



Border Violence Monitoring Network

March 2024

M.S.S. v Greece **Application no. 30696/09**

**Rule 9 Communication to the
Council of Ministers Council of Europe**





Border Violence Monitoring Network

Border Violence Monitoring Network (BVMN)

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Submission by the Border Violence Monitoring Network (BVMN) pursuant to Rule 9.2 of the Committee of Ministers' Rules for the Supervision of the Execution of Judgments, on the implementation of the group of cases of *M.S.S. v. Greece (Application no. 30696/09)*¹

I. Introduction

1. In line with Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments, the Border Violence Monitoring Network ("BVMN") hereby presents a **communication with regard to the implementation of the judgement** in *M.S.S. v. Greece*.
2. BVMN is a network of non-governmental organisations situated along the Balkan and Greek migration route, whose purpose is to monitor and document human rights violations at European borders.¹ BVMN has collected over 1,800 testimonies of pushbacks and border violence. Furthermore, BVMN regularly records and publishes comprehensive reports that track and investigate trends in internal violence perpetrated by states or by individuals with the acquiescence of the state. These reports also document and cover cases of inhuman and degrading treatment of people on the move in immigration detention and reception facilities.

¹ <https://hudoc.exec.coe.int/?i=004-1219>

3. This submission seeks to assist the Committee of Ministers by providing an impartial and evidence-based insight into the treatment of people on the move in detention, including within Greek Pre-Removal Detention Centres (PRDCs) and Closed Control Access Centres (CCACs).
4. A significant portion of the evidence presented is compiled from semi-structured interviews between March and June 2023 with 31 individuals who had been detained among others in the Samos CCAC and across several PRDCs. The resulting report *Violence Within State Borders: Greece*² (hereafter: the Report) was published in January 2024. It outlines various forms of physical violence perpetrated against detained individuals on the move in Greece, particularly in four PRDCs on Mainland Greece (Amygdaleza, Paranesti, Corinth and Petrou Ralli) and in the Samos CCAC. The findings are in line with previous testimonies gathered by Border Violence Monitoring Network in recent years, revealing a routine and systematic use of various forms of violence, including in detention and reception structures.³⁴

II. Executive Summary

5. In the case of *M.S.S. v. Greece*, the applicant, an Afghan national, challenged the asylum conditions in Greece, alleging violations of the European Convention on Human Rights (ECHR). The Court found Greece in breach of Article 3 (prohibition of torture and inhuman or degrading treatment) by detaining the applicant in inadequate conditions. The Court considered the conditions of detention, including overcrowding and lack of basic necessities, to be unacceptable and degrading, particularly in view of the vulnerability of people on the move. The case is under enhanced supervision by the Committee of Ministers which is currently waiting for the Greek Government's Response to the last decision adopted at the 1475th meeting on 21 September 2023.
6. As BVMN will evidence in this submission, in contrast to the claims made by the Greek government in its Communication from June 20, 2023 to the Committee concerning the case of *M.S.S. / Rahimi v. Greece*,⁵ immigration detention centres are neither suitable for detention of people on the move nor are the conditions in either reception and immigration detention facilities of adequate capacity.

² Border Violence Monitoring Network (2024). *Violence Within State Borders: Greece*. Available at: <https://borderviolence.eu/reports/violence-within-state-borders-greece/>. Accessed 19.02.2024.

³ Border Violence Monitoring Network (2023). *Dark Rooms, Degrading Treatment and Denial: The Use of Violence in Greece's Pre-Removal Detention Centres*. Available at: www.borderviolence.eu/detention-violence-greece. Accessed 20.02.2024. Border Violence Monitoring Network (2022). *Violence Within State Borders: Greece*. Available at: <https://borderviolence.eu/reports/violence-within-state-border-greece/>. Accessed 20.02.2024.

⁴ Border Violence Monitoring Network (2023). *Dark Rooms, Degrading Treatment and Denial: The Use of Violence in Greece's Pre-Removal Detention Centres*. Available at: www.borderviolence.eu/detention-violence-greece. Accessed 20.02.2024. Border Violence Monitoring Network (2022). *Violence Within State Borders: Greece*. Available at: <https://borderviolence.eu/reports/violence-within-state-border-greece/>. Accessed 20.02.2024.

⁵ Government of Greece (20.06.2023). *Communication/Updated Action Plan concerning the execution of the judgments of *MSS v. Greece* (30696/09) and *Rahimi v. Greece* (8687/08) groups of cases in response to the decision of the Committee of Ministers adopted at its 1383rd meeting (September 2020)*. Ref. no: 1905/554819. Available at: [https://hudoc.exec.coe.int/?i=DH-DD\(2023\)740E](https://hudoc.exec.coe.int/?i=DH-DD(2023)740E). Accessed 22.02.2024.

