

Border Violence Monitoring Network

**DARK ROOMS, DEGRADING TREATMENT AND
DENIAL: THE USE OF VIOLENCE IN GREECE'S
PRE-REMOVAL DETENTION CENTRES**



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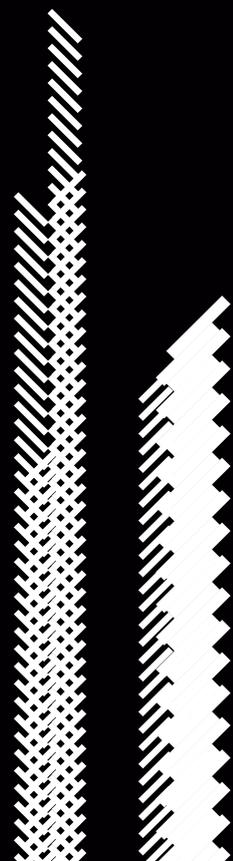
GLOSSARY OF TERMS

- BVMN** Border Violence Monitoring Network
- CPT** European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
- ECHR** European Convention of Human Rights
- ECtHR** European court of Human Rights
- EDW** Electric Discharge Weapons
- EU** European Union
- ICCPR** International Covenant on Civil and Political Rights
- GCR** Greek Council for Refugees
- PRDC** Pre-removal Detention Centre
- UNHCR** United Nations High Commissioner for Refugee

EXECUTIVE SUMMARY

The Border Violence Monitoring Network (BVMN) is a coalition of 14 non-governmental organisations (NGOs) and collectives that have been monitoring and documenting illegal pushbacks and police violence along the European Union's borders in the Western Balkans since the formal closure of the so-called 'humanitarian corridor' in 2016.¹ Since the formulation of the Network in 2017, BVMN's monitoring scope has increased to encompass the Western Balkans, Greece and Türkiye with a growing focus on chain-pushbacks from central European states such as Italy and Slovenia.

While the continued use of illegal pushbacks - which often utilise informal detention sites - is extensively evidenced through BVMN's online database,² this report focuses on the severe and structural use of internal violence by detention authorities in formal sites of detention across mainland Greece. The trends and typologies of violence evidenced in detention facilities correspond with those used at the border, indicative of the systemic nature of abuse of people on the move in Greece. The report focuses on 50 testimonies by respondents who were detained in one of six Pre-removal Detention Centres (PRDCs) since 2020: Xanthi, Paranesti, Corinth, Amygdaleza, Tavros (Petrou Ralli) and Fylakio, as well as several police stations or holding facilities across Greece including Metagogon (Thessaloniki), Athens airport and Isaakio police station. Evidence is specifically presented regarding the use of physical violence - including excessive and disproportionate force and the use of electric discharge weapons - psychological torment, humiliation, denial of access to medical care and verbal aggression. Through the analysis of extensive qualitative data from several detention facilities, this report provides evidence that we argue demonstrates the gravity and intent with which violence is practised by Greek authorities in PRDCs, and thus may constitute torture or inhuman and degrading treatment, as defined by the Convention Against Torture (CAT) and prohibited by several instruments, including Article 3 of the European Convention of Human Rights (ECHR).



STATISTICS

▶ **65%**

of respondents indicated that they had been subjected to violence by authorities or witnessed violence by the authorities in detention.

▶ **20%**

Over 20% of respondents mentioned being victims of verbal aggression

▶ **20%**

Over 20% respondents specifically reported being victims of racist abuse or references to race or ethnicity while they described their treatment.

▶ **15%**

of respondents specifically used the term 'torture' to describe their treatment.

▶ **25%**

Over 25% people mentioned the use of violence as punishment

▶ **20%**

20% of testimonies mentioned punishment tactics in "dark rooms" or "other rooms".

▶ **25%**

Over 25% of testimonies mentioned the use of weapons by the authorities

▶ **2**

people described the use of Electric Discharge Weapons (EDWs) by the authorities.

▶ **7**

respondents described the lack of medical care after abuse by detention authorities.

Types of Treatment Reported

▶ **21**

mentions of "beating"

▶ **7**

mentions of "torture"

▶ **3**

3 mentions of "both" (kicking and beating)

Statistics by PRDC

▶ **80%**

Over 80% respondents detained in Paranesti PRDC reported some form of physical or verbal abuse;

▶ **65%**

Nearly 65% of respondents detained in Corinth reported some form of physical or verbal abuse

▶ **45%**

Nearly 45% of respondents detained in Amygdaleza reported some form of physical or verbal abuse.



INTRODUCTION

Immigration Detention in Greece

Since the implementation of the Schengen Area in 1995 establishing freedom of internal movement and the removal of border controls, European Union (EU) Member States have adopted extensive measures to strengthen the external borders of the bloc. The continued lack of harmonisation of the Common European Asylum System has further enabled Member States to implement their own laws and practices to navigate and prevent the arrivals of people at their borders, diverging considerably from protection mandates or upholding of fundamental rights. In accordance with these policies, the use of immigration detention has proliferated to the extent that it has become normalised and institutionalised, particularly in external Member States,³ despite European law stating that it should only be used as a measure of last resort.⁴

In Greece, the detention of applicants of international protection and third country nationals subject to return orders followed this trend, although particularly increased following the influx of arrivals since 2015. In addition, the election of Nea Demokratia in 2019 saw the rapid implementation of restrictive policies against people on the move, with specific consequences for irregular arrivals regardless of their expression of willingness to claim asylum. Despite the use of immigration detention remaining an exceptional measure in European law,⁵ it became embedded in practice in Greece following the implementation of the International Protection Act in 2020 and a succession of amendments that followed, expanding the grounds for detaining people on the move for increased periods of time. Procedural safeguards were also removed from Greek asylum law,⁶ enabling the systematic and arbitrary detention of individuals on the grounds of public order or being considered a 'suspect for escape'.⁷ The additional and highly concerning amendment to Greek return law in 2020⁸ overturned the principle of detention for third country nationals in view of removal as one of exception, into the norm. Despite the extensive documentation⁹ of informal expulsions from Greece via pushbacks mechanisms, the ongoing lack of EU Readmission Agreements, Greek Bilateral Agreements and general

dysfunctional cooperation between Greece and either countries of origin or alleged 'safe third countries' restricts the possibility and efficiency of returns. This raises strong doubts regarding the proportionality and reasonable prospect of removal, and thus legal justification of detention.¹⁰

