Immigration Detention in Greece

Global Detention Project

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The Global Detention Project (GDP) is a research initiative that tracks the use of detention in response to global migration. Based at the Graduate Global Migration Centre in Geneva, Switzerland, the GDP’s aims include: (1) providing researchers, advocates, and journalists with a measurable and regularly updated baseline for analysing the growth and evolution of detention practices and policies; (2) encouraging scholarship in this field of immigration studies; and (3) facilitating accountability and transparency in the treatment of detainees.

“Immigration Detention in Greece”
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Introduction

Greece has been ground zero in Europe’s efforts to halt irregular migration for several years. At the same time, the country’s economic crisis has exasperated social divisions leading to increasing violence and hostility directed at foreigners.

With massive financial and operational assistance provided by the European Union, Greece has confronted migratory pressures by emphasizing interdiction, detention, and removal. A 2013 Council of Europe’s Parliamentary Assembly (PACE) report summarized: “Greece has focused on reinforcing its external borders and started a policy which relies too heavily on detention. Despite the Greek authorities’ determination to improve the asylum system and detention conditions, which in many instances remain deplorable, much still needs to be done” (PACE 2013).

Frontex, the EU’s border control agency, designates Greece’s border with Turkey as part of the “Eastern Mediterranean route,” one of seven irregular migratory routes into the EU identified by the agency. With 55,700 “detections” in 2010, 57,000 in 2011, and 37,224 in 2012, this route accounts for roughly half of all unauthorized entries annually. Nevertheless, since mid-2012 attempts to transit Greece have dropped off significantly (Frontex 2012b; 2013; 2014). In addition, in early 2014, the International Organisation for Migration announced that some 20,000 migrants had voluntarily departed Greece, resulting in the country’s first annual net outflow of migrants in 2013 (Alloush 2014).

The movement of people into Greece has shifted numerous times in recent years, apparently in response to interdiction efforts. According to observers, it was not until 2008, after Spain and Italy had effectively blocked routes into their countries, that “Greece became the main gate of entry into the European Union” (PACE 2013). During 2007-2009 most irregular migrants reached Greece by way of the Aegean Islands. By early 2010, the main entry point had shifted to the Evros River between Greece and Turkey, where detections shot up to several tens of thousands a year (UNHCR-Greece 2012). At the same time, the region became notorious for the large number of people who have died trying to cross the river.

Responding to the migratory pressures in Evros, Greece dramatically increased deployments of police in the region, put in place a range of surveillance and interdiction methods, and completed a 12.5-kilometer-long fence along the border. Also, between November 2010 and February 2011, Frontex made the debut deployment of its Rapid Border Intervention Teams (RABIT) (Frontex 2010; Frontex 2011a; Guild and Carrera 2012).

As a result of the enhanced patrolling along the Evros, migrants shifted their focus back to the Aegean Islands (OHCHR 2012). In early 2014, Greece’s Marine Minister claimed “There is a daily battle in the Aegean Sea,” adding that the country had to “send a message that our borders are not an unfenced backyard” (ECRE 2014).

The country has responded to this “battle” by pursuing a number of controversial practices, including pushbacks and round ups. In January 2014, an alleged pushback operation near
the island of Farmakonisi led to the deaths of 12 refugees (ECRE 2014). The incident occurred amidst a wave of criticism prompted by allegations of systematic pushbacks of Syrian asylum seekers across the Turkish border. Victims of pushbacks described being slapped and beaten. There were also allegations that the coastguard damaged boats or confiscated motors before leaving the migrants in the middle of the Aegean Sea or the Evros River (Pro Asyl 2013; Al 2013a; GCR and PRO ASYL 2012). Frontex has been present in Greece throughout much of this period as its Joint Operations Poseidon Land and Poseidon Sea have been ongoing (Frontex 2014).

Greece has also stepped up internal enforcement measures. In August 2012, authorities launched operation “Xenios Zeus” aimed at rounding up irregular migrants in Attica, Evros, and Patras. By the end of December 2012, 65,767 people had been apprehended as part of this operation, only 6 percent of whom were found not to have residence permits. Various human rights bodies have condemned these police operations for being based on racial profiling (Kathimerini 2013a). Greece has experienced a wave of racism, which was underscored during the June 2012 parliamentary elections, when the far-right, anti-immigrant Golden Dawn party won 18 seats. The Racist Violence Recording Network recorded more than 150 racist attacks against non-citizens in 2012 (Racist Violence Recording Network 2013).

