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**European Committee for the Prevention of Torture
and Inhuman or Degrading Treatment or Punishment (CPT)**

Public statement concerning Greece

This public statement is made under Article 10, paragraph 2, of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment

Strasbourg, 15 March 2011

Public statement concerning Greece

(made on 15 March 2011)

1. Since 1993, the CPT has carried out ten visits to Greece. The Committee has consistently striven to pursue a constructive dialogue with the Greek authorities, repeatedly putting forward recommendations about the treatment and conditions of detention of persons deprived of their liberty. However, the persistent lack of action to improve the situation in the light of the Committee's recommendations, as regards the detention of irregular migrants and the state of the prison system, has left the Committee with no other choice but to resort to the exceptional measure of issuing this public statement.
2. Already in the report on its visit to Greece in 1997, the CPT expressed concern about the approach of the Greek authorities towards the detention of irregular migrants. The Committee made it clear that detaining irregular migrants "for weeks or even months in very poorly furnished and inadequately lit and/or ventilated premises, without offering them either the possibility of daily outdoor exercise or a minimum of activities with which to occupy themselves during the day, is unacceptable and could even amount to inhuman and degrading treatment."
3. The reports on the 2005, 2007, 2008 and 2009 visits all paint a similar picture of irregular migrants being held in very poor conditions in police stations and other ill-adapted premises, often disused warehouses, for periods of up to six months, and even longer, with no access to outdoor exercise, no other activities and inadequate health-care provision. Recommendations to improve the situation nevertheless continued to be ignored. Despite significant numbers of irregular migrants entering Greece via its eastern land and sea borders over a period of years, no steps were taken to put in place a coordinated and acceptable approach as regards their detention and treatment.
4. The lack of action by the Greek authorities to implement the CPT's recommendations concerning irregular migrants led to the Committee setting in motion, in November 2008, the procedure for adopting a public statement¹. Following the periodic visit in September 2009, this procedure was extended to cover the situation in the prison system. Indeed, the findings made during that visit revealed that the concerns raised by the CPT in previous reports had not been addressed and that in fact there had been a further deterioration in prison conditions; particular reference should be made to the severe overcrowding, in conjunction with insufficient staffing levels and poor health-care provision.
5. In January 2010, the CPT held high-level talks in Athens with the Greek authorities to impress upon them the urgency of engaging in a meaningful dialogue with the Committee and of taking action to improve the conditions in which irregular migrants and prisoners are held.

¹ Article 10, paragraph 2, of the Convention establishing the CPT reads as follows: "If the Party fails to cooperate or refuses to improve the situation in the light of the Committee's recommendations, the Committee may decide, after the Party has had an opportunity to make known its views, by a majority of two-thirds of its members to make a public statement on the matter."

6. The Greek authorities have continuously asserted that action was being taken to improve the situation. For example, by letter of 23 November 2009, they informed the CPT that administrative detention of irregular migrants in police and border guard stations would be ended and that, in the future, administratively detained irregular migrants would only be accommodated in dedicated detention facilities. It was also stated that the Piraeus aliens detention facility, which the CPT had been criticising repeatedly since 1997, would be demolished in early 2010.

7. Regrettably, the findings made during the CPT's most recent visit to Greece, in January 2011, demonstrated that the information provided by the authorities was not reliable. Police and border guard stations continued to hold ever greater numbers of irregular migrants in even worse conditions. For example, at Soufli police and border guard station, in the Evros region, members of the Committee's delegation had to walk over persons lying on the floor to access the detention facility. There were 146 irregular migrants crammed into a room of 110 m², with no access to outdoor exercise or any other possibility to move around and with only one functioning toilet and shower at their disposal; 65 of them had been held in these deplorable conditions for longer than four weeks and a number for longer than four months. They were not even permitted to change their clothes. At times, women were placed in the detention facility together with the men. Similar conditions existed at almost all the police premises visited by the CPT's delegation. In the purpose-built Filakio special holding facility for foreigners in the Evros region, irregular migrants, including juveniles and families with young children, were kept locked up for weeks and months in filthy, overcrowded, unhygienic cage-like conditions, with no daily access to outdoor exercise. As for the Piraeus facility mentioned above, it continues to operate and, in January 2011, was holding irregular migrants in far worse conditions than those first described in the report on the 1997 visit. Likewise, Athens airport detention facility continued to hold people in conditions akin to those recently found by the European Court of Human Rights, in the case of *M.S.S. v. Belgium and Greece*, to be in violation of Article 3 of the European Convention on Human Rights; no action has been taken to implement the recommendations concerning this facility first put forward by the CPT in the report on its 2005 visit.

8. The CPT has emphasised time and again the need to address the structural deficiencies in Greece's detention policy, and has attempted to exercise its preventive function by recommending practical measures to ensure that all irregular migrants deprived of their liberty are held in decent conditions. However, the Committee has been met by inaction from the Greek authorities in addressing the very serious concerns raised.

9. The same is true with regard to the situation in prisons. The CPT has observed a steady deterioration in the living conditions and treatment of prisoners over the past decade. The Committee has identified a number of fundamental structural issues which serve to undermine attempts to remedy this state of affairs. They include the lack of a strategic plan to manage prisons, which are complex institutions, the absence of an effective system of reporting and supervision, and inadequate management of staff. The CPT has highlighted in its reports the unsuitable material conditions, the absence of an appropriate regime and the poor provision of health care. It has found that due to the totally inadequate staffing levels, effective control within the accommodation areas of some of the prisons visited has progressively been ceded to groups of strong prisoners. All these issues are compounded by the severe overcrowding within most Greek prisons.

10. The Greek authorities have yet to recognise that the prison system as it is currently operating is not able to provide safe and secure custody for inmates. Discussions with the prison administration in Athens indicated a lack of appreciation on their part of the actual situation in the country's prison establishments.

11. The findings of the 2011 visit confirmed that a regulated prison system, as aspired to in law, has given way to the practice of warehousing prisoners. No action has been taken to implement the CPT's repeated recommendations to improve the situation in establishments visited as regards living conditions, staffing levels, purposeful activities and aspects of health care, not to mention inter-prisoner violence. Conditions are especially worrying at Amfissa, Korydallos Men's and Korydallos Women's Prisons. Even in a new prison such as Domokos, many of the same deficiencies are replicated.

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12. The CPT fully recognises the challenge faced by Greece in having to cope with a constant influx of irregular migrants in recent years. It is highly unlikely that this influx will diminish in the near future. It is of crucial importance that the international community – and particularly the European Union – assists the Greek authorities to meet this challenge. However, such support must go hand in hand with a clear demonstration by the Greek authorities of their commitment to redress the current situation. Plans and new laws must be followed up with concrete action to put in place the structural reforms required. A similar commitment by the Greek authorities is necessary for the recovery of the country's prison system.

13. The CPT's aim in making this public statement is to motivate and assist the Greek authorities to take decisive action to improve the treatment of persons deprived of their liberty in Greece, in line with the fundamental values to which Greece, as a member State of the Council of Europe and the European Union, has subscribed. In pursuit of that objective and in furtherance of its mandate, the Committee is fully committed to continuing its dialogue with the Greek authorities.