Nevertheless, people on the move may be held in Pre-removal Detention Centres (PRDCs) for periods extending beyond 18 months, as codified in national law.¹¹ In their 2021 report, the Greek Council for Refugees (GCR) acknowledged that the use of detention to control people on the move has become default in Greece; as of July 2021 3,000 people were in immigration detention, nearly 50% of which had been for more than six months.¹² Irrespective of the fact that Minister of Migration and Asylum, Mitarachi, announced that "Greece is no longer experiencing a migration crisis" after arrival flows in Greece showed to have decreased with 60% in the first seven months of 2021 as compared to 2020,¹³ increasingly hostile migration policies and violence against people on the move has intensified. In 2022, the number of recorded arrivals has risen again, yet people are met with closed, prison-like structures and restrictive asylum procedures.

Despite the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)¹⁴ carrying out several visits to PRDCs and police stations in Greece since 2005, noting the severely inadequate conditions of facilities and significant reports of violence,¹⁵ few substantial changes have been made. This is frequently recognised by the CPT in their reports, indicating that their recommendations have, on the whole, been ignored. In addition, aside from country visits being sporadic, they are officially planned, and may not provide insight into issues such as violence, which can be kept relatively invisible. In general, detention centres are extremely restricted to the public, and only specific actors, including the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross, the International Organisation for Migration, the GCR and other legal organisations are granted

access. Furthermore, the carceral environment of detention centres, surrounded by high fences, barbed wire and surveillance systems, renders them compatible with prisons, and thus treatment of detainees as 'criminals'. Information and monitoring of PRDCs in Greece is therefore challenging, providing extensive space for human rights violations to proliferate.

Importantly, the CPT reports are not isolated to PRDCs, and reference detention conditions and violence which is applicable not only to people on the move, but Greek detainees too. Police violence against people in prisons has been consistently reported on, and the violence reported on in this research should be analysed in the context of a consortium of violent practices across Greece.¹⁶

Definition and Prohibition of Torture and Ill-treatment

Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹⁷ adopted in 1984, defines torture as :

"any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity."

This Convention recalls the prohibition of torture previously formulated by Article 5 of the Universal Declaration of Human Rights¹⁸ and Article 7 of the International Covenant on Civil and Political Rights (ICCPR).¹⁹ The latter provision is complemented by Article 10 of the ICCPR concerning the humane treatment of persons deprived of their liberty. At the regional level, the prohibition is formulated by Article 3 of the ECHR²⁰ and Article 4 of the Charter of Fundamental Rights of the European Union.²¹

The prohibition of torture is an absolute and non-derogable right in international law. This has been recalled by the UN Human Rights Committee in its General Comment No. 20,²² but also by the European Court of Human Rights (ECtHR). Thus, in its judgment in the case of *Selmouni v. France*, the ECtHR stated that: "the Convention prohibits in absolute terms torture and inhuman or degrading treatment or punishment. [...] Article 3 makes no provision for exceptions and no derogation from it is permissible under Article 15 § 2 even in the event of a public emergency threatening the life of the nation".²³ The latter is particularly relevant considering that powerful negative

rhetoric - particularly around instrumentalisation - is consistently used to frame migration as a security threat, consequently providing alleged justification for exceptional measures that usually result in violent practices towards people on the move.²⁴

The prohibition of torture is an evolving right, meaning that some acts which are not currently considered as "torture" may be in the future. In addition to the fact that the Convention is a "living instrument which must be interpreted in the light of present-day conditions",²⁵ the European Court recalled it in its case *Selmouni v. France* that "certain acts which were classified in the past as "inhuman and degrading treatment" as opposed to "torture" could be classified differently in future. It takes the view that the increasingly high standard being required in the area of the protection of human rights and fundamental liberties correspondingly and inevitably requires greater firmness in assessing breaches of the fundamental values of democratic societies".²⁶

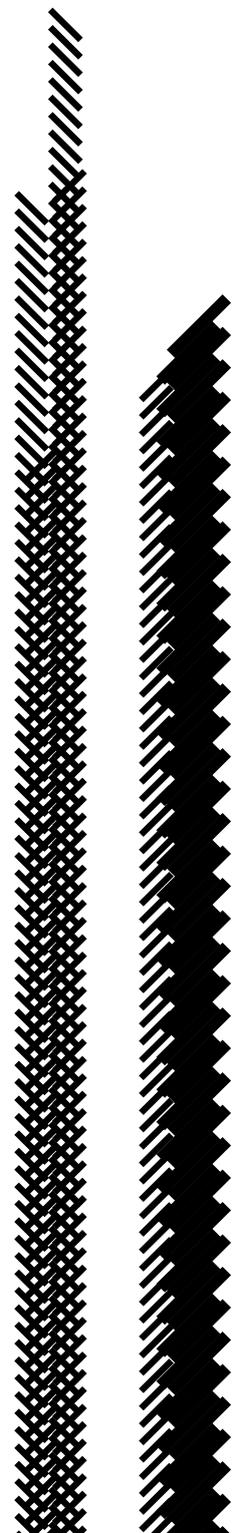
Due to their already existing vulnerability, certain groups of individuals may be at greater risk of torture. This is the case for both people on the move and people in detention; the 2016 CPT report identified that ill-treatment is consistently employed by Greek police as a method of control, indicating the entrenched nature of the violence.²⁷ In BVMN's pushback database, over 94% of testimonies from Greece in 2022 contained one or more forms of physical violence, reiterating the systematic use and normalisation of abuse perpetrated by Greek authorities.²⁸ Although several international and regional conventions exist to protect migrants, refugees and displaced persons, most do not contain specific provisions on torture. The 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,²⁹ which Greece has not ratified, is one exception.

