



MOBILE  
INFO TEAM

# SUMMARY of 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 [Full 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 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 could not 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 unarmful 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**

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.

**45%**

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



## Immigration Detention in Greece

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] 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 European Union (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 EU Member States.[3] Return procedures and Pre-removal Detention Centres (PRDCs) 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 formal 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, 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.[11] 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.

## Methodology

This report analyses 50 interviews with people who have been detained at some point since 2020 on mainland Greece, as well as including a case register analysis of more than 151 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, particularly focusing on access to asylum procedures and the conditions of PRDCs. We used 46 of the interviews with people in PRDCs for further analysis. Six PRDCs were specifically researched: Corinth, Amygdaleza, Tavros (Petrou Ralli), Fylakio, Paranesti (Drama) and Xanthi. However, the distribution of interviews was not equally spread among each centre due to logistical and geographical constraints. The report therefore provides more in depth information on some PRDCs than others.

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. Only one interviewee was female, which is somewhat representative of the gender ratio of those 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 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. 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. 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.



# LEGAL BACKGROUND

People on the move are particularly vulnerable to deprivation of liberty, which is often used by states to discourage irregular migration. Administrative detention - which results in individuals being detained in special facilities rather than in judicial prisons - is commonly used for detaining third country nationals. The purpose of administrative detention is to facilitate other measures, such as deportation or the asylum procedure.. There are also many instances of administrative detention based on other grounds, such as public security. This research focuses on the administrative detention of two legally defined groups - third country nationals, detained in view of removal, and applicants of international protection - detained in PRDCs in Greece.



## 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. The European framework and the Greek law provide that asylum seekers can not 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.”[12]

According to the Reception Conditions Directive (RCD)[13] and the European Court of Justice (ECJ), detention of asylum seekers can only be implemented as an exceptional measure, in clearly defined circumstances,[14] “when it is determined to be necessary, reasonable and proportionate to a legitimate purpose”.[15] In transposing the RCD, Greek law sets out an exhaustive list of reasons for which asylum seekers can be detained[16] in order to comply with the principles of necessity and proportionality.[17] However, the deprivation of liberty is possible only if other less coercive alternative measures to detention cannot be applied effectively, after an individual assessment.[18] Despite the obligation by law, the application of alternative measures are in Greece neither examined nor applied in practice[19] and there are serious doubts if the Greek police, as the competent authority to impose detention, is conducting individual assessments.[20]

Finally, due diligence is required for the execution of administrative procedures[21] and asylum seekers can only be detained for as long as it is absolutely necessary and while the grounds for their detention are applicable. In Greece, the initial period is 50 days which can be extended for another 50 days. The maximum time frame for an asylum seeker to be detained is 18 months[22] and the same time period can be added in view of removal (in case of rejection).[23]



## 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. 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),<sup>[24]</sup> the detention of third country nationals can only be ordered to prepare the return and/or carry out the removal process, in particular if there is a risk of absconding or when the third-country national concerned hampers the preparation of return or the removal process.<sup>[25]</sup> Once again, every available alternative should be assessed and the detention will be used only if other less coercive measures cannot be applied.<sup>[26]</sup> 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.<sup>[27]</sup>

In breach of Article 15 of the EU Return Directive, the exceptional use of detention for third country nationals was reversed by amendments to Greek law in 2020.<sup>[28]</sup> As a result, third country nationals who are subject to return procedures are systematically detained in order to carry out the removal procedure. The exemption from detention then only becomes possible if there is no risk of absconding, if the third-country national concerned is cooperative and does not hamper the preparation of return or the removal process, or if there are no national security grounds.<sup>[29]</sup>

The time frame of detention of third country nationals should be as short as possible - six months according to Greek law - and can only be maintained as long as removal arrangements are in progress and executed with due diligence.<sup>[30]</sup> The time frame of detention can be extended for an additional 12 months if the third country national refuses to cooperate or if the receipt of the necessary documents from third countries is delayed.



