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PRESS RELEASE: ADMINISTRATIVE DETENTION IN GREECE REMAINS PROBLEMATIC

Our organisation published a year ago the report “FORGOTTEN: Administratively detained irregular migrants and asylum seekers”¹, in which it highlighted, among others, the derogation of the system of administrative detention from the relevant legislation, the international standards and the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

The last report of the aforementioned Committee of the Council of Europe regarding its visits taking place in 2016 as well as the Greek Government’s response were

¹ The report is available at: <http://aitima.gr/images/pdf/forgotten.pdf>

recently published². The Report's findings – which include serious allegations- along with the response of the Greek government cause serious concerns.

Our organisation is still monitoring the system of administrative detention by conducting visits to the detention centers of Attica and Korinthos and by investigating cases of detainees. It is with great disappointment that we observe that the administrative detention system remains highly problematic.

Comments on the European Committee's Report

We would like to focus on two points that we consider as the most important:

1/ Lack of compliance by the Greek authorities with most of the European Committee's repeated recommendations

If one reads the Committee's reports of the previous years, repeated findings will be noticed (with relevant recommendations, which are ignored), such as:

- detention of unaccompanied minors
- use of inappropriate facilities for the administrative detention of irregular migrants and asylum seekers
- significant deficiencies regarding the medical-pharmaceutical care of the administratively detainees'

2/ Physical ill-treatment allegations by the administratively detained persons in the Detention Centers of the Aliens Police Directorate of Thessaloniki and in the Pre-Removal Aliens Detention Center of Tavros and their investigation by the Greek authorities

It is highlighted in the Report that the Committee received a number of *credible allegations of physical ill-treatment of foreign national detainees by police officers* during its visits to the aforementioned detention centers. The relevant data presented in the Report illustrate the picture of a generalized problem in the Detention Centers of the Aliens Police Directorate of Thessaloniki, while at the Pre-Removal Aliens Detention Center of Tavros some isolated cases are mentioned.

These allegations, which the European Committee evaluates as credible, create of course reasons for great concern. The response of the Greek government also raises concern. According to this response:

² The relevant material is published at: <https://www.coe.int/en/web/cpt/-/report-to-the-greek-government-on-the-visits-to-greece-carried-out-by-the-european-committee-for-the-prevention-of-torture-and-inhuman-or-degrading-tr>

- with regard to the allegations concerning physical ill-treatment at the Detention Centers of the Aliens Police Directorate of Thessaloniki, a Preliminary Administrative Inquiry was held during which no evidence of disciplinary offences came to light
- with regard to the allegations about the Pre-Removal Aliens Detention Center of Tavros, the Preliminary Administrative Inquiry which has commenced, has not yet been completed

Considering the continuous reaction of the Greek governments to the European Committee's findings and recommendations – to which we could add the repeated convictions of our country for the detention conditions by the European Court of Human Rights – one can observe a stance of non-adherence to the above recommendations and decisions. Notwithstanding that this stance shows contempt for very important European institutions, it does not also make use of repeated opportunities to improve our country's system of administrative detention and adjust it to the standards of a European country which fully respects human rights.

Our organisation's recent findings

Today, one year after the European Committee sent its findings to the Greek authorities and our organisation published its report "FORGOTTEN", the situation remains equally problematic. This is evidenced by all the published information as well as by our organisation's findings during its visits to the detention centers of Attica and Korinthos.

Among others, the problems still persisting concern:

- the detention of vulnerable groups of persons (such as unaccompanied minors, victims of torture and sick persons)
- the use of prolonged detention, in spite of it being ineffective to attain its purpose, the alien's removal
- the continuous use of inappropriate facilities for detention (Pre-Removal Aliens Detention Center of Tavros, Police Stations)
- inadequate medical-pharmaceutical care
- poor conditions of hygiene
- lack in offering clothes and items of personal hygiene

- inadequate equipment (heating/cooling devices – hot water)
- lack of interpretation

Relevant cases

1/ In two different instances, the unaccompanied minors, J.I. , national of Afghanistan and H.S., national of Pakistan, who had already lodged an application for international protection, went to the asylum seekers' site of Elaionas looking for shelter on 11th and 6th of September respectively. Given that there were no available places, the site's management called the Police Station of Kolonos, officers of which received the unaccompanied minors and places them (in the so-called "protective custody") at the Detention Center of Amygdaleza. They were held in total for a period of 18 days and one month respectively.

2/ O G.A., national of Burkina Faso, a victim of torture, was arrested on 21st May 2017 and was detained administratively at the Pre-Removal Aliens Detention Center of Amygdaleza. Given that there is no individual assessment of the cases of the people transferred there under arrest neither a medical examination upon their admittance in the detention center, his vulnerability was not identified. He applied for international protection on 7th August 2017. Although he has submitted at the Asylum Service a Certification issued by the organisation METADRASI verifying that he is a victim of torture, he remains in detention.

3/ A. G., national of Pakistan, detained at the Pre-Removal Aliens Detention Center of Amygdaleza since July 2017, presents many health problems, both physical and psychiatric. According to his medical file held by the Center's psychiatrist, he suffers from Reactive Depression Disorder which is aggravated by the fact that he remains in detention. However, he has still not been released.

4/ K. M. and B. M., nationals of Algeria, detained at the Pre-Removal Aliens Detention Center of Korinthos and A. S., detained at the Pre-Removal Aliens Detention Center of Amygdaleza, who have already been detained for more than

one year, are still held in detention although their deportation is not realistically possible.

In light of the above, we urge once more the competent authorities to use the findings and recommendations of the European Committee and of other civil society organisations as guiding tools for the harmonization of the detention conditions with the relevant legislation and international standards.

Our country has absolutely no reason and no justification not to do so!