Methodology

The collection of data on violence in detention centres is done through a consortium of independent voluntary field experts who are part of the BVMN. The accuracy and consistency of testimonies is crucial to BVMN's mission and therefore strict training, interview templates and guidelines are provided to reporters. The interviews are semi-structured, through standardised, open-ended questions, and designed to enable the conversation to be guided by the respondents' experiences. BVMN's reporters are trained to conduct interviews that capture specific details, for example, characteristics of detention staff uniforms, in order to generate verifiable data. Leading questions are avoided, although some questions may be rephrased, with the support of a translator, in order to ensure clarity and total understanding.

Internal violence reports are collected both over the phone - for respondents who are not located near BVMN reporters - or in person, at community centres that provide services for people on the move. Testimonies were only taken from people who were in detention at some point since 2020, so as to capture information pertaining to detention practices since the changes in Greek law implemented by the current government. Testimonies are collected anonymously and BVMN does not retain any identifying data on the respondents. All testimonies are taken on the prior understanding that they will not help an individual's case, and with informed consent.

50 testimonies were collected and analysed for this report, from people who were detained from a period of one day to beyond 18 months in a police station, special holding facility or one of six PRDCs on mainland Greece: Xanthi, Paranesti (Drama), Fylakio, Corinth, Amygdaleza, and Tavros (Petrou Ralli). Over 50% of respondents have been held in at least two detention facilities in Greece since 2020. The majority of respondents were apprehended in Thessaloniki, Athens or in the Evros region.



▶▶▶ TORTURE, INHUMAN AND DEGRADING TREATMENT

According to Article 1 of the Convention against Torture, the prohibition of torture is characterised by four constitutive criteria: the intensity or gravity of the act, the intention, the purpose and the perpetrator. The gravity of the act must be analysed in the light of numerous elements - including the effects of the treatment or the duration or the vulnerability of the victim - and takes into account dimensions broader than the legal dimension, such as cultural and religious dimensions. As the criterion of gravity is subjective and vague in nature, it is impossible to establish a list of acts constituting torture that meet the gravity threshold. Depending on the assessment of the gravity criterion for the victim, some acts may amount to torture. Torture is the result of suffering inflicted voluntarily, but negligence will not be considered torture. Torture must be committed by an agent of the state, an individual acting under its responsibility, or with the same powers.

The main difference between torture and ill-treatment lies in the criteria of the degree of suffering and the intention to commit the act. Unlike torture, ill-treatment does not have to have a purpose or to have the same degree of intensity. Inhuman treatment must reach a minimum level of severity and cause physical harm or severe mental suffering. In several judgments, the ECtHR precised that "the Convention should, by means of this distinction [between torture and ill-treatment], attach a special stigma to deliberate inhuman treatment causing very serious and cruel suffering" qualifies as torture.³⁰ As opposed to physical or mental suffering, "degrading treatment" implies humiliation or degradation, and the intent need not be mandatory. The ECtHR stated that:

"Ill-treatment must attain a minimum level of severity if it is to fall within the scope of Article 3. The assessment of this minimum is relative; it depends on all the circumstances of the case, such as the duration of the treatment, its physical and mental effects and, in some cases, the sex, age and state of health of the victim."³¹

In its judgment *Khlaifia and Others v. Italy*, the European Court of Human Rights (ECtHR) recalled the elements to be taken into account when analysing if a case has met the gravity threshold: the purpose for which the ill-treatment was inflicted, together with the intention or motivation behind it ; the context in which the ill-treatment

was inflicted; whether the victim is in a vulnerable situation, which is normally the case for persons deprived of their liberty.³²

The following section presents distinct forms of abuse which were routinely observed throughout our research, and includes the use of excessive and disproportionate force, the use of electric discharge weapons, the denial of medical care after detainees have been subjected to violence, psychological abuse including torment and humiliation, and finally verbal aggression. Whilst this list is by no means exhaustive, it attempts to provide an overview of the incidents that were consistently reported in our testimonies.

— The Use of Punitive Violence

According to our research physical violence with intent - perpetrated by Greek authorities in PRDCs - is routinely practised, particularly as a form of alleged punishment for perceived 'bad behaviour'. Through our testimonies, 'bad behaviour' can be understood to mean merely complaining or protesting the conditions and treatment of detainees, fighting with other detainees, as well as other arbitrary actions such as making 'too much noise'. Even respondents who did not experience violence themselves witnessed and described this tactic, which they explained was an effective tool to silence any complaints or reporting on the matter. This practice has been extensively reported on in the past, particularly following hunger strikes, for example in Paranesti PRDC.³³ Ultimately, our testimonies indicate that any form of speaking out against inhuman treatment to detention authorities is often met with excessive violence in order to exert further control over detainees. This was most frequently and explicitly reported from Corinth, Amygdaleza and Paranesti PRDCs, as well as in police stations.

Respondent 8, Morocco. Detained in Amygdaleza PRDC.

OK, they beat him [Greek prison guards], they took him to the toilet first, and then they beaten him up with the stick, with their stick-They beaten him so bad in order for him to not ask again for his rights and to be scared of them.

Respondent 15, Iraq. Detained in Amygdaleza PRDC.

Then, they had this little argument and probably he insulted them. This Turkish guy and they wanted to get inside and beat him up. But then he grabbed like a piece of window, like, glass or glass piece of glass. And he wanted to hurt himself. He said if anybody gets close to me, I would just stab myself. So they told us there were three officers and they left, they said, we won't touch you all good. Then two days after they went that straight to where he stayed and they beat him up like so bad and they broke his phone and took his money.

Respondent 1, Algeria. Detained in Paranesti PRDC.