Anti-foreigner sentiment has been compounded by a climate of impunity as police efforts to curb violence often fail to lead to arrests while victims of attacks end up in detention if they are revealed to have an irregular status (AI 2012). The UN Special Rapporteur on the human rights of migrants (SRHRM) and the UN Committee against Torture (CAT) have urged the country to do more to combat racially-based violence and enable migrants to report these crimes without risking detention and deportation (SRHRM 2013; CAT 2012).

Immigration detention in Greece has also attracted broad international condemnation, even as the country’s detention efforts have received large injections of funding from the European Union. Four UN Special Procedures have raised concerns about the legality and conditions of detention in the country (SRHRM 2013; SRT 2011; SRSC 2006; WGAD 2013). In addition, the European Court of Human Rights has ruled in a dozen cases that detention conditions in Greece amount to degrading treatment (ECtHR 2014).

In January 2013, PACE adopted a resolution expressly on Greece that highlighted problems with its immigration detention practices. The resolution stated that the country was “failing badly to respect the human rights and dignity of migrants, asylum seekers and refugees.” PACE called on Greece to “review its policies in relation to detention of irregular migrants and asylum seekers, in particular by: refraining from automatic recourse to detention and exploring alternatives to detention …; significantly reducing periods of detention and distinguishing between asylum seekers and irregular migrants; ensuring that unaccompanied children are never detained and that other children, women and other vulnerable groups are detained only in exceptional circumstances; ensuring that unsuitable detention facilities are closed and conditions of detention are significantly improved as soon as possible; considerably improve their access to medical care, communication and translation facilities and proper information on their rights” (PACE 2013a).
Detention Policy

Key norms. Immigration detention in Greece is regulated by three main pieces of legislation: (1) Law 3386/2005 on Entry, Residence and Social Integration of Third-Country Nationals on Greek Territory which provides Greece’s principle legal framework governing entrance and departure of non-citizens and regulates detention upon entry; (2) Presidential Decree 113/2013, which provides for detention of asylum seekers; and (3) Law 3907/2011 on the Establishment of an Asylum Service and a First Reception Service, which transposed the EU Returns Directive. Like Malta, Greece relied on the possibility offered in the directive not to apply it to persons apprehended or intercepted in connection with irregular border crossing, thereby preventing these people from accessing provisions in the directive like alternatives to detention.

In early 2012 Greece adopted Law 4075/2012, which amended Law 3386/2005 and Presidential Decree 114/2010. The new law, which has been heavily criticized in and outside Greece, expanded the grounds for detention, particularly on the basis of health-related reasons (see “Grounds for detention” below).

Grounds for detention. Greek law provides three specific grounds for pre-removal detention. Non-citizens may be detained if they: (1) display a risk of absconding; (2) avoid or hamper the preparation of return or the removal process; or (3) present a threat to public order or national security (Law 3386/2005, article 76(3); Law 3907/2011, article 30(1)).

The risk of absconding is measured by an assessment of various criteria, including: non-compliance with a voluntary departure obligation; an explicit expression of intent to avoid removal; possession of false documents; providing false information to authorities; convictions for criminal offences, pending prosecution, or serious indications that the person concerned has committed or is about to commit a criminal offense; the lack of travel documents or identity documents; prior escape; and/or non-compliance with an existing entry ban (Law 3907/2011, article 18).

In early 2012 Greece adopted Law 4075/2012, amending Law 3386/2005 and Presidential Decree 114/2010. The new law added health-related grounds for detention of both irregular migrants and asylum seekers. Accordingly, non-citizens may be detained if they constitute a danger to public health because of an infectious disease, belong to a group vulnerable to infectious diseases, or live in conditions that do not meet minimum standards of hygiene. The Special Rapporteur on the Human Rights of Migrants has argued that these measures are discriminatory and target the most vulnerable migrants, and that the majority of medical problems suffered in immigration detention are directly linked to detention conditions in the country (SRHRM 2013). The Greek Council for Refugees (GCR) has pushed for revocation of this legislation on the grounds of its incompatibility with international law while the UN Committee against Torture (CAT) has urged the country to replace it with appropriate medical measures (ICJ and ECRE 2013; CAT 2012).
Asylum seekers. Under Presidential Decree 113/2013 an asylum seeker may be detained (1) for determination of his or her identity or origin; (2) if he or she threatens national security or public order, according to the reasoned judgment of the police authority; or (3) detention is considered necessary for the prompt and effective completion of the asylum application (Presidential Decree 114/2010, article 13(2)).