7. Moreover, physical violence against people on the move in Greek immigration detention and reception facilities has reached alarming levels. From the use of isolation tactics to conceal abuse to reports of violence within quarantine zones, the data reveals a systemic pattern of mistreatment. Verbal abuse further exacerbates the trauma, indicating a deliberate strategy to intimidate and control individuals on the move, potentially violating international legal standards.
8. Furthermore, testimonies reveal persistent issues of unclean facilities, shortages of essential resources, and deficiencies in healthcare provision, highlighting the urgent need for systemic reform and adherence to international human rights standards. Unlike claimed by the Greek Government in its Communication from June 20, 2023⁶, overcrowding continues to be a problem in PRDCs on the mainland and Samos CCAC.
9. In the light of these systematic and widespread deficiencies and human rights violations that continue to persist in detention and reception facilities in Greece, BVMN calls on the Committee of Ministers to:
 - 9.1. retain the case under enhanced supervision;
 - 9.2. urge the Greek government to take proactive measures to protect people on the move in detention and reception centres, to ensure their well-being, and to address impunity in cases of violence against them through effective accountability measures and independent monitoring systems;
 - 9.3. closely monitor Greece's response to chronic deficiencies in material provisions, sanitary conditions, and healthcare in CCACs and PRDCs, and call upon Greece to urgently enhance these conditions nationwide; and
 - 9.4. urge Greece to eliminate systematic detention of people on the move, and to seek alternatives to detention.

III. Use of Violence in Detention Facilities

Use of Physical Violence

10. Nearly 60% of testimonies recorded in the Report mentioned the use of physical violence in detention. BVMN has, thereby, identified specific trends from the data, in particular: the use of isolation to conceal acts of abuse in PRDCs; the use of Electric Discharge Weapons (EDWs) in PRDCs; and the use of physical violence in quarantine zones in the Samos CCAC.
11. 24% of respondents detained in four PRDCs (Amygdaleza, Paranesti, Corinth and Petrou Ralli) reported experiencing physical abuse paired with isolation as a form of punishment for perceived 'bad behaviour' by officers. Among other things, the interviewees pointed out that they were attacked in various 'hidden rooms' and confined to dark rooms or isolated cells without basic amenities for

⁶ Ibid.

extended periods.⁷ Isolation not only enables the continuation of abuse and physical violence out of sight of any cameras, but also subjects individuals to inhumane conditions, such as being left for extended periods of time without a toilet, a bed, or natural light. Additionally, 25% of respondents in Petrou Ralli PRDC and 17% in Corinth PRDC reported the use of EDWs by Greek authorities, with officers resorting to violence in response to detainees' requests for medical assistance.⁸

12. The Committee on the Prevention of Torture has made strong recommendations against the use of EDWs and against the issue of EDWs to staff working in places or with populations deprived of liberty, as abuse was often reported by detainees.⁹
13. Similar to reports from the PRDCs, systemic physical violence was also highlighted in the Samos CCAC. 45% of respondents held in quarantine zones in the Samos CCAC, reported experiencing physical violence. Respondents described systematic physical abuse by masked individuals, often perpetrated during routine counting procedures, for trivial reasons and as a form of punishment. One interviewee pointed out that the reasons used to justify beatings even included talking while waiting in line to be counted, coughing, making eye contact, and not cleaning one's room.¹⁰ Notably, all interviewees reported a systematic approach: they were taken out of their rooms several times a day (including at night) to be counted, where they had to line up and then be called back into the container one by one and beaten by a group of three men.¹¹

Use of Humiliation and Verbal Abuse

14. Humiliating practices¹² include strip searches and full body searches. In the Report, 25% of respondents reported that they had first-hand experience of, or observed strip searches¹³ and full-body¹⁴ searches.¹⁵ In particular, some strip searches took place outdoors, which increased the feeling of humiliation for those affected. In addition, it was reported that minors were subjected to such searches, with some of them being forced to squat or kneel during the process.¹⁶ The findings indicate that the strip searches are carried out in a manner that is perceived as disrespectful and

⁷ Ibid. Page 7.

⁸ Ibid. Page 8.

⁹ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. Electrical discharge weapons. Extract from the 20th General Report of the CPT, published in 2010. CPT/Inf(2010)28-part. Available at: [https://rm.coe.int/16806ccec1c#:~:text=In%20the%20CPT's%20view%2C%20the%20with%20an%20order%20is%20inadmissible](https://rm.coe.int/16806ccec1c#:~:text=In%20the%20CPT's%20view%2C%20the%20with%20an%20order%20is%20inadmissible.). Accessed 23.02.2024

¹⁰ Ibid. Page 11.

¹¹ Ibid. Pages 10-11.