Yeah, because there were hunger striking for food and another time for staying there, for no reason. The same thing happened. They just called a lot of undercover police, with batons and so on, and they start beating everybody. They had the balaclava, you know, and they were in black uniform and they had the Greek flag and they were beating one by one you know. And so many people got injured, even vulnerable people. Some people had like special needs and so many people who needed to do surgery, they just didn't care about them, they were kept like everybody else. There wasn't any exception even for vulnerable people.

▶ i. Corinth PRDC

Further highlighting the deteriorating conditions of detention facilities in Greece, 65% of the testimonies we collected from respondents detained in Corinth referenced punitive violence. In particular, respondents described a specific pattern whereby individuals would be taken from their room by police officers to a "dark room", beaten by multiple officers at once using batons, kicking and fists, before being returned to their rooms. The consistency of the reports and extent of violence described within them is alarming; the majority of respondents described this method as 'torture'. According to Article 3 of the ECHR, ill-treatment may be reached when an individual is subject to excessive force that is not strictly necessary, as it "diminishes human dignity and is in principle an infringement of the rights set forth in Article 3 of the Convention."³⁴ However, in addition to the severity of abuse described by detainees, which reportedly led to fractures amongst other injuries, humiliation as well as a clear punitive intent practised in PRDCs in Greece is of grave concern. To qualify as torture, the "intention of the perpetrator and the powerlessness of the victim"³⁵ and the humiliation experienced by the victim are crucial elements. Fear also plays a role in defining a breach of Article 3 of the ECHR, where "fear of physical torture may constitute mental torture"³⁶

as it similarly diminishes human dignity. Both the fear and humiliation expressed by respondents detained in Corinth was extremely apparent, where several explained that they opted to remain silent out of severe distress.

Respondent 30, Egypt. Detained in Corinth PRDC.

He says because the last time they got beaten in a very-very bad way, for example he says all of us we lost our dignity in that day because they beat you and then he crush you with his leg and you lose your dignity and after that you cannot do something... like... they understand that you cannot do any kind of change inside that camp, they say whatever and they will bring you whatever food and you are just going to eat it and that's it. Because if you do not, they are going...they can murder you or crush you because they beat you very-very bad. Not just one or two with the stick but a lot so it's not a good idea to continue with the demonstration or strike.

Respondent 9, Afghanistan. Detained in Corinth PRDC.

So for example when I wanted to ask something about that we want this or this, their behaviour is so bad after that they send us in a dark room they torture us there, really bad things. In order to just be patient, be calm, don't talk anymore and don't ask anything.

Respondent 10, Afghanistan. Detained in Corinth PRDC.

Because we had to do, raise the voice, because there is no reason that we should stay for many years, 18 months, there for nothing. Because of not having any documents. We have to raise our voice and then when we like, we want to talk, they just beat us a lot, very hard, like torture. Then after that, the person couldn't talk anymore.... I have seen one of our friends, just, he has a mental health problem and he was a little noisy. And the police took them and tortured them. And then they transfer us to somewhere else I don't know exactly where.

▶ ii. Amygdaleza PRDC

In Amygdaleza, where detainees are accommodated in caravan containers, respondents similarly reported that individuals subjected to physical abuse by authorities were taken away from their usual rooms, beaten in "dark rooms", and returned, sometimes a few days later. 50% of the testimonies we collected referenced violent punishment tactics, and one respondent specified that the severity of punishment was dependent on the behaviour of the detainee, elaborating that in certain cases, individuals could be held in solitary confinement afterwards for up to three months. This repression and hidden violence makes it

incredibly difficult for individuals to report on violations, out of fear, lack of evidence or avenues to safely do so.

Respondent 17, Egypt. Detained in Amygdaleza PRDC.

It's almost like they say bad words, we say bad words, it's like that. But sometime when it's get more like the police take their stuff and they enter to the caravan and so they pick the one or the two and they take them to another places and they beat them... no one can see what happened to the person they take. [...] So they, they let him in a small room without, dark, without window. And they beat him also. So he gonna sit like that for one or two days until they get him again go back to the caravan.

Respondent 18, Afghanistan. Detained in Amygdaleza PRDC.

Ok, so the rules that was for 8 days, the police who send them, for the people who did bad things, they send those people there. It was a closed room, and dark. So yes, the police send people who have fights, I can give you for example there was a person from Pakistan who tried to set fire to the camp, and the police know about it so they send this person to this room for 3 months, it depends on their behaviour and the cases, and how severe the case is yes.

▶ iii. Paranesti (Drama) PRDC

In Paranesti, 75% of respondents detained in the facility reported violence by the authorities. Specifically, people explained that any form of protest or asking questions was frequently used as justification for being beaten. One individual described an alarming practice that he referred to as 'crossing', whereby he was taken to a room, before reportedly having his hands tied up and being beaten by officers with batons as a form of punishment. Testimonies also indicated that detainees in Paranesti were physically abused as a brutal response to repress hunger strikes, a practice which BVMN has previously noted to occur in Paranesti.³⁷

Respondent 2, Tunisia. Detained in Paranesti PRDC.

Sometimes 5 policemen came inside and took one and put him in the middle and started beating him with everything like with batons, kicking. It's so stressful for the people inside. Some people get angry when they don't get their rights, like medicine and sometimes they don't give them what they need and they start to climb the fence and protest and don't take the food and start shouting, so they come inside and beat them.

Respondent 4, Algeria. Detained in Paranesti PRDC.

One time when I was in Drama a guy was asking to go to the hospital and they took him because he ate some knives, small knives (razors) because he wanted to go. And when they took him to the hospital he managed to escape, they tried to find him, did not find him and came back to detention and went to his room and were looking for his phone and when they did not find the phone they just beat me and everyone up. I was sleeping and they opened the door and beat me.

Respondent 1, Algeria. Detained in Paranesti PRDC.

I witnessed blood and how people were beating, beating with batons and yeah, that was really a bad scene. Yeah like insulting the religion, insulting skin colour, everything. It happened 3 times with the same level of violence, really bad level of violence, really high level of violence I would say. Yeah a violence that I have never seen in my life.