Although the decree provides that an asylum seeker is not to be held in detention solely for entering the country without authorisation, there have been reports that in practice asylum seekers who enter irregularly are systematically detained (Presidential Decree 113/2013, article 12(1); UNHCR 2009). CAT has urged Greece to “ensure that administrative detention on the grounds of irregular entry is not applied to asylum seekers. In particular, detention of asylum seekers should be used only in exceptional circumstances or as a measure of last resort, on grounds specifically prescribed by law, and then only for the shortest possible time. To this end, alternatives to detention should be duly examined and exhausted, especially with regard to vulnerable groups” (CAT 2012).

Since June 2013, when the new Asylum Service started operating, the asylum procedures are reportedly more efficient and fair (UNHCR 2013d). Previously, rights watchdogs contended that Greece’s asylum system is largely dysfunctional because it provides limited access to asylum procedures, there is a huge backlog in processing claims, the country has one of the lowest protection rates in the EU, and reception conditions are severely inadequate (HRW 2013). According to Human Rights Watch (HRW), people seeking international protection are forced to wait in long queues and are obliged to return repeatedly to get claims registered (UNHCR 2009). The Athens Aliens Police Directorate reputedly accepted only twenty applications per week (HRW 2013). There have also been reports of police actively preventing asylum seekers from filing asylum claims (Brothers 2007).

These deficiencies in the asylum procedure prompted the European Court, in its landmark judgment in the M.S.S. v. Belgium and Greece, to find Greece not a “safe country” for asylum seekers (ECtHR 2011a). By transferring the applicant to Greece on the basis of the Dublin II Regulation, Belgium was found to have violated its non-refoulement obligations. The M.S.S. case was followed by the N.S. and M.E before the Court of Justice of European Union, which also dealt with transfers to Greece. According to that ruling, member states shall verify conditions in the receiving state before carrying out a Dublin transfer (CJEU 2011).

After those landmark cases, most Schengen states suspended Dublin transfers to Greece. During the period January-September 2012, Greece transferred more people out of the country (144) than it received (38) under the Dublin system (AITIMA 2012). Still, some states—including Austria, Italy, Slovakia and Switzerland—have not adopted specific policies prohibiting transfers, instead proceeding on a case-by-case basis (Forum Réfugiés-Cosi et al 2013). Moreover, Italy has circumvented the effects of the European rulings by sending migrants to Greece pursuant to a bilateral readmission agreement between the countries. These practices have been challenged in the case Sharifi v. Italy and Greece, which as of early 2014 was pending before the Strasbourg
Court (PRO ASYL et al 2012; HRW 2013). Based on testimonies heard in this case, it appears that returnees from Italy are usually detained in a facility in the Igoumenitsa port (HRW 2013).

Asylum seekers who are transferred to Greece from other EU countries under the Dublin Regulation are detained for the time necessary to process and verify fingerprints. Previously, detention of Dublin returnees generally lasted four days. However since most EU countries suspended transfers in the wake of the European rulings, detention periods reportedly dropped to a few hours, though they are expected to increase if the transfers pick up again (AITIMA 2012). Asylum advocates have claimed that this procedure is unlawful because it cannot be justified on any of the grounds for detention provided in Presidential Decree 114/2010. Moreover, authorities do not issue detention orders in such cases, apparently because police consider such persons as under surveillance and not in detention (AITIMA 2012).

**Length of detention.** The maximum permissible length of detention has repeatedly been extended. In 2009, the maximum limit was increased from three to six months. In 2011, after the transposition of the Returns Directive, the maximum was increased to 18 months. Then, in early 2014, the Greek Legal Council issued an advisory opinion allowing police to extend the length of detention beyond 18 months and potentially indefinitely in cases where detainees refuse to cooperate in their removal proceedings. One expert in Greece told the Global Detention Project that in practice it will be up to the “discretion of higher ranking police officials whether … to extend the detention or not in each case” (Angeli 2014).

Before the issuance of 2014 advisory opinion, Greece had adopted the norms provided in the Returns Directive providing for an initial six-month period in detention, which could be extended to up to 18 months if (1) the detainee refused to cooperate or (2) there were delays in obtaining the necessary documents from the country of origin or of residence (Law 3386/2005, article 76(3); Law 3907/2011, article 30(5)-(6)).

The duration of detention of asylum seekers was also extended recently. Until 2012, asylum applicants could be detained for a maximum of three or six months, depending on whether the person applied for international protection after being detained (Presidential Decree 114/2010, article 13(4)). With Presidential Decree 116/2012, the maximum length of detention was extended to eighteen months. This has prompted enormous criticism, including from the Greek Council for Refugees, which called on the Greek Council of the State to repeal the 18-month maximum (GCR 2014; ICJ and ECRE 2013).