¹² Amnesty International (2021). Greece: Violence, Lies, and Pushbacks. Available at: <https://www.amnesty.ch/de/laender/europa-zentralasien/griechenland/dok/2021/illegale-push-backs-von-menschen-auf-der-flucht/greece-violence-lies-and-pushbacks.pdf>. Accessed 12.02.2024.

¹³ Strip searches consist of a full body search on an undressed individual, either wearing their underwear or completely naked.

¹⁴ Full body searches refer to the inspection by a member of the authorities of the whole body of an individual, including the private parts, either by hand or with a machine, while the person remains dressed.

¹⁵ Ibid. Page 13.

¹⁶ Ibid. Page 13.

dehumanising, leaving the victims feeling violated and deprived of their dignity. These practices go well beyond the international legal standards on body searches.¹⁷ Greek authorities often resort to strip searches for the purpose of humiliating or debasing people in violation of Article 3, as the ECtHR confirmed in the 2022 judgement of *Safi and Others v Greece*¹⁸.

15. In terms of verbal abuse, the *Violence Within State Borders: Greece* Report shows that 51% of testimonies documented instances of such abuse by the Greek authorities, with 16% reporting that this was a common response to requests for assistance. Verbal abuse included racist language and threats of violence or death, indicating a systematic pattern of intimidation and discrimination against people on the move. These verbal attacks contribute to an atmosphere of fear and inferiority among the interviewees, which can affect their psychological well-being.

Conclusion

16. Citations from the interviews conducted have been added in Annex I to this communication. They provide further insight into the scale of violence used. The findings underscore the routine nature of physical, verbal and psychological violence against individuals on the move in Greece, suggesting a deliberate strategy to control and intimidate, potentially amounting to torture or inhuman treatment, violating Article 3 ECHR.

IV. Inadequate Material Conditions

Alongside evidence of significant physical violence perpetrated against detained individuals in Greece. Research by BVMN and other direct support organisations continues to shed light on the inhumane living conditions of the mainland PRDCs and Samos CCAC. Photos taken in 2023 in Amygdaleza and Corinth PRDCs and Samos CCAC underline our statements and can be found in Annex II.

Cleanliness:

17. The cleanliness of the facilities has been noted as a particular concern, with the sanitation facilities across all sites reported as being unclean and often broken. A respondent detained in Paranesti said it was ‘the worst situation i’ve ever been in’¹⁹, whilst in Amagdaleza PRDC, a respondent stated that the hygiene situation was ‘a human disaster’.²⁰ In Corinth, respondents also reported being surrounded by cockroaches.²¹

¹⁷ E.g. Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, A/HRC/31/57, 5 January 2016, paragraph 23; ECtHR, *Iwanczuk v. Poland*, Application no.25196/94, para. 59, Available at: <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-59884%22%5D%7D>;

¹⁸ European Court of Human Rights. *Safi and Others v Greece*. Application no. 5418/15. Judgement of 07/10/2022. Available at: <https://hudoc.echr.coe.int/eng?i=001-218457>. Accessed 23.02.2024

¹⁹ Border Violence Monitoring Network (January 2024). *Violence Within State Borders: Greece*. <https://borderviolence.eu/app/uploads/Violence-Within-State-Borders-Greece-1.pdf>, Respondent 2. Page 18.

²⁰ Ibid. Respondent 20. Page 18.

²¹ Ibid. Respondent 9. Page 18.

18. In the Samos CCAC, there are consistent shortages of running water. Clients of ‘I Have Rights’, one of BVMN’s partner organisations, report that water may only be available three times a day, for half an hour each time, while on other days it may only run for one hour. As a result of these shortages, there are currently no laundry services available on the CCAC. A client of Refugee Support Aegean detained in the Samos CCAC noted that they had not bathed in ‘4 days’.²² This not only raises concerns about personal hygiene, but also poses significant public health risks. In September 2023, there was a significant outbreak of scabies and other reports of skin conditions in the CCAC. Without access to laundry facilities, this scabies outbreak will likely continue to spread.²³

Overcrowding

19. Overcrowding also continues to be raised as a concern by 40% of respondents in PRDCs on the mainland and Samos CCAC.²⁴ The Samos CCAC was originally designed to accommodate 2,040 people. However, in September 2023, the authorities changed the official capacity of the CCAC to 3,650. This took place overnight, without a public statement outlining where and how the capacity was to be increased. As of 31st December 2023, there were 3,890 applicants for international protection registered in the CCAC.²⁵
20. The CCAC is unfit to accommodate such a large number of people. Newly arrived people are made to sleep in spaces such as kitchens and classrooms, without beds, mattresses, proper bathrooms, kitchens, or any form of privacy.²⁶ In November 2023, ‘I Have Rights’ were contacted by a client detained in the Samos CCAC who reported having to sleep outside with 15 other men, as a result of overcrowding in the facility. That month, Samos experienced multiple thunderstorms and heavy rain, with the group forced to use wood pallets and UNHCR tarps to create a shelter (see below for photographs).²⁷
21. These inhumane conditions are further exacerbated during the hot summer months. Throughout the month of July 2023, Greece faced its longest heatwave on record. In the second half of July, temperatures were constantly rising above 40 C throughout several hours of the day, reaching a maximum of 46 C in some areas. During this period, people on the move were routinely housed in tents in the Mavrovouni Camp, which could hold up to 100 people. These plastic tents elevated the

²² Refugee Support Aegean (February 2024). Disgraceful Living Conditions in the ‘State of the Art’ Closed Controlled Access Centre (CCAC) of Samos. Available at: <https://rsaegean.org/en/disgraceful-conditions-samos-ccac/>. Accessed 21/02/2024.