They would just keep them there and after the beating they would close the door of the container and they would serve them food just from the window.

They put 6 people, they put me in the middle and they started beating with the batons. I couldn't walk, also my knee, i couldn't walk for 10 days. And also the second time, my ears also, I thought I would lose the hearing. They just put you inside and they beat you. It's terrible.

Despite the justification of 'bad behaviour' frequently reported by respondents as a justification for mistreating detainees, BVMN asserts that across all testimonies, coercive methods of control were never necessary, and thus amount to a breach of Article 3 of the ECHR. The overwhelming use of punitive practices across PRDCs in mainland Greece indicates that abuse is not an isolated occurrence, and concerningly, is used with purpose and intent to intimidate detainees.

Excessive and Disproportionate Force - Physical Assault with Use of Fist, Kicking, Police Batons, 'Crossing'

In general, the use of excessive and disproportionate force was employed as part of the practice of punitive violence in PRDCs. However, considering the arbitrary interpretations of behaviour deserving of punishment by authorities, and that disproportionate force was employed for other means of intimidation, further detail regarding the specific types of physical abuse will be evidenced through testimonies, which are used to indicate the gravity and consistency of practices of violence. Across all testimonies, physical assault, including the use of police batons, fists, slapping and kicking, were the most commonly reported applications of disproportionate force. 54% of respondents indicated that detainees were subjected to physical violence in PRDCs, with 75% of respondents detained in Paranesti PRDC reporting abusive practices. Importantly, respondents shared experiences not only referencing themselves, but of fellow detainees who they had witnessed return from 'dark rooms' with cuts, bruises, sores and other injuries. The wounds were sometimes reported to be on areas of the body where no marks would be concealed, indicating a premeditated attempt of how best to abuse detainees and avoid accountability; "for example, under the neck, and you know, not to their face".³⁸

Concerningly, several respondents noted that after individuals were subjected to such attacks, they would be left alone in a room without access to medical care. This contributed to a general atmosphere of pervasive fear, forcing individuals into silence despite the appalling conditions that they reported that they were living in.

Respondent 38, Kurdistan (Iran). Detained in Corinth PRDC.

I mean places, they were for taking showers and going to the washroom and stuff. But the facilities were not working; nothing was accessible. It was a nightmare living there, especially the last 6 months that I spent inside Korinthos.

Respondent 26, Kurdistan (Iran). Detained in Paranesti PRDC.

So, about the situation in Fylakio, it was horrible because they have never cared about hygiene. There was nothing, like, there was shit bathroom and toilet and we don't have access to hygiene as well. And also, about food, it was horrible.

Some respondents noted that the perpetrators of

violence in detention wore different uniforms to the standard blue police uniform of the Hellenic police, describing instead the presence of individuals wearing black uniforms or civic clothing. This is consistent with violence perpetrated in pushback operations in Greece and is significantly evidenced in BVMN's online database,³⁹ whereby specific units of police and military are employed to carry out violence against people on the move.⁴⁰

Respondent 1, Algeria. Detained in Paranesti PRDC.

Yeah, because they were hunger striking for food and another time for staying there, for no reason. The same thing happened. They just called a lot of undercover police, with batons and so on, and they started beating everybody. They had the balaclava, you know, and they were in black uniform and they had the Greek flag and they were beating one by one you know. The ones inside the camp were wearing blue uniform, Greek flag, like the usual one that we see. But the ones that came to beat us have big shoes, they are big guys and they have black uniforms.

Respondent 38, Kurdistan (Iran). Detained in Corinth PRDC.

When police officers were, you know, arresting these people who were fighting, in front of the people they were not beating them, but they were taking them outside their cells and after one or two hours when they brought them back in, back to their cells, we could see that, they were beaten a lot, they cut their faces and also their sores and the they had you could imagine how badly they were beaten by the police officers. Whenever they were coming they were telling them that yes we were beaten, each one of us were beaten by 4 police officers at the same time. They were kicking us, they were slapping us, they were, you know, using their fists, and they were most often hitting or beating in those places where they were thinking there shouldn't be any kind of sign left. For example, under the neck and, you know, not to show their face.

Respondent 10, Afghanistan. Detained in Corinth PRDC.

No, they don't beat in front of the people. Just there is another room, they just took them there. They are seven or six police, just one person. They hang their hands somewhere and then they are four or five police who just beat them as much as they can. They torture them in a really bad way.

Respondent 40, Unknown. Detained in Amygdaleza PRDC.

I have seen people, especially the Pakistani community. They are always taken down to one cell and get beaten up by the police in Amygdaleza.

I have witnessed three people beaten up for no reason. One Palestinian guy of 21 years old. They beat him for no reason and put him in a normal prison. They charged him of something and put him in prison. An Egyptian, also young, beat him in front of the guys. A Syrian was supposed to be released after 50 days but he wasn't, he started a hunger strike for some days. They beat him so much because he started that even if he was just doing it by himself. He didn't ask people to follow him.

OK, they beat him [Greek prison guards], they took him to the toilet first, and then they beat him up with the stick, with their stick. They beat him so badly in order for him to not ask again for his rights and to be scared of them.