## Legal Framework for Conditions of Detention

In Greece, third country nationals and applicants for international protection are both detained in PRDCs and not separately as required by the RCD.<sup>[31]</sup> When the separation is not possible, the detention conditions provided for in the RCD apply to third country nationals as well. Greek law transposing EU law provides rights such as access to medical care and the right to contact their legal representatives or consular authorities for third country nationals.<sup>[32]</sup> Additionally, for detained asylum seekers, 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 is granted.<sup>[33]</sup> The European Court of Human Rights (ECtHR) has highlighted that the place and conditions of detention is directly linked to the lawfulness of detention. The Court will consider various factors in assessing the compatibility of the detention with the ECHR<sup>[34]</sup> but to avoid being branded as arbitrary, the place and conditions of detention should be appropriate.<sup>[35]</sup>

The Return Directive states that particular attention needs to be paid to the situation and health of vulnerable persons who are detained in view of their removal.<sup>[36]</sup> Thus, the detention pending removal should be a measure of last resort and for the shortest appropriate period of time for unaccompanied minors or families with minor.<sup>[37]</sup>

## AMYGDALAZA PRDC

### Summary

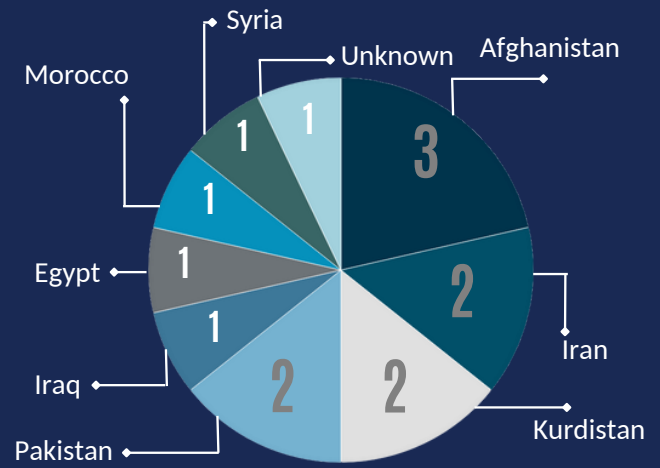
**Location:** Attica region, north of Athens  
**Commonly known as:** Menedi Camp, Manidi  
**Opened:** April 2012  
**Capacity:** 1665 (2013), 2000 (2018), 800 (2021) [38]  
**Total number of detainees in 2021:** 4384 [39]  
**Number of people in detention at end of 2021:** 667 [40]  
**Number of doctors:** 2 [41]  
**Number of psychologists:** 0 [42]  
**People per room:** Up to 8 people per caravan container  
**Access to mobile phones:** Yes with cameras  
**Hygiene products provided:** Once upon arrival  
**Laundry facilities:** No  
**Actors:** International Committee of the Red Cross (ICRC) and the Greek Council for Refugees (GCR)

### Key Findings

- Respondents were detained for periods between **2-10 months**, with an average of five months, and were most often apprehended in Athens on the grounds of being undocumented or having expired documents.
- **More than 50%** detainees had tried to claim asylum since being in Greece - one individual had been unable to register his asylum claim for 4 months despite continuously asking.
- Only 3 people had access to legal counselling which was paid for privately and cost up to **2,000 euros**.
- 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.
- Psychological wellbeing was extremely low with several individuals reporting **depression or suicidal thoughts**.

### Our Research

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:



“

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

”