²³ Border Violence Monitoring Network (September 2023). Monthly Report. Available at: <https://borderviolence.eu/app/uploads/BVMN-Monthly-Report-September-2023-pdf-1.pdf>. Accessed 20.02.2024.

²⁴ Border Violence Monitoring Network (January 2024). Violence Within State Borders: Greece. <https://borderviolence.eu/app/uploads/Violence-Within-State-Borders-Greece-1.pdf>. Page 17.

²⁵ Joint Statement. Not Again in 2024: Call for Upholding Human Rights in the Samos Closed Controlled Access Centre. Available at: <https://ihaverights.eu/wp-content/uploads/2024/01/Joint-Statement-Samos.pdf>. Accessed on 21/02/2024.

²⁶ Ibid.

²⁷ Border Violence Monitoring Network (November 2023). Monthly Report. <https://borderviolence.eu/app/uploads/BVMN-Monthly-Report-November-2023-pdf.pdf>, Page 17.

temperature and created an oven-like atmosphere inside. Respondents noted that you could ‘not even breathe inside the tent’.²⁸

Inadequate access to food and water

22. BVMN has also received consistent concerns regarding lack of access to adequate food and water in detention facilities across Greece. 100% of respondents from Samos reported issues with the amount and or quality of the food that was provided. The food has been described as ‘inedible’, ‘unidentifiable’, ‘disgusting’ ‘unfit for animals’ or ‘expired’, whilst the water has been described as ‘unhealthy’, ‘expired’ or ‘bad’ and that it tastes like metal.²⁹ People have to queue for hours to receive food that has been described as inedible and containing insufficient nutrients to sustain an adult.³⁰ In Amygdaleza, a respondent shared that the group he was detained with had to resort to drinking from the toilet as they were not provided with water.³¹
23. BVMN has also received numerous allegations regarding such food and water being ‘spiked’. One respondent explained how people detained at Corinth RPDC believed that the food was contaminated with sleeping pills, due to the severe lethargy experienced by detained persons after eating. Another spoke about detained persons constantly feeling tired and aggressive after mealtimes.³² A man detained at Amygdaleza PRDC reported that the food provided was ‘not safe for us to eat because they put some type of medicine in it’.³³

Inadequate Access to Health Care

24. Health care, or a lack of it, was another reported issue among respondents. 57% of the interviewees for the Report indicated a fundamental lack of health care across PRDCs on the mainland, with specific testimonies detailing how new, developing health issues often were ignored or accused of being false.³⁴ Research published by the Greek Ombudsman,³⁵ the Committee for the Prevention of Torture,³⁶ and

²⁸ Border Violence Monitoring Network (July 2023). Monthly Report.

<https://borderviolence.eu/app/uploads/Monthly-Report-July-1-1.pdf>, Page 11.

²⁹ Border Violence Monitoring Network (January 2024). Violence Within State Borders: Greece.

<https://borderviolence.eu/app/uploads/Violence-Within-State-Borders-Greece-1.pdf>. Respondent 28. Page 25.

³⁰ Border Violence Monitoring Network (November 2023). Monthly Report.

<https://borderviolence.eu/app/uploads/BVMN-Monthly-Report-November-2023-.pdf.pdf>. Page 17.

³¹ Border Violence Monitoring Network (January 2024). Violence Within State Borders: Greece.

<https://borderviolence.eu/app/uploads/Violence-Within-State-Borders-Greece-1.pdf>. Respondent 6. Page 25.

³² Ibid. Respondent 8. Page 23.

³³ Ibid. Respondent 15. Page 24.

³⁴ Ibid. Page 25-26.

³⁵ Inationational Ombudsman Institute (2022). Greek Ombudsman publishes Special Report on Returns of third country nationals. Available at:

<https://www.theioi.org/joi-news/current-news/greek-ombudsman-publishes-special-report-on-returns-of-third-country-nationals> Accessed 20.02.2024.