Electric Discharge Weapons (EDWs)

EDWs are used to avoid lethal outcomes, and should be "limited to situations where there is a real and immediate threat to life or risk of serious injury".⁴¹ As such, EDWs - like the use of violence and weapons in general - should be used as a last resort.⁴² BVMN has documented the reported use of EDWs by authorities facilitating pushbacks in testimonies pertaining to 632 people on our database, and specifically, by Greek authorities in pushbacks pertaining to 389 people from Greece to Türkiye.⁴³

Two of our testimonies indicated that the use of EDWs were used in detention centres and police stations, highlighting that these incidents were not isolated and are part of a wider punitive strategy. In addition, while respondents described that EDWs were used as part of the general punishment and intimidation tactics - whereby detainees were reportedly taken to a "dark room" and returned extremely scared - BVMN asserts that the type of behaviours detailed by detainees were not life threatening, and did not warrant the use of weapons. The arbitrary and menial reasons for punishment - "make some little bad behaviour...when they speak loud or they make noisy"⁴⁴ - is concerning. Violent and extreme measures are seemingly employed by authorities without first exhausting other, less harmful techniques. Finally, the time periods of physical abuse that respondents described - "15 to 20 minutes torture with electricity gadget"⁴⁵ - raises strong doubts as to the proportionality of treatment, and evidences the intensity of the act which may amount to inhuman treatment or

Respondent 24, Algeria. Detained in Paranesti PRDC.

It's because a lot of people get beaten because they don't know the language. For example, if the police man is speaking with you and he tells you for example "stay down" [in Greek] and the other person is still looking at the police men, and the police men giving orders to stay down, this is the reason you got beaten with a stick. Because he just didn't understand what the police said to him, he didn't know the language.

Whilst BVMN acknowledges that in certain situations, for example where there is a threat to life or risk of injury, the use of force can be necessary, we affirm that from our testimonies, the use of force was excessive or disproportionate. The physical force that was used evidently diminished human dignity, which is in principle an infringement of the rights established by Article 3 ECHR.

torture. The clear expression of fear in testimonies, as a result of the gravity of physical abuse, also plays a crucial role in analysing the use of violence and weapons in detention. The threat or use of excessive force can contribute to psychological harm which is established in Article 3 of the ECHR; it incorporates both physical and mental suffering. We acknowledge that not all testimonies describe personal experiences, but events that detainees witnessed first-hand when they were in detention, nevertheless documenting clear trends of disproportionate physical abuse against people on the move, which can be corroborated by the extensive testimonies in BVMN's database,⁴⁶ and other reports or investigations of violence by authorities in Greece.⁴⁷ While BVMN acknowledges that EDWs can be a legally justified response to violence as a measure of last resort, overwhelmingly, testimonies indicate that EDWs are being used as an unnecessary tactical tool to induce pain, fear and suffering.

Respondent 9, Afghanistan. Detained in Corinth PRDC.

When they [the police at the detention centre] send us in the dark room - so after 15 or 20 minutes torture with electricity gadget so they torture us and then they send us back to the room and asked 'you don't have to talk about it' and that's why I'm really scared of them.

Respondent 13, Afghanistan. Detained in Paranesti PRDC..

But I can say that they never, the police never listen "When some people they are fighting, for some people they just beat them with like...there is a gadget, it has electricity, they beat them with that. I don't know what it's called. But, also sometimes



they punish them like they have to clean the toilet or they have to clean all the area, all the container they are living, they have to clean them. Or sometimes they torture them."

Denial of medical care



The deprivation of access to medical care for detainees has been consistently recorded in Greece, yet our testimonies highlight the additional denial of medical care following a violent incident of abuse by detention staff. This amplifies the severity of harm and neglect, an issue that was reported by respondents across detention facilities in Greece. This paints a concerning picture of violence with intent thus pointing to the structural level of abuse. Evidence of the systematic breaches of international detention standards were affirmed in 2021 by the Greek Ombudsperson, in which refusal to provide detained foreign nationals access to medical care was noted.⁴⁸ In addition, in 2019 the United Nations Committee Against Torture observed a 'systemic failure to provide and ensure access to medical care', as well as highlighting further concern at reports

of ill-treatment, including beatings, of detained asylum seekers and migrants by police officers.⁴⁹ The Committee subsequently recommended that the Greek State should ensure that migrants and asylum seekers held in detention are provided with adequate medical and mental health care, including a medical examination upon admission and routine assessments.⁵⁰ Yet the reports from our testimonies, detailed below, emphasise the ongoing lack of monitoring of health condition, and specific denial of both physical and mental healthcare support despite there being a critical need in at least six testimonies. BVMN asserts that these incidents amplify the gravity and severity of harm, thus putting the State authorities who facilitate this abuse, in breach of Article 3 of the ECHR.

Respondent 10, Afghanistan. Detained in Corinth PRDC.



No, they don't beat in front of people. There is another room, they just took them there. There are seven or six police, just one person. They hang their hands somewhere and then they four or five police just beat them as much as they can. They torture them in a really bad way. Our friends had a fracture but also after that they didn't help.

Psychological harm

In interpreting Article 7, the Human Rights Committee has recognised that "The prohibition in Article 7 relates not only to acts that cause physical pain but also to acts that cause mental suffering to the victim."⁵¹ In addition, Article 3 of the ECHR incorporates both physical and mental suffering, and where:

'treatment humiliates or debases an individual, showing a lack of respect for, or diminishing his or her human dignity, or arouses feelings of fear, anguish or inferiority capable of breaking an individual's moral and physical resistance, it may be characterised as degrading and also falls within the prohibition of Article 3'.⁵²

BVMN has identified that at least 45% of testimonies report psychological harm, and respondents consistently expressed fear or severe mental ill-health as a result of: the poor conditions of detention, lack of information provided to detainees regarding their detention decisions leaving them in an information void, lack of access to recreational activities and the general impacts of being deprived of liberty, as well as their treatment by detention staff, who reportedly employed intimidation and humiliation tactics, degrading use of language, threats of physical violence or total neglect.

Psychological torment, humiliation and self harm

Due to severe neglect, humiliation and psychological deterioration of detainees - particularly for those who are held in PRDCs for extended periods of time - several respondents referenced the practice of self-harm, sometimes as an attempt to receive medical attention. As a result of medical care not being sufficiently provided in detention - unless in the case of an emergency or for critical cases - respondents explained that it was not uncommon for people to worsen their injuries or deliberately harm themselves to access a hospital. Suicide has also been reported across detention centres in Greece for many years.⁵³

Respondent 20, Morocco. Detained in Paranesti PRDC.