Source: Amygdaleza PRDC, MIT respondent

## CORINTH PRDC

### Summary

**Location:** Peloponnese peninsula

**Commonly known as:** Korinthos, Corinthos

**Opened:** 2012

**Capacity:** 768 [43]

**Total number of detainees in 2021:** 2484 [44]

**Number of people in detention at end of 2021:** 891 [45]

**Number of doctors:** 1 [46]

**Number of psychologists:** 0 [47]

**People per room:** 12 per cell

**Access to mobile phones:** Yes with cameras

**Hygiene products provided:** Once upon arrival

**Laundry facilities:** No

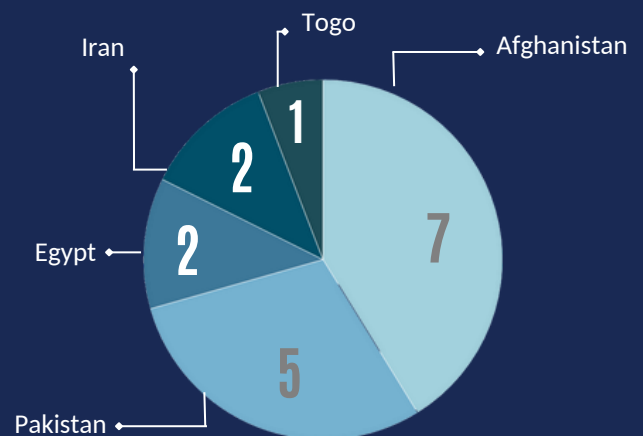
**Actors:** GCR, Equal Rights Beyond Border (ERBB), International Committee of the Red Cross (ICRC), Vasilika Moon, Aletheia RCS and One Bridge to Idomeni

### Key Findings

- Respondents were detained for periods between **2-18 months, with an average of 7 months**. Corinth has the longest detention periods overall and is consistently reported as the worst of PRDCs.
- **20% of respondents** reported that **minors** were frequently detained in Corinth.
- **Over 90%** of respondents had tried to apply for **asylum** or were still in the asylum procedure.
- Only **5 people had access to a legal counselling**, 2 of which were organised privately.
- **50%** of respondents citing **food and hygiene** as the main challenge they experienced with food being old, **spoiled and repetition of food**.
- **Severe psychological ill-health** was expressed by **over 90%** of individuals.
- Respondents reported that there was timed access to outdoor spaces.

### Our Research

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:

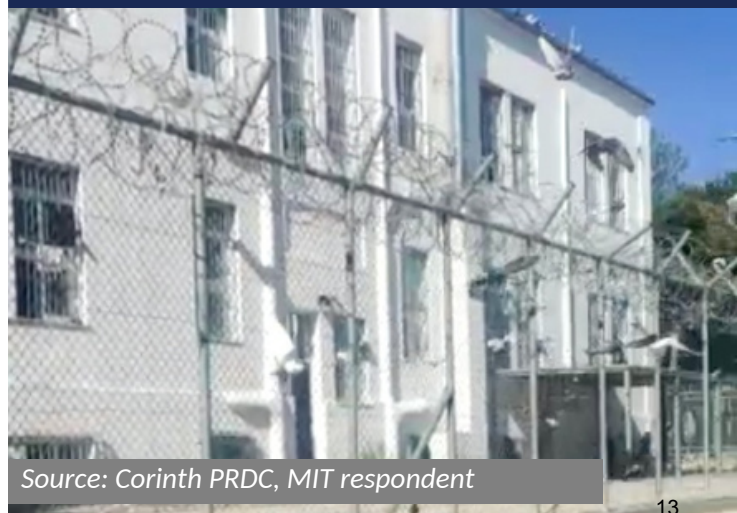


“

*A 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

”



Source: Corinth PRDC, MIT respondent

## Fylakio PRDC

### Summary

Location: North-eastern Greece, Evros

Commonly known as: Orestiada camp

Opened: 2007

Capacity: 232 [48]

Total number of detainees in 2021: 2146 [49]

Number of people in detention at end of 2021: 104 [50]

Number of doctors: 1 [51]

Number of psychologists: 0 [52]