Following a January 2013 visit, the UN Working Group on Arbitrary Detention (WGAD) stressed that “the imprisonment of a migrant or an asylum seeker for up to 18 months, in conditions that are sometimes found to be even worse than in the regular prisons, could be considered as a punishment imposed on a person who has not committed any crime. This appears to be a serious violation of the principle of proportionality which may render the deprivation of liberty arbitrary.” In addition, in line with the opinion voiced by various NGOs, the Working Group found that prolonged detention can function as deterrent
discouraging potential asylum seekers from submitting their applications (WGAD 2013; AI 2013a; 2013b; GCR 2014).

In 2012, the CAT expressed concern that “asylum seekers at border locations are routinely subjected to long periods of administrative detention.” The committee reminded Greece that “[t]he length of detention, in combination with the deplorable conditions of detention, amounts to inhuman or degrading treatment and constitutes a serious hindrance for asylum seekers to apply for asylum” (CAT 2012).

**Procedural guarantees.** Greek law provides that immigration detainees are to be informed of the reasons for their detention and have access to legal counsel, and that their rights must be communicated to them in a language they understand (Law 3386/2005, article 76(3); Law 3907/2011, article 30(2) and 31(2)). According to the UN Special Rapporteur on the Human Rights of Migrants, however, detainees often lack information in a language they can understand, have limited access to legal assistance, and receive little or no professional interpretation assistance (SRHRM 2013).

The law also provides for the possibility to appeal initial detention orders before an administrative court (Law 3386/2005, article 76(3); Law 3907/2011, article 30(2)). However, according to the Special Rapporteur, appealing detention orders is “virtually impossible,” in part because they are written in Greek and appeals must be submitted in writing and in Greek, while access to an interpreter and lawyer is not guaranteed (SRHRM 2013). A specialized committee on migration of the PACE reported similar conclusions in a 2013 report (PACE 2013b).

Law 3907/2011 also provides for automatic review of the legality of detention. Reviews are to be carried out every three months by the police director who issued the order or, in case of extension of detention, by an administrative court (Law 3907/2011, article 30(3)). Yet, both the UN Special Rapporteur on the Human Rights of Migrants and the PACE committee raised concerns that in practice reviews are done without taking into account specific features of each individual case (SRHRM 2013; PACE 2013b)

**Minors.** Provisions in Greek law for the detention of minors are modelled upon the Returns Directive. Accordingly, unaccompanied minors and families with minors are only to be detained as a measure of last resort—when no other adequate and less coercive measure can be used for the same purpose—and for the shortest period of time possible. Families must be provided with separate accommodation guaranteeing adequate privacy. Whenever possible, unaccompanied minors are to be accommodated in institutions that have specialised personnel and facilities. Detained minors are to have the possibility to engage in leisure activities, including play and recreational activities, and have access to education if they are confined for long periods of time (Law 3907/2011, article 32).

Asylum legislation provides that the detention of minor asylum seekers should be “avoided.” When unaccompanied minor asylum seekers are detained, it must only be for the time necessary for them to be transferred to specialised accommodation for children (Presidential Decree 114/2010, article 13(6)(b)). According to the GCR, this provision
does not comply with the right to liberty as it is not applied for any of the reasons exhaustively listed under article 5 of the European Convention on Human Rights. Detention sanctioned under article 13(6)(b) is a solution to the constant problem of insufficient reception facilities, giving the authorities an unlimited amount of time and thus discretion before transferring the child (GCR 2012).

According to Amnesty International and HRW, in practice unaccompanied minors are routinely detained because they can only be released once they are accorded a place in a reception centre. Since there are not enough places in reception facilities, they remain detained for prolonged periods. AI expressed concern that in the centres in Athens and Evros children are detained with adults or are registered as adults. They are not spared from harsh detention conditions. AI reported cases of children held in the Soufli Border Guard Station for three months without the possibility to go outdoors (AI 2013a; AI 2012; HRW 2012a).

The WGAD and the CAT have expressed concern over the frequent failure to properly register unaccompanied minors and their systematic detention. In particular, the UN bodies reported that national legislation did not provide for a statutory prohibition of the detention of unaccompanied minors and that due to the limited capacity of existing reception facilities, unaccompanied minors often remain in detention for prolonged periods (WGAD 2013; CAT 2012). The CAT urged Greece to “strengthen its efforts to provide adequate protection and proper care in respect of unaccompanied or separated minors entering the country, including by promptly amending its legislation to prohibit their detention. The Committee concurs with the recommendation of the Special Rapporteur on the question of torture that the Ministry of Health and the Ministry of Interior should cooperate closely to ensure that they are placed in suitable and separate reception centres” (CAT 2012).