³⁶ Greek Council for Refugees (2023). Country Report: Conditions in detention facilities. Available at:

<https://asylumineurope.org/reports/country/greece/detention-asylum-seekers/detention-conditions/conditions-detention-facilities/> Accessed 20.02. 2024.

other civil society organisations³⁷ further highlights how a lack of access to healthcare is an ongoing, critical issue also facing people on the move in CCACs. 35% of testimonies referred to a complete lack of psychological support, which is of particular concern considering the living conditions of the centres can exacerbate any psychological issues like post-traumatic stress disorder.³⁸

25. Research by BVMN's member organisation Mobile Info Team and Refugee Legal Support also further corroborates the lack of medical treatment across facilities. A significant cause was the inability to adequately communicate medical needs due to a lack of on-site interpreters present and / or not being provided with the correct type or amount of medicine. Furthermore, their research found that despite a high proportion of respondents reporting mental health related challenges during their registration at a RIC, only one person reported that they visited a psychologist during the screening and registration procedure, and had to wait for 10 days to do so despite suffering from PTSD and being a survivor of torture.³⁹ This lack of medical support has had devastating effects, with a person on the move at Amygdaleza PRDC dying in July 2023, as a result of long-standing medical issues that remained untreated, despite requesting support.

Conclusion

26. The above testimonies provide further evidence of the inhumane living conditions of the mainland PRDCs and Samos CCAC. As established, there are real concerns regarding the living conditions of people on the move detained in these facilities, with numerous reports noting substandard cleanliness and significant overcrowding, which is exacerbated during extreme weather conditions. Furthermore, people on the move are routinely provided with inadequate food and water, as well as insufficient access to appropriate medical treatment. Hence, the Greek Government's claim that people held in the CCAC "enjoy decent living conditions [...] have access to medical care and receive psychological support"⁴⁰ cannot be sustained.

V. De Facto Detention of People on the Move seeking Asylum

27. The Greek Government euphemistically describes the detention of people on the move upon arrival in the CCAC as "a regime of restriction of their movement within the Centers for a maximum period of twenty-five (25) days"⁴¹ However, they are *de facto* detained in conditions violating European and Greek law. In the Samos CCAC, newly arrived people are automatically detained between two to

³⁷ Mobile Info Team (2023). "Prison for Papers"
Last Resort Measures Used as Standard Procedure. Available at: <https://www.mobileinfoteam.org/detention>
Accessed 20.02.2024.

³⁸ Border Violence Monitoring Network (January 2024). Violence Within State Borders: Greece.
<https://borderviolence.eu/app/uploads/Violence-Within-State-Borders-Greece-1.pdf>. Page 28

³⁹ Mobile Info Team and Refugee Legal Support, 'Protection Unavailable: Dysfunctional Practices and Restrictions on the Right to Asylum', (November 2023),
<https://static1.squarespace.com/static/597473fe9de4bb2cc35c376a/t/6555e476024c6b1f747d3668/1700127869016/RIC+report+Nov+2023.pdf>

⁴⁰ Government of Greece (20.06.2023). Communication/Updated Action Plan concerning the execution of the judgments of MSS v. Greece (30696/09) and Rahimi v. Greece (8687/08) groups of cases in response to the decision of the Committee of Ministers adopted at its 1383rd meeting (September 2020). Ref. no: 1905/554819. Page 4.

⁴¹ Ibid. Page 3.

four weeks in the Temporary Accommodation Zones until registration of their asylum request. For weeks people remain detained without an individualised written decision or justification for their detention, although this is required by EU law, under Article 9(2) of the Directive 2013/33/EU.⁴² When people are eventually provided with a decision, in some cases the justification was labelled as a “restriction of freedom” order, not an order for detention which does not reflect the factual situation.⁴³ The decision for detention was not individually assessed, as required by Article 8(2) of the Directive 2013/33/EU.⁴⁴

28. In September 2023, 22 NGOs, of which several are active on Samos and Lesbos, published a Joint Statement, highlighting the conditions of detention upon arrival in the Lesbos and Samos CCACs. Accordingly, legal actors on Samos have noticed a pattern where the issuance of 5 and 20-day “restriction of freedom” orders often occurred after the commencement of the detention period. For instance, it has been documented that applicants received the 5-day restriction orders retroactively on the same day they were given the 20-day restriction order. Applicants reported being coerced into signing back-dated orders, obscuring the fact that they had been detained without documentation for several days. Some applicants did not even receive the restriction of freedom order, but instead received draft translations of another type of restriction orders without any date or name.⁴⁵
29. Meanwhile, legal actors on Lesbos have observed that newly arrived people are effectively detained in the Lesbos CCAC without the issuance of any specific decision ordering detention or restricting their freedom. They are only provided with a piece of paper documenting the simple registration of their intent to seek asylum, containing basic biographic data. Although asylum seekers are technically free to leave the Lesbos CCAC after their asylum claims have been fully registered, this process is delayed, sometimes exceeding three weeks, which violates Article 69(2) of Greek Law 4939/2022.⁴⁶

Conclusion

30. The evidence underscores the imperative for due process in cases involving detention. Since this system of de facto detention operates automatically, it strips individuals of their right to undergo an “individual assessment,”⁴⁷ resulting in unaddressed vulnerabilities and leaving them without access to

⁴² Border Violence Monitoring Network (August 2023). Monthly Report. Available at: BVMN monthly Report August 2023 <https://borderviolence.eu/app/uploads/BVMN-Monthly-Report-August-2023-1-2.pdf-2.pdf>. Accessed 32.02.2024.