Some people just cut their bodies but they don't do anything to them. So, they don't support them with mental issues or psychological issues, all these things.

Respondent 24, Algeria. Detained in Paranesti PRDC.

They treat everyone inside the same. In the mental issue or health issue. Only in the case someone beat himself, to cut his body with a knife or something like that. But I am old, I am 37 and I don't want to cut myself like that or something. So they respond only in this case, when someone cut/beat himself.

Respondent 22, Egypt. Detained in Corinth PRDC.

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

Respondent 5, Pakistan. Detained in Amygdaleza PRDC.

I'm very tense and feeling so much depressed because you know, I was there since many months ... I was very depressed to be there. Cause I wanted to have ... freedom

Respondent 20, Morocco. Detained in Paranesti PRDC.

Because most of these people were like using pills and drugs, so they need these things inside, so... and the pressure that they are in, all this stress... after they start to beat themselves. [And is the police- they are not doing anything about this they are just letting this- ?] Watching.

Respondent 11, Iraq. Detained in Amygdaleza PRDC.

Like you cannot enter the toilet, and be comfortable doing what you want to do. For example, when you enter the cops say you have one minute, 59, 58 and as sure as you're one minute finished, even if you didn't finish what you are doing, he opens the door and he takes you out from the toilet. This toilet can not, it's outside from the room in the jail, it's the jail toilet and the jail only open 3 times, 9 o'clock in the morning, 1 o'clock afternoon and at 12 o'clock at night and you can not, if you ask the police in another time in order to go to the toilet and to do your things, he say 'no, do it on yourself'.

The general treatment of people in detention reportedly contributed extensively to mental ill health. Respondents expressed their difficulties sleeping, the legal limbo and lack of understanding regarding their future, the lack of access to psychological care and unhygienic conditions as strong contributing factors to their psychological suffering. This, as well as the behaviour and treatment of detention staff, resulted in reports of severe mental ill health. Some testimonies specifically detailed incidents of manipulative

games played by detention staff at the expense of detainees, regardless of their vulnerable state.⁵⁴ BVMN affirms that these types of psychological abuse could amount to degrading treatment, on the grounds that they are reported as intentional acts and considering the respondent's expressions of the intensity of humiliation experienced.

Respondent 15, Iraq. Detained in Amygdaleza PRDC.

So there is violence, but it is not the common one which is the physical violence. It's a psychological violence because they keep you there for no reason and you don't know why or when you get out. You have no clue why you are there. So, a lot of people got affected from this because do you know why they are there?

There is one guy from like Middle Africa. He was really in a not a good state. So he was telling them, "I want to go to France. Don't keep me here. I wanna be free" and they told him "yeah tomorrow you will get out of this place. You will be free tomorrow," so he grabbed all of his stuff and he went next to the fence and he was waiting there, to be free the next day. So he spent the whole day there waiting and probably slept and came back just to get out and when they came in the morning he told them. "You won't let me free now? I've been waiting since yesterday." Then they just laughed at him, he said. "Really, you believe that now you have nowhere to go." Then he tried to hurt himself by climbing the fence. Then they went inside. They told him let's go with us. They put him in the car. They took him to a place beating him up where nobody saw that. And then took him to a separate, police-like, cell. You know he was staying alone there in the cell for one month. Then, they got him out.

Respondent 4, Algeria. Detained in Paranesti PRDC.

One time when he was in Drama a guy was asking to go to the hospital and they took him because he ate some knives, small knives (razors) because he wanted to go. And when they took him to the hospital he managed to escape, they tried to find him, did not find him and came back to detention and went to his room and were looking for his phone and when they did not find the phone they just beat the respondent and everyone up. He was sleeping and they opened the door and beat him.

While some respondents also reported on incidents of violence between detainees, it often came with a caveat that it was only a result of the structural violence that they were experiencing regarding their situation. According to testimonies, the general state of severe psychological suffering of detainees manifested in tensions between each other. This was particularly the case in

overcrowded spaces - for example regarding individuals detained in police stations - or when individuals were detained for prolonged periods in poor conditions. According to previous cases at the ECtHR, individuals subjected to "hardship going beyond the unavoidable level of suffering inherent in detention" are subject to a violation of Article 3, ECHR.⁵⁵ Therefore, obligations regarding detention conditions have been imposed on states, including cleanliness, size of cells, ventilation, heating and electricity as well as bedding.⁵⁶ However, respondents frequently reported on the lack of dignity provided by detention conditions and testified to the reality of these standards not being met which, as a result, contributes to detention centres becoming sites which amplify tensions, as well as the psychological and physical suffering of people on the move.

Respondent 6, Togo. Detained in Corinth PRDC.

And they... it has made that place like a jungle. If you are not strong, you cannot survive. Because if somebody can beat you, he just, because we are almost all of us, like, let me say depressed. Because of what we are going through. So with little, small things we just start to fight. Small things, we fight. So someone can just maybe mistakenly step on your leg and that will become a big fight. And the police, they are not going to come and separate us or something.

Respondent 12, Afghanistan. Detained in Corinth PRDC.

I think the main problem with the people there is they fight with each other. It could be lots of things but sometimes they fight for a shower, they fight for room, they fight for everything. Also, because they are really experiencing a hard situation, they are waiting for a long time, for more than 10 months, so they really get mental health problems and they can't control themselves and fight with each other. They can do nothing else.