People per room: Varied

Access to mobile phones: No

Hygiene products provided: No

Laundry facilities: No

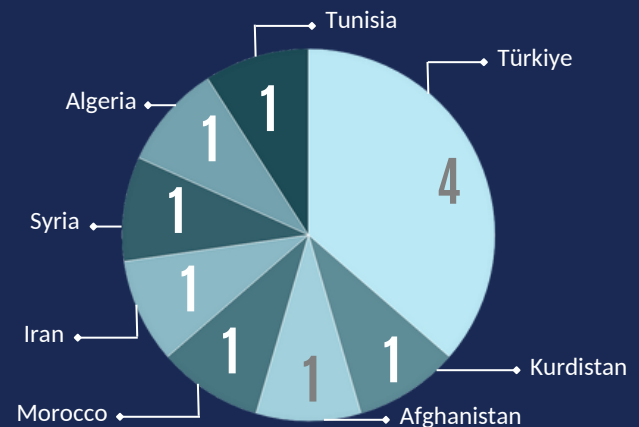
Actors: GCR, UNHCR

### Key Findings

- In general, people are detained in Fylakio PRDC for short periods of time, for **an average of one month** as the PRDC often gets used in support of the adjacent RIC which does not have enough capacity to register and accommodate arrival.
- All respondents expressed their will to claim asylum but their requests for legal counselling and proper procedures were reportedly ignored.
- Conditions were reported as appalling by all respondents and the **unsanitary conditions** of showers and toilets was specifically highlighted which were utterly dysfunctional and extremely **limited access to hot water as well as insect infestations forcing detainees to sleep on the floor.**
- Food was only provided **twice a day.**
- Over 70% of respondents reported their pervasive fear of being **pushed back to Türkiye.**

### Our Research

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:



“

*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

”

“

*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

”

## PARANESTI (DRAMA) PRDC

### Summary

**Location:** North-eastern Greece, Paranesti village

**Commonly known as:** Drama

**Opened:** September 2012

**Capacity:** 300 [53]

**Total number of detainees in 2021:** 528 [54]

**Number of people in detention at end of 2021:** 288 [55]

**Number of doctors:** 1 [56]

**Number of psychologists:** 1 [57]

**People per room:** 6-18 per container

**Access to mobile phones:** Yes with camera broken

**Hygiene products provided:** No

**Laundry facilities:** No

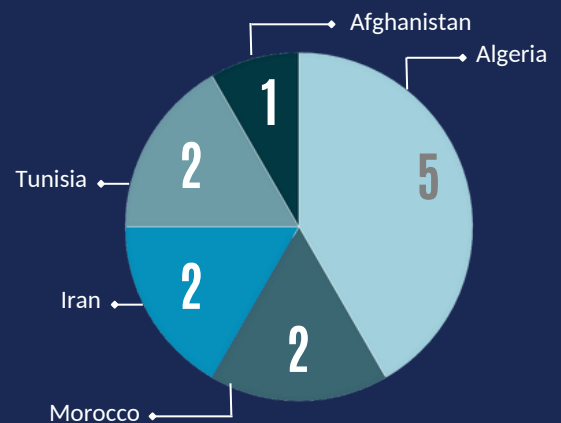
**Actors:** International Organization for Migration (IOM), UNHCR, GCR

### Key Findings

- Respondents were detained for periods between **1-13 months**, with an **average of seven months** and were commonly apprehended in Thessaloniki.
- **More than 70%** of individuals had tried to apply for asylum or were still in the asylum procedure.
- **50% of respondents** reported that they **did not have access to translation services** and were forced to go without or get support from fellow detainees.
- **90% of respondents** did not have access to legal counselling
- **50% of respondents** described **poor hygiene conditions** with extremely dirty mattresses and blankets.
- **70% of respondents** described the **food quality as inedible, cold**, not enough in quantity and often made out of expired ingredients.
- Respondents explained that due to **phone cameras being broken** in Paranesti PRDC, detainees found it difficult to translate documents that they did not understand, and could not send photos of important legal documents to access further support from CSOs.

### Our Research

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:



“

*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*

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

*Youcef, Paranesti*

”



Source: Paranesti PRDC, BVMN

## TAVROS (PETROU RALLI) PRDC

### Summary

Location: Tavros, Attica region, north of Athens

Commonly known as: Alladapon

Opened: September 2005

Capacity: 150 [58]

Total number of detainees in 2021: 1003 [59]

Number of people in detention at end of 2021: 84 [60]

Number of doctors: 1 [61]

Number of psychologists: 0 [62]