⁴³ Fenix Humanitarian Legal Aid (September 2023). Unlawful detention and worsening conditions: Over 4,000 asylum seekers unlawfully detained on Samos and Lesbos. Joint statement by 22 NGOs. Available at: <https://reliefweb.int/report/greece/unlawful-detention-and-worsening-conditions-over-4000-asylum-seekers-unlawfully-detained-samos-and-lesvos>. Accessed 23.02.2024.

⁴⁴ Border Violence Monitoring Network (August 2023). Monthly Report.

⁴⁵ Fenix Humanitarian Legal Aid (September 2023). Unlawful detention and worsening conditions: Over 4,000 asylum seekers unlawfully detained on Samos and Lesbos. Joint statement by 22 NGOs.

⁴⁶ Ibid. Article 69(2) stipulates that if a complete record cannot be made within three working days of the application submission, authorities may temporarily record essential data, including the preferred language for application examination, and subsequently complete the full recording within a maximum of fifteen working days from the initial partial registration, issuing a temporary document to the applicant until final registration.

⁴⁷ European Union (2013). 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. Available at: <http://data.europa.eu/eli/dir/2013/33/oj>. Accessed 23.02.2024.

legal information. The widespread blanket *de facto* detention of individuals in both mainland and island screening centres underscores Greece's failure to regard detention as a "last resort."⁴⁸

VI. Recommendations:

31. Due to the systematic and widespread practice of violence as well as material and health care deficiencies, BVMN recommends the Committee to uphold the **enhanced procedure** and to continue the examination of the cases on a regular basis.
32. Regarding the systemic practice of violence:
 - 32.1. The Greek Government must take active measures for the protection and well-being of people seeking protection and safety. The persistent impunity of violence against people on the move, including in PRDCs and CCACs, must be addressed. Official authorities and staff bearing responsibility over people on the move must be subject to effective accountability and independent monitoring measures. This includes private security personnel, guards, police officers, and administrative personnel.
33. Regarding reception conditions in the CCACs and detention conditions the PRDCs:
 - 33.1. The general reception conditions of people on the move on the Greek territory amount to structural violence and have huge consequences on their physical and mental health. This was just recently highlighted by the Interim Measures granted by the ECtHR in February 2024 in the case of *H.T. and M.T. v. Greece* (Application no. 2868/24), recognising that the applicants were confined to the Samos CCAC in inadequate conditions.⁴⁹ BVMN strongly advocates for people seeking asylum being accommodated within communities and in housing instead of isolated CCACs. For as long as CCACs exist, BVMN urges the Committee of Ministers to closely examine measures taken by Greece to respond to chronic gaps in material provisions, sanitary conditions and health care in the CCACs throughout Greece.
 - 33.2. In the same vein, the Committee is recommended to request that Greece report on the measures taken, or the measures that will be taken, to urgently improve material conditions, and access to health care and sanitary conditions in the PRDCs throughout Greece.
34. Regarding Reception and Detention conditions in general:
 - 34.1. The Committee should urge Greece to ensure that the deprivation of liberty or the use of detention for people on the move is only used as a measure of last resort.

⁴⁸ Ibid.

⁴⁹ I Have Rights (07.02.2024). Degrading conditions in Samos CCAC: The European Court of Human Rights grants Interim Measures. Available at: <https://ihaverights.eu/european-court-of-human-rights-grants-interim-measures/>. Accessed 20.02.2024.

- 34.2. BVMN calls on the Committee of Ministers to urge Greece to repeal Article 40(a) of the Asylum Act and immediately end the system of *de facto detention* in CCACs.
- 34.3. The Committee should urge Greece to restore alternatives to camp accommodation and explore alternatives to detention.

Annex 1: Statements from the interviews in the framework of the Internal Violence in Greece Research

On Violence:

“If somebody does something inside, they take him outside. They take his phone, put him in a cell by themselves, and they treat him badly” (Respondent 2 from Amygdaleza PRDC).

“If you fight, if the police see you on the cameras, they come, they take you away, they beat you and detain you for 1-2 days, then they put you back in your cell” (Respondent 13 from Paranesti PRDC).