The UN Committee on the Rights of the Child (CRC) called on Greece in 2012 to “[e]nsure that children, either separated or together with their families, who enter the country in an irregular manner, are not detained, or remain in detention only in very exceptional circumstances and for the shortest period of time necessary” (CRC 2012).

Places of detention. Greek law provides an open-ended framework for where people can be detained for immigration-related reasons, stipulating that they can be held in police facilities and any site designated by a range of government ministries. According to Article 81 of Law 3386/2005: “1. Aliens who fulfill the requirements of paragraph 3 of article 76 hereof shall be detained at the relevant police authority. Until the completion of expulsion procedures, they shall be detained in special premises, established by decision of the Ministers of Interior, Public Administration and Decentralisation, of Economy and Finance, of Health and Social Solidarity and of Public Order. The same decision shall determine the standards and terms of operation of such premises. 2. The Hellenic Police shall be responsible for guarding such special premises.”

Non-custodial measures. Non-custodial “alternatives to detention” were introduced following transposition of the Returns Directive. Non-nationals may be placed in pre-removal detention if no other sufficient but less coercive measures can be applied
effectively in a specific case. Such less coercive measures include regular reporting to the authorities, deposit of an adequate financial guarantee, the submission of documents, or the obligation to stay at a certain place (Law 3907/2011, articles 22(3) and 30(1)).

However, during a 2013 visit, the UN Special Rapporteur for the Human Rights of Migrants found that non-custodial measures were rarely applied and that migrants were systematically detained. He urged authorities “to undertake an assessment of the necessity of detention on an individual basis, and apply non-custodial measures whenever possible” (SRHRM 2013). Similarly, the Committee on Migration, Refugees and Displaced Persons of the PACE had reported that “detention is applied systematically without an individual assessment in each case. It is a matter of first resort rather than last resort” (PACE 2013b).

**Criminalisation.** Law 3907/2011 provides that a non-national who attempts to enter or exit Greece without authorisation can be sentenced to prison for at least three months and fined no less that 1,500 Euros. A person on the country’s list of “undesirable foreigners” who re-enters Greece without authorisation is subject to a fine of 3,000-10,000 Euros and at least a one-year prison sentence. The law stipulates that the public prosecutor can decide to abstain from pursuing these cases and submit the offender to administrative expulsion instead. If immediate expulsion is not possible, the non-citizen may be held in administrative detention (Law 3907/2011, article 82 – 83).

**Privatisation.** Greece has taken steps to allow private security companies to provide guards for immigration detention centres, although as of early 2014 it was unclear if these measure had been implemented. According to news reports, in 2012 legislation was adopted allowing relevant authorities “to transfer the responsibility of guarding the centres from the Greek police directly to private security firms.” Then in September 2013, the “Greek Ministry of Public Order said they will issue public tenders, geared towards private security companies, to manage six temporary detention centres” (Nielsen 2013).
Detention Infrastructure

Greece’s immigration detention infrastructure regularly fluctuates as deficient facilities are closed, new centres established, and older ones refurbished and reopened. There have also been frequent announcements about pending reforms aimed at improving or increasing the detention estate. In May 2011, the government announced a plan to establish fourteen “First Reception Centres” and detention centres; in April 2012 it said it would create 30 new detention centres within two years (Greek government 2011; Kathimerini 2012d).

Reforms implemented since 2012 have led to the adoption of three new types of dedicated detention centres, in addition to a number of older facilities that remain in use. The three new types include: pre-removal detention centres, which are operated by the police; screening centres, which are also operated by police but which employ a mobile unit of the First Reception Service that register non-citizens and make referrals; and First Reception Centres (KEPY), which are run by the First Reception Service and used for detention up to 25 days (Denekos 2013; Darmanin 2013; Theodoropoulou 2013). The Global Detention Project classifies all of these types of facilities as “secure” detention centres because people confined in them are physically prevented from leaving.

As of October 2013, there were two First Reception Centres (in Orestiada and Moria); two screening centres (in Samos and Chios); and six pre-removal detention centres, of which five were established during April-October 2012 while one—in Fylakio—had previously been in operation since 2007 before being re-branded as a “pre-removal” facility. The immigration detention capacity in the six pre-removal detention centres is reportedly approximately 5,000, including 2,034 in Fylakio, 1,665 Amygdaleza, 1,022 in Corinth, 440 in Xanthi, 427 in Komotini, 320 in Paranesti Dramas. The country intends to increase the detention capacity of its pre-removal facilities to 10,000 with the help of EU co-financing (AI 2013b), including opening a new pre-removal facility in Moria with a capacity of 500 (Theodoropoulou 2013).

