5) of Hellenic Republic Law No. 4939/2022.
25. See Article 50(5) of Hellenic Republic Law No. 4939/2022 and Article 30 of Hellenic Republic Law No. 3907/2011.
26. See AIDA Country Report : Greece, 2021 Update, available at: <https://bit.ly/3HZQCzn>
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28. See Article 15 of the Directive 2008/115/EC
29. See Article 15(1) of the Directive 2008/115/EC.
30. See Article 15(4) of the Directive 2008/115/EC.
31. See Article 30 of Hellenic Republic Law No. 3907/2011.
32. See Article 15(1) of the Directive 2008/115/EC.
33. See Article 15(6) of the Directive 2008/115/EC and Article 30 of Hellenic Republic Law No. 3907/2011.
34. See Article 16 of the Directive 2008/115/EC and Article 31 of Hellenic Republic Law No. 3907/2011.
35. See Article 10 of Hellenic Republic Law No. 32/2013 and Article 51 of Hellenic Republic Law No. 4939/2022.
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37. See ECtHR, case of Suso Musa v. Malta, Application no. 42337/12, 23 July 2013, para. 93.
38. See ECtHR, case of Aden Ahmed v. Malta, Application no. 55352/12, 23 July 2013, para. 88.
39. See Article 16(3) of the Directive 2008/115/EC.
40. See Article 17(1) of the Directive 2008/115/EC.
41. See Article 17(5) of the Directive 2008/115/EC.
42. See Article 11(1) of the Directive 2013/33/EU.



43. See Kay Hailbronner and Daniel Thym, EU Immigration and Asylum Law - A Commentary, Second Edition, 2016, p.1427.
44. See Global Detention Project, Amygdaleza PRDC, available at: <https://bit.ly/3jxmDij>
45. See AIDA Country Report : Greece, 2021 Update, p.205, available at: <https://bit.ly/3HZQCZn>
46. *Ibid.*
47. *Ibid.*, p.220.
48. *Ibid.*, p.221.
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61. See Greek Council for Refugees, submission to the Council of Europe, Application no. 30696/09, 2014, available at: <https://bit.ly/3YabzXk>
62. See AIDA Country Report : Greece, 2021 Update, p.206, available at: <https://bit.ly/3HZQCZn>
63. See the Report to the Greek Government on the visit to Greece carried out by the CPT from 14 to 23 April 2015, CPT/Inf (2016) 4, available at: <https://bit.ly/2IOJTjc>
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Confirmed by the European Commission. See the answer to the Parliamentary question - E-002153/2022(ASW), given by Ms Johansson on behalf of the European Commission, available at: <https://bit.ly/3XatSdD>

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