“Sometimes fights happen or someone fights with others so police like to be involved. They [the police] are thirsty for this kind of situation. Most of the time they [the police] just took them to another site or another area. Sometimes when it’s very intense or someone is always in a fight with others they would take them to another place or take their phone and let them wait or spend their time in the quarantine area” (Respondent 9 from Corinth PRDC).

“There are a lot of isolation rooms and mostly they lock us in those rooms so we can’t get food and other things of everyday life. They do this as punishment for raising your voice against the conditions and asking things “like why do you detain us so long? Why are you treating us like this?” (Respondent 15 from Corinth PRDC).

“I didn’t have bruises, just pain because they wore gloves on their hands, that’s why I don’t have bruises” (Respondent 22 from Samos CCAC).

“One policeman was standing outside the room on the aisle, and two were inside the room. I was the second one who entered the room. I was pushed inside. The one outside the room kicked me inside. He pushed me and held me here [the respondent shows his neck/lower part of the back of his head] to push me inside. He pushed me by the neck and kicked me inside. When they called me inside, they started punching me. The policemen started to punch me, beat me, slap me and told me to sit down in the room until they finished with the others. It lasted for some minutes, I don’t know exactly how long. They hit me on the sides, the head” (Respondent 22 from Samos CCAC).

“I was standing in the queue, with my phone in my pocket. My sister called me on messenger, I was trying to switch it off but they [the police officers] heard my phone, they saw it was me and [one of the police] came and asked me why. He called me with a sign, I followed him, he took me to the room, and he started to beat me, gave me one or two slaps, kicked me, and pushed me outside. My foot was painful at that time. They told me to go in the queue again” (Respondent 23 from Samos CCAC).

On Strip Searches and Full Body Searches

“They searched me for the purpose of insulting and nothing else, [...] they forced me to take off my clothes in the street [...] I was told to take my clothes off like I was [just] born. When I was completely naked they were laughing at me and they were like “come on, come on, where are your clothes?” And then when I was putting on my clothes they were rushing me and telling me to get outside. [...] When I got out of the

room I was half naked. I didn't manage to wear all of my clothes because they were rushing me” (Respondent 10 from Sasmos CCAC).

“If we ask anything, they start abusing us. They say something very bad, harsh language” (Respondent 11 from Corinth PRDC).

“That guy [identified as a police officer] was always saying to respect them. He was saying if we didn't they would “fuck you in your ass”. He was always saying that “if we don't like it if we are not comfortable we should go back to Turkey” and “if you don't respect the police, the police will fuck your ass”” (Respondent 23 from Samos CCAC).

“It was very strict and violent from the police officers because when they come, we all go to the wall. If we don't, they will beat us. If we just look a police officer in the face they will take you separately from the group and beat you and tell the next police officers to beat you. It's just so bad inside. You are not allowed to laugh, you are not allowed to move your head. You are not allowed to speak to the person who is next to you. You are not allowed to move while the police officer is around” (Respondent 10 from Sasmos CCAC).

“We had to stand in one line by the wall. We had to turn our head down the floor, we could not look in the eyes of the police and we had to stand with our hands next to our body, straight up, eyes lowered” (Respondent 24 from Samos CCAC)

“They drove us to the camp in a van, but when we sat in the van they didn't allow us to talk, they didn't want to hear anybody eating, when they heard plastic bags they would shout terribly, we thought maybe they would push us back, we were all quiet. You felt like you were not supposed to look at your friend, it was really really scary” (Respondent 30 from samos CCAC)

“At the moment I am still scared of the police, I am trying to take some of the advice of my psychologist. Sometimes I see them [the police], I feel like fighting them because in the big camp [the main living section of the camp] they can't embarrass me. I don't feel happy when I see them. Even when I see them I want to forget about them and what happened” (Respondent 23 from Samos CCAC).

On Living Conditions:

“The condition of the mattress was extremely ... I cannot explain it. They were extremely dirty, a person cannot sleep on it, you know?” (Respondent 8 from Corinth PRDC).

“There are a lot of cockroaches there. If you wanna sleep or if you wanna get changed or anything, you are surrounded by all the cockroaches. It is worse than jail... The thing I would like to say is that after being in a place like that, it is impossible for you not to have to visit a psychiatrist or get medical support when you are released, because you are shocked.” (Respondent 9 from Corinth PRDC).

“There are cockroaches everywhere, in our beds, in our bags, everywhere - we are sleeping with cockroaches” (Respondent 31 in Samoc CCAC).

“Our container is not locked, it is not safe. I don’t feel safe in this environment. Sometimes when me and my colleagues are outside the room, and when you come back to your room some things are lost and you have no means to retrieve them. It happens quite often. Sometimes people say you have to remain inside for the safety of your things. I lost some of my clothes, make up, a mat, sometimes in the fridge someone takes your food” (Respondent 30 from Samos CCAC).