In addition to these new facilities, Greece continues to use a number of older dedicated detention facilities, including in Athens and Thessaloniki, as well as numerous border guard and police stations.

While the Ministry of Public Order and Citizen Protection has overall responsibility for immigration issues, the establishment of detention facilities—including specialised centres for administrative detention, ad hoc sites, and prisons—is intended to be decided by a host government ministries, including the Ministry of Public Administration and Decentralization, the Ministry of Health and Social Solidarity, the Ministry of Public Order, and the Ministry of Economy and Finance (Law 3386, Article 81; European Parliament 2007, p.92). Additionally, although police are legally responsible for security arrangements in detention facilities (Law 3386, Article 81), the European Committee on the Prevention of Torture (CPT) noted during a 2008 visit to Greece that there was a lack of coordination between the various agencies involved in immigration detention (CPT 2009).
The appalling conditions of Greek detention facilities, as the descriptions of several facilities below illustrate, have long been a source of intense criticism from both domestic and international observers, as well as the subject of numerous cases at the European Court of Human Rights. This history of consistently poor conditions was highlighted by the CPT after its visit to the country in 2011: “The reports on the 2005, 2007, 2008, and 2009 visits all paint a similar picture of irregular migrants being held in very poor conditions in police stations and other ill-adapted premises, often disused warehouses, for periods of up to six months, and even longer, with no access to outdoor exercise, no other activities and inadequate health-care provision. Recommendations to improve the situation nevertheless continued to be ignored. Despite significant numbers of irregular migrants entering Greece via its eastern land and sea borders over a period of years, no steps were taken to put in place a coordinated and acceptable approach as regards their detention and treatment” (CPT 2011).

Nearly two years after this CPT visit, the UN Special Rapporteur for the Human Rights of Migrants found that similar conditions persisted, reporting: “In some of the detention facilities, the migrants had limited access to toilets; some facilities had no artificial lighting so that during the winter, migrants were in the dark from early afternoon. Most of the detention facilities visited lacked heating and hot water and the detainees complained about insufficient amounts and poor quality of food, lack of soap and other hygiene products, as well as insufficient clothing, shoes and blankets. The medical services offered in some of the facilities by KEELPNO (Hellenic Centre for Disease Control and Prevention) were highly insufficient. Some of the centres had no permanent medical staff, and relied on daily visits by KEELPNO only” (SRHRM 2013).

Greece has repeatedly responded to criticism by stating that it requires external assistance to address problems in its facilities. Thus, for instance, in their official response to the CPT’s report after its 2005 visit, Greek authorities stated: “The construction, repair and leasing of recording and management establishments for migrants will be financed by the European External Borders Fund. Resources are sought from European Funds, such as the Refugees Fund and other European Programs similar to the ‘Aegeas‘ project in order to cover the operational costs of the centers. Our objective is to respond and fulfill in the best possible manner our obligations to migrants, on the basis of the requirements of our Republic and our timeless civilization.”

The EU has been forthcoming in its assistance. According to a 2013 report by the PACE: “During the period of 2011-2013, Greece received 98.6 million euros under the Return Fund, 132.8 million euros under the External Border Fund and 19.95 million euros under the European Refugee Fund. The focus of funding was thus on border control and detention measures, to the detriment of the protection measures” (PACE 2013).

Efforts to get comprehensive information about where people in Greece are detained are complicated by the fact that relevant government bodies do not appear to have complete information, or otherwise seem reluctant to divulge this information. For instance, in response to a freedom of information request lodged last year as part of a joint GDP-
Access Info Europe study, the director of the Aliens Division of the Ministry of Public Order provided a list of nine facilities. Notably absent from the list where the numerous police and border guard facilities that are frequently used for long-term detention purposes, as well as numerous older facilities that remain in use according to observers.

According to the information received by the Global Detention Project from a variety of official and nongovernmental sources, the following facilities have been used at some point since 2012:

**Attica region.** There appear to be four facilities in this region: (1) In Amygdaleza, northwest of Athens, a pre-removal detention centre with a capacity of more than 1,600 was opened in April 2012. Its opening spurred protests by local residents (ICJ and ECRE 2013). With an average population of 900 persons, the Amygdaleza centre has been used to confine people apprehended during the Xenios Zeus operation (Pappa 2012). Following its visit in May 2012, UNHCR found the material conditions better than in other migrant detention centres in Greece (UNRIC 2012). On the other hand, a European Parliament delegation visited the centre five months later and found it to be “substandard and the conditions unacceptable for an EU member state” (ICJ and ECRE 2013).