People per room: 4-6 per cell

Access to mobile phones: No

Hygiene products provided: No

Laundry facilities: No

Actors: House of Women, GCR

### Key Findings

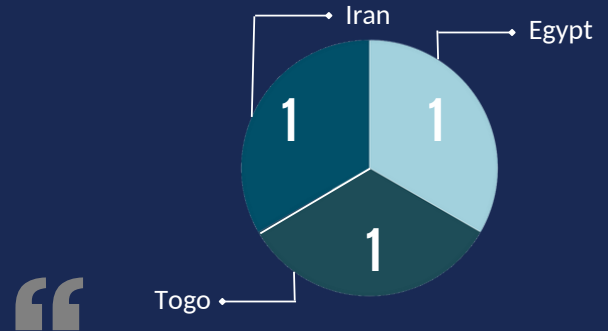
- Individuals are often detained in Tavros (Petrou Ralli) before being transferred elsewhere.
- Respondents were held between **one month and five months**.
- The conditions are reported as **extremely poor**, dirty, and specifically that the structure of the facility both indoors and outdoors, was reminiscent of a **prison**.
- There is an utter **lack of access to information** or asylum procedures in Tavros (Petrou Ralli) PRDC.



Source: Tavros PRDC, Border Criminologies

### Our Research

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:



*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.*

Emmanuel, Tavros (Petrou Ralli)



Source: Tavros PRDC, Border Criminologies



## XANTHI PRDC

### Summary

**Location:** North-east Greece, city of Xanthi  
**Commonly known as:** Xanti, Zanti  
**Opened:** August 2012  
**Capacity:** 210 [63]  
**Total number of detainees in 2021:** 786 [64]  
**Number of people in detention at end of 2021:** 210 [63]  
**Number of doctors:** 0 [64]  
**Number of psychologists:** 0 [65]  
**People per room:** 4-10 per room  
**Access to mobile phones:** Yes with cameras  
**Hygiene products provided:** No  
**Laundry facilities:** No  
**Actors:** GCR, UNHCR, IOM

### Key Findings

- Respondents were detained in Xanthi PRDC between **five months and a total of 33 months** after repeated cycles of being released from detention with a 30-day police note (administrative deportation notice) and subsequently apprehended again.
- **75% of respondents** described the centre as not even fit for animals.
- The **dilapidated structures** of the centre were reported to be in severe need of renovation, particularly the bathrooms, of which only **two toilets were functioning and used by 100 people**.
- Detainees are served three meals in the morning, for themselves to ration throughout the day.
- Respondents reported that they had access to a large outdoor space from morning until midnight, however **no recreational activities** are provided.
- Medical actors are extremely limited and only accessible for urgent cases.

### Our Research

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



“

*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*

“

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

*Manzoor, Xanthi*



Source: Xanthi PRDC, MIT respondent

◆ Despite the fact that detention should be used as a measure of last resort for applicants of international protection according to EU and Greek law, in Greece applicants of international protection are arbitrarily detained without other less coercive avenues being exhausted first. In addition, Greek law overturned the principle of exceptional detention for third country nationals in view of removal, which is a breach of EU law, and has resulted in the de facto detention of third country nationals subject to return order. However, without reasonable prospects of removal from PRDCs in Greece - which is a legal requirement under EU law [68] - people are detained for arbitrary periods of time which raises strong doubts regarding both the reasonable prospect of removal or proportionality of their detention.[69] Considering that there have been no formal readmissions to Türkiye since March 2020, and that CSOs have substantially argued against Türkiye being considered a safe country particularly due to active deportations taking place to Afghanistan and Syria, [70] the detention of those held in view of their removal to Türkiye does not appear to be justified. We spoke with 15 people from Syria and Afghanistan who were detained on the grounds of inadmissibility and held for up to 10 months .

◆ According to European statistics on readmission procedures,[71] a very small proportion of third country nationals with return orders are actually returned; for example, across 2018, 2020 and 2021 0.18% of Moroccans were returned, 0.28% of Algerians were returned and 0.26% Iranians were returned. This corroborates our research whereby respondents detailed the cycles of arbitrary detention and release without readmissions taking place.

◆ There is a critical lack of information and understanding regarding the asylum procedure or third country nationals' rights in detention. Our research indicates that over 90% of respondents did not receive any information regarding their status, the reason for detention or how to proceed. In

addition, nearly 40% of respondents were not provided with translation, and at least 30% were forced to sign documents in a language they did not understand. Despite Art. 50,7 of Law 4939/2022 stating that free legal assistance should be offered to applicants if the detention order is contested, in practice, no free legal aid system has been set up to challenge detention. Over 80% of respondents did not have access to free legal assistance, with over a quarter of respondents resorting to paying up to 2,000 euros for private lawyers.