“Of course it’s bad, especially we ladies need privacy, of course it stresses you, but there is nowhere you can go and complain”, and she added regarding the shared bathroom: “It is really embarrassing because when our friends receive visitors they don’t always know they have to knock, so if the person doesn’t knock, they will just open the door and enter and see you naked, there is no keys at all”. Finally, she explained that this lack of privacy prevented her from avoiding insistent relationship offers from men in the CCAC: “I felt unsafe because of that. I went and complained and said ‘I am tired, I don’t want the kind of relationship they are proposing to us’. It is really bad for some of us. It is not possible to be protected from that in the camp”. (Respondent 30 from Samos CCAC).

On Inadequate Food and Water:

“I don’t know what kind of things they were putting in our meals. All of the people felt the same way. All of us slept a lot and got so aggressive after eating meals. Sometimes it’s a very disgusting feeling. Sometimes we didn’t have much water for two or three days. They keep the switch off the water at the taps” (Respondent 8 from Corinth PRDC)

“The water was recycled or refiltered and it was not healthy. It was very bad water” (Respondent 10 from Samos CCAC).

On Inadequate Healthcare:

“I was suffering from extreme pain. I went to a policeman, I told him that I was in a very painful situation and asked could he help me? Could he take me to a hospital or to somewhere with a doctor? He said “you are making a drama, you don’t have anything” So he beat me and he abused me. He had an electric rod. He beat me and used abusive language and after that he put me in a dark room” (Respondent 15 from Corinth PRDC).

“It’s the same behaviour from Corinth but Menidi [Amygdaleza] camp is worse than Corinth. Nobody is listening to us, we cannot reach the doctor, police people are extremely harsh with us”(Respondent 8 from Corinth PRDC)

“There are a lot of people in the camp who are really sick, and because the system is down nothing is happening. Some people can barely move, and they are getting no medical treatment” (Respondent 27 from Samos CCAC).

“There is no medical treatment in the camp, if you say you have a stomach ache they say you are constipated, if you have pain in your body they give you paracetamol. A woman fell in the camp and it

took three hours before they arrived and took her to the city, she was crying, it was an emergency”
(Respondent 31 from Samos CCAC).

Annex II: Photos from PRDCs and the Samos CCAC

Amygdaleza PRDC

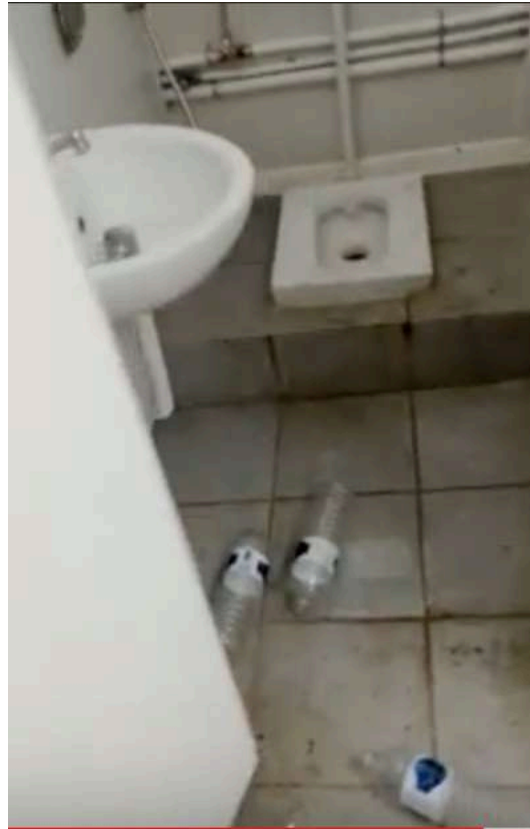


Corinth PRDC



(Source of water)

Samos CCAC



(Food in Samos CCAC)



(Sleeping area Samos CCAC C: Samos Advocacy Collective)



(C: Samos Advocacy Collective)





(Photos of makeshift shelter in Samos CCAC. The upper photo shows the makeshift shelter from inside, the lower photo the same shelter from the outside. Sent to BVMN member organisation I Have Rights (IHR) by client and published in BVMN's November 2023 Monthly Report⁵⁰)



⁵⁰ Border Violence Monitoring Network (November 2023). Monthly Report. Page 18. Available at: <https://borderviolence.eu/reports/balkan-regional-report-november-2023/> Accessed 23.02.2024



(Men sleeping outside on bed frames and wood palettes. Sent to IHR by client and published in BVMN's November 2023 Monthly Report⁵¹)

⁵¹ Ibid. Page 19.



(Photos sent to IHR by respondent held in the CCAC and published and published in BVMN's September 2023 Monthly Report⁵²)

⁵² Border Violence Monitoring Network (September 2023). Monthly Report. Pages 9-10. Available at: <https://borderviolence.eu/reports/balkan-regional-report-september-2023/> Accessed 23.02.2024