(2) Amygdaleza also has a 40-person detention centre for unaccompanied minors. According to Amnesty International, as of August 2012 the centre was holding children in substandard conditions for up to three months (AI 2012). In 2008 the CPT visited the facility and found that it offered largely appropriate conditions. The four large dormitories were equipped with plinths and had sufficient access to both natural and artificial light. However, the dormitories did not have in-cell toilet facilities, thus minors had to resort to plastic bottles at night. The committee commended the facility for having an outside yard and a large activity room equipped with computers and a television set (CPT 2009). On the other hand, during a visit in 2012 the Special Rapporteur on the Human Rights of Migrants described the courtyard as a “small cage” that children rarely used (SRHRM 2013).

(3) People caught trying to leave the country with false documents are detained at the police station at the Athens Airport (Pappa 2012; Fili 2013). During its 2010 visit, Amnesty International found appalling conditions at this facility. There was severe overcrowding, in some cases cells with a single bed were holding more than a dozen people. Rarely the police officers unlocked the cells’ doors, forcing the detainees to use plastic bottles to urinate; those in the cells with toilets had to drink water from the toilet (AI 2010). In the M.S.S. case the ECtHR found that even a relatively short period of detention—less than a week—in such conditions amounted to a prohibited treatment under article 3 of the ECHR (ECtHR 2011a).

(4) Perhaps the most notorious facility in the region is the Attica Aliens Police Directorate at Petrou Ralli Street in Athens, which can confine 190 men and 150 women. During its 2012 visit, the Special Rapporteur on the Human Rights of Migrants found that “families were separated, with women, girls and small boys kept on one floor, and men and teenage boys held separately on another floor. Families were only allowed
to meet briefly in the evenings. Detention conditions were totally unacceptable: beds were concrete slabs, and some of the detainees were sleeping on mattresses on the floor; there were no toilets in the cells and as the migrants sometimes had to wait a long time before being allowed to go to the toilet, they resorted to using plastic bottles. While there were two courtyards—for men and for women—migrants were locked up in their cells most of the day. There were toys for the children to play with in the courtyard, but nothing in the cells” (SRHRM 2013). Previously, during its 2009 visit, the CPT found some improvements compared to its previous visit, particularly in terms of the state of hygiene, the access to the toilet, and the outdoor exercise. However the committee stressed that the centre remained an unsuitable place for holding persons for prolonged periods (CPT 2009). In the cases of S.D. in 2009, R.U. in 2011, and Bygylashvili in 2012, the ECtHR ruled that the conditions of detention in the Attica Aliens Police Directorate amounted to ill-treatment (ECtHR 2009a; ECtHR 2011c; ECtHR 2012b).

In late 2012 and early 2013, two detention centres were closed in the region: in Ellinikon and Aspropyrgus. The Aspropyrgus facility for men was notorious for overcrowding and severely substandard conditions (CPT 2009; Pappa 2011). The Ellinikon centre, which was located in the former airport, was the repeatedly criticised by rights watchdogs (CPT 2006; HRW 2010). In the Lin case, the ECtHR found that the conditions in the Ellinikon centre amounted to degrading treatment (ECtHR 2012c). The GDP heart from local NGOs that a new dedicated centre was supposedly reopened in Ellinikon during 2013 (Theodoropoulou 2013).

**Peloponnese region.** In August 2012, a former military camp in Corinth was converted to a pre-removal detention centre, which can confine more than 1000 persons. Its opening sparked protests among local residents and authorities. While individual lawyers may visit detainees, access is reportedly difficult for civil society organisations (Pappa 2012). However, in October 2012 a 7-person delegation of parliamentarians, NGOs members, interpreters, a lawyer and a doctor was granted permission to visit the facility. The delegation reported that there were 650 people confined in the facility at the time, including a large number of minors as well as men who had been separated from their families. People wishing to apply for asylum were unable to do so, and some asylum seekers had been held in the detention centre for longer than the three months prescribed in law. Detainees complained of lack of access to warm water, inadequate food supplies, no access to information and legal aid, and insufficient visits by doctors (Infomobile 2012c). In November 2012, a hunger strike broke out in the centre to protest the long periods in detention and the inadequate conditions at the facility. To quell the disturbance, riot police were sent in using teargas and some 20 detainees were arrested (Infomobile 2012g).