◆ Detention conditions across facilities are consistently reported as poor. The structures were described as dilapidated, unfit for animals and unhygienic, as well as more than 50% of respondents comparing PRDCs to prisons. The carceral environment, use of surveillance equipment and cell like rooms in Fylakio, Tavros (Petrou Ralli) and Corinth are alarming, and has been raised by CPT reports following country visits as utterly inappropriate.[72] This has an evidently detrimental impact on the psychological wellbeing of detainees - who described being treated as criminals - which was amplified by the critical lack of access to functioning toilets, showers, beds, mattresses, clothing and recreational activities, which are non-existent. In Xanthi and Corinth, one toilet was reportedly shared by around 50 people.

◆ Access to medical care, including psychological care, was extremely limited across PRDCs, and only for urgent cases, which was reported by 80% of respondents. Our case analysis of 151 enquiries additionally emphasised that lack of access to medical care is one of the most challenging issues clients face in detention. Respondents also highlighted that at certain time periods, there were no doctors present whatsoever, and that delays of two months to get an appointment were not uncommon. Translation was rarely provided with medical care, forcing patients to request support from fellow detainees breaching patient confidentiality. Finally, respondents reported the insufficient and untimely response by medical actors, as well as extremely dismissive attitudes, leading to negligence regarding certain cases including with suicide incidents. Nearly a quarter of respondents referenced the prevalence of severely deteriorating mental health in PRDCs including depression, suicidal thoughts and of self harm.

# CONCLUSIONS

Detention 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 International Protection Act 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.

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.[73]

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', forms part of a larger tactic by the Greek authorities to control and contain people on the move in an attempt to deter arrivals. 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. 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. As a result, Mobile Info Team are concerned that people in detention facilities are subject to treatment and conditions which may amount to inhuman or degrading treatment and thus a violation of Article 3 of the European Convention on Human Rights.

“ 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*

*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... 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*



# 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

1. For more information, see the Schengen Visa Info Website, available at: <https://bit.ly/3E5CvzA>
2. See Migreurop, Migrant detention in the European Union: a thriving business, 2016, available at: <https://bit.ly/3Xa2rAu>
3. *Ibid.*
4. See Hellenic Republic Law No. 3386/2005.
5. See Amnesty International, Greece: Irregular migrants and asylum-seekers routinely detained in substandard conditions, 2010, available at: <https://bit.ly/3HJQEn8>
6. See Human Rights Watch, Greece: End Inhumane Detention Conditions for Migrants, 2010, available at: <https://bit.ly/3DJkAyg>
7. See Equal Rights Beyond Border, Detained and Forgotten at the Gates of the EU Detention of Migrants on the Island of Kos, 2021.
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 the Report to the Greek Government on the ad hoc visit to Greece carried out by the CPT from 22 November 2021 to 1 December 2021, CPT/Inf (2022) 16, available at: <https://rm.coe.int/1680a7ce96>
12. See Article 50(1) of Hellenic Republic Law No. 4939/2022.
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/3YqoWlR>
14. See Article 15 of the Directive 2013/33/EU.
15. See ECJ, case J. N. v. Staatssecretaris van Veiligheid en Justitie, C-601/15 PPU, 15 February 2016, para. 63.
16. See Article 8(3) of the Directive 2013/33/EU and Articles 50(2) and 50(3) of Hellenic Republic Law No. 4939/2022.
17. See Kay Hailbronner and Daniel Thym, EU Immigration and Asylum Law - A Commentary, Second Edition, 2016, p.1412.
18. See Article 8(2) of the Directive 2013/33/EU and Article 50(2) of Hellenic Republic Law No. 4939/2022.
19. See AIDA Country Report : Greece, 2021 Update, p.112, available at: <https://bit.ly/3HZQCZn>
20. See AIDA Country Report : Greece, 2021 Update, p.209, available at: <https://bit.ly/3HZQCZn>
21. See Article 8(3) of the Directive 2013/33/EU and Article 50(5) of Hellenic Republic Law No. 4939/2022.
22. See Article 50(5) of Hellenic Republic Law No. 4939/2022 and Article 30 of Hellenic Republic Law No. 3907/2011.
23. See AIDA Country Report : Greece, 2021 Update, available at: <https://bit.ly/3HZQCZn>
24. See Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third country nationals, available at: <https://bit.ly/2TNGFmJ>
25. See Article 15 of the Directive 2008/115/EC
26. See Article 15(1) of the Directive 2008/115/EC.
27. See Article 15(4) of the Directive 2008/115/EC.
28. See the Hellenic Republic Law No.3907/2011, which transposes the Return Directive into Greek law and was amended in 2020.
29. See Article 30 of Hellenic Republic Law No. 3907/2011.
30. See Article 15(1) of the Directive 2008/115/EC.
31. See Article 10 of the Directive 2013/33/EU.
32. *Ibid.*
33. See Article 10 of Hellenic Republic Law No. 32/2013 and Article 51 of Hellenic Republic Law No. 4939/2022.
34. See ECtHR, case of Aden Ahmed v. Malta, Application no. 55352/12, 23 July 2013, para. 88.
35. See ECtHR, case of Suso Musa v. Malta, Application no. 42337/12, 23 July 2013, para. 93.
36. See Article 16(3) of the Directive 2008/115/EC.
37. See Article 17(1) of the Directive 2008/115/EC.
38. See Global Detention Project, Amygdaleza PRDC, available at: <https://bit.ly/3jxmDij>
39. See AIDA Country Report : Greece, 2021 Update, p.205, available at: <https://bit.ly/3HZQCZn>
40. *Ibid.*
41. *Ibid.*, p.220.
42. *Ibid.*, p.221.
43. See AIDA Country Report : Greece, 2021 Update, p.217, available at: <https://bit.ly/3HZQCZn>