► Verbal aggression and racist insults

A clear pattern of verbal aggression, including the use of racist and discriminatory insults toward detainees was evident in our testimonies, with 25% of respondents reporting specifically on this. This verbal abuse fed into respondents general feelings of being treated like 'animals' and 'criminals' which, particularly over time, resulted in a deterioration of mental health. The Greek National Commission for Human Rights (GNCHR) has also acknowledged extensive evidence of racist and xenophobic violence toward refugees and asylum seekers in Greece, through their Racist Violence Recording Network (RVRN).⁵⁷ This indicates a



systemic issue of discrimination enacted against people on the move both physically and verbally. The 2020 CPT report additionally emphasised that police officers should regularly be reminded that foreign nationals should be treated with respect and that any form of ill-treatment of detained persons - including verbal abuse, racist behaviour and threats of ill-treatment - is unacceptable and will be punished accordingly.⁵⁸ BVMN asserts that the verbal abuse reported in our testimonies are reflective of structural systems which, despite extensive recommendations by

the CPT, demonstrate how the Greek state has continuously failed to make any tangible progress in ensuring that people on the move are treated with respect and dignity. Finally, it is important to note that the ECtHR has already found a violation of Article 3 of the Convention, in terms of the prohibition of degrading treatment, in the case of verbal abuse and mockery by prison guards during strip searches of a detainee. The Court found that such behaviour, which “humiliated and debased” the applicant, “showed a lack of respect for the applicant’s human dignity.”⁵⁹

Respondent 1, Algeria. Detained in Paranesti PRDC.

Yeah like insulting the religion, insulting skin color, everything.



Respondent 49, Kurdistan (Turkey). Detained in Fylakio PRDC.

They are racist and fascist. The way they act is fully racist and fascist. They hit us because we are Muslims and have darker skin than them. Us in particular they don't like because we are Kurds.

Respondent 47, Kurdistan (Turkey). Detained in Fylakio PRDC.

A police made a joke about that I am a Kurd and that Erdogan would be happy to have us if they sent us back. They insulted me because I am a Kurd. One of the people they beat a lot they beat I think because he was Moroccan. They had no respect for women or women's rights. They [the police] were really disgusting.



Respondent 8, Morocco. Detained in Amygdalezai PRDC.

They are so racist with us they don't give us our medicine on time. About the people who are working inside - police and doctors - like if you go to get your medicine at like 9 cos your medicine you should eat your medicine at 9, you go there and you might find like somebody who is responsible to give you the medicine just playing on the phone and telling you you have to wait. Just like it's up to them. There is no respect too.



Respondent 25, Algeria. Detained in Paranesti PRDC.

For example, yesterday, someone who didn't know the language. They were saying bad words to him. For example, another person, he was down, because he was sick. And also he didn't know the language. They were picking him up in a violent way. They were treating him bad, I don't know how. Also, when we are going to do translation, to help them to understand the person, because he doesn't speak the language, they were saying bad words to them, the policemen.

CONCLUSION

This research evidences the extensive reports of physical and psychological abuse used against people on the move held in formal detention sites across Greece. The use of extreme punishment tactics has been extensively evidenced in our testimonies, particularly in Corinth, Amygdaleza and Paranesti PRDCs, highlighting that punitive rights abuses are employed to control and intimidate detainees. In addition, the consistency and severity of violence evidenced in our testimonies indicates practices which are systematically applied by Greek authorities, particularly as they correspond to the trends and typologies of violence documented in pushback operations at the border. BVMN is further alarmed by the intimidation tactics which are employed to silence people out of fear, denying them the right to effective remedy as well as reducing public visibility on the matter.

The deteriorating conditions of detention facilities and significant lack of access to legal support or healthcare further amplifies the critical situation of fundamental human rights violations occurring frequently at these sites. As a result, the general state of mental ill health is severe, leading to incidents of self harm and suicide. The additional fact that in Greece, formal deportations have rarely taken place since 2020 - due to failed EU readmission agreements or a lack of bilateral agreements - mean that the majority of individuals are deprived of their liberty and subject to ill treatment for no legally justifiable reason. As per European legislation,⁶⁰ detention should only be used as a measure of last resort, rather than as a normalised practice for both asylum seekers and third country nationals detained subject to return orders. As such, BVMN asserts that failure to improve the detention conditions in places of detention which are routinely used to detain migrants and refugees, form part of a much broader tactic of deliberative and punitive rights abuses aimed to systematically prevent or reduce migration flows into the country. Finally, the significant divergence of detention practices from European and Greek laws - and lack of accountability mechanisms triggered as a response - further indicates the normalisation of the erosion of law in Greece.

As you know, all the world knows that Greece treats refugees badly, and everyone knows about it and how shit they treat people in detention centres and how they beat them, how they torture them and generally everyone knows that's how it is happening here and I am ready to complain about it in everywhere, anyone wants to talk, I want to talk with. They told us all the time that you can't complain about us to anyone, they treat us badly, and also, they told us like you shouldn't talk about it to no one.

**Respondent 26, Kurdistan (Iran).
Detained in Fylakio and Paranesti
PRDC**

RECOMMENDATIONS

Recommendations to the Greek state:

- ▶ 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, in particular torture and ill-treatment, 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.
 - ▶ To stop the use of violence, including with weapons, and systematic violations of the European Convention on Human Rights and the Convention against Torture being perpetrated by the Greek competent authorities against people on the move in PRDCs, police stations or other relevant places of detention.
- Comply with international and national law, including the European Convention of Human Rights, the Convention against Torture and others international standards on the treatment of people on the move, and ensure compliance with decisions issued by the European Court of Human Rights.
- ▶ Ensure that the deprivation of liberty or use of detention of people on the move is only used as a measure of last resort, and in line with international and European human rights standards.
 - ▶ Guarantee NGOs and civil society organisations unconditional and 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.
 - ▶ Ensure that people on the move in detention have consistent access to information in a language that they understand regarding their legal situation and 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 refer the matter of violence and torturous practices in detention to the European Court of Justice, as the evidence in this report indicates that the violations perpetrated against people on the move in detention are systematic and widespread.
- ▶ To take all necessary measures to ensure that the EU Guidelines on Torture and Other Cruel Treatment are upheld within the Greek state, including by facilitating routine unannounced visits from independent inquiry bodies.
- ▶ To issue a public statement condoning the use of violent and torturous practices against people on the move in detention in Greece.

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 Convention due to the ongoing and well documented failure by the Greek State to make any progress towards implementing previous CPT recommendations on detention conditions.

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