44. *Ibid.*, p.205.
45. *Ibid.*
46. *Ibid.*, p.220.
47. *Ibid.*, p.221.
48. See AIDA Country Report : Greece, 2021 Update, p.218, available at: <https://bit.ly/3HZQCZn>
49. *Ibid.*, p.206.
50. *Ibid.*
51. *Ibid.*, p.220.
52. *Ibid.*, p.221.
53. See AIDA Country Report : Greece, 2021 Update, p.217, available at: <https://bit.ly/3HZQCZn>
54. *Ibid.*, p.205.
55. *Ibid.*
56. *Ibid.*, p.220.
57. *Ibid.*, p.221.
58. See AIDA Country Report : Greece, 2021 Update, p.217, available at: <https://bit.ly/3HZQCZn>
59. *Ibid.*, p.205.
60. *Ibid.*
61. *Ibid.*, p.220.
62. *Ibid.*, p.221.
63. See AIDA Country Report : Greece, 2021 Update, p.217, available at: <https://bit.ly/3HZQCZn>
64. *Ibid.*, p.205.
65. *Ibid.*
66. *Ibid.*, p.220.
67. *Ibid.*, p.221.
68. See Article 15 of the Directive 2008/115.
69. A breach of Article 15(1) and 15(4) of Directive 2008/115.
70. See ECRE, Greece: HRW Finds Türkiye Increasingly Unsafe for Refugees and Calls for EU Pressure to Repeal JMD, Pushbacks and Abuse Continue and Recognised Refugees are Left in Destitution, 2022, available at: <https://bit.ly/3jydDJN>
71. See Eurostat, Third-country nationals who have left the territory by type of return and citizenship, 2022, available at: <https://bit.ly/3lc5OtD>
72. See the Report to the Greek Government on the visit to Greece carried out by the CPT from 4 to 16 April 2013, CPT/Inf (2014) 26, available at: <https://bit.ly/2EwefrJ> ; and see the Report to the Greek Government on the visit to Greece carried out by the CPT from 27 August to 9 September 2005, CPT/Inf (2006) 41, available at: <https://bit.ly/3Y62ZIZ>
73. See Greek Council for Refugees and OXFAM, Detention as the default, 2021, available at: <https://bit.ly/3HFXKch>