**Epirus region.** A 30-person border guard station in the port city of Igoumenitsa was frequently used to confine migrants apprehended while trying to reach Italy, typically hidden in trucks. In October 2012, a protest over the paltry conditions at the facility resulted in the injury and hospitalisation of 11 detainees (Kathimerini 2012c). In November 2012 the Igoumenitsa Criminal Court, in a case involving 15 immigration detainees who had escaped from the detention facility, ruled that conditions of their detention violated article 3 of the ECHR. Given the extreme state of necessity that the
detainees were confronted with at the facility, the judge found they were not criminally liability for escaping the facility (Infomobile 2013).

**Thessaloniki region.** The main facility of this region is the detention section of the Thessaloniki Aliens Police Directorate. A male-only facility, it accommodates on average 80 people at a time. In 2010, AI reported overcrowding, lack of beds, and absence of the possibility to exercise as among the main problems of the facility (AI 2010). The conditions at the facility were the focus of Tabesh before the ECtHR. The court ruled that three months in detention without proper meals and insufficient recreational activities qualified as degrading treatment (ECtHR 2009b).

Also in the Thessaloniki region are the Kordello and Thermi Border Guard Stations, which are under the supervision of the nearest police station. As reported by the NGOs, in both premises, women and men are held in separate cells and tend to be detained for up to one month (Pappa 2012). In Efremidze, the ECtHR ruled that a three-month detention in Thermi facility without sufficient outdoor activities and inappropriate catering amounted to degrading treatment (ECtHR 2011d).

Since September 2012, the small town of Paranesti (Drama), northeast of Thessaloniki, has hosted a new 320-person male-only pre-removal detention centre in a converted a former military base (Pappa 2012). The transfer of some 150 migrants from the overcrowded centre in Komotini spurred protests by residents and extreme right groups, who clashed with riot police (Kathimerini 2012a).

**Thrace region.** Thrace, which borders Turkey and Bulgaria, has hosted a number of detention sites, including the 215-bed detention centre in Venna (Rhodope), which was closed in early 2013 shortly after a European Parliament delegation visited and found the conditions so deplorable that they requested its immediate closure (ELDA 2012; Patsopoulou 2012). As described by one NGO report: “Venna is dirty, humid and dark. Natural light is almost absent. There are no doors in the toilets, no hot water, no hygiene products provided for. During the winter months there is a heating, which is mainly turned on during the night. Beds are made of concrete and supplied with mattresses. Access to the telephone and the yard is restricted” (Pro Asyl et al 2012).

Also in Thrace are the Iasmos Border Guard Station (Rhodope) and the Xanthi Police and Border Guard Station (Pappa 2012), as well as two new pre-removal detention centres in Xanthi and Komotini, with the capacities of 440 and 427 respectively, that were created in mid-2012 in former police academies (HCDCP 2012; Infomobile 2012a; Infomobile 2012f).

The easternmost Thracian regional unit of Evros has been notorious both for its generally deplorable detention conditions and the high number of reported deaths of migrants attempting to cross the Evros River from Turkey. As of October 2013, the GDP identified nine places used to confine migrants in Evros. In early 2013, authorities established the first out of several planned First Reception Centres in Orestiada, which has a capacity of 60 (Theodoropoulou 2013).
Until its establishment, the only other nearby dedicated detention centre was located in Fylakio (Orestiada). The facility has received many monitoring visits, all of which have led to reports of severe overcrowding and appalling conditions. In 2011 the CPT reported that at the Fylakio centre “irregular migrants, including juveniles and families with young children, were kept locked up for weeks and months in filthy, overcrowded, unhygienic cage like conditions, with no daily access to outdoor exercise” (CPT 2011). During its 2010 visit, HRW reported that there were some 450 persons detained in the centre even though its maximum capacity was 374 (HRW 2012a). The EU’s Fundamental Rights Agency (FRA) reported in 2011 that women were not separated from men, nor unaccompanied minors from adults (FRA 2011). In the course of 2013 the facility was expanded to hold more than 2,000 persons and was rebranded as a pre-removal detention centre (Theodoropoulou 2013).

A number of police and border guard stations in Evros have been used for immigration detention purposes. The most commonly used ones appear to be those in Tychero (Soufli), Soufli (Soufli) and Feres (Alexandroupoli). Other stations that have been used are located in Neo Chimonio (Orestiada), Nea Vyssa (Orestiada), Isaakio (Didymoteicho), Metaxades (Didymoteicho), and Poros (Alexandroupoli) (Pappa 2013; Pappa 2012).

In the cases of S.D. and R.U., the ECtHR found that conditions at Soufli Border Guard Station amounted to degrading treatment (ECtHR 2009a; ECtHR 2011c). In its 2012 report on its visit to Greece, the CPT reported that “members of the Committee’s delegation had to walk over persons lying on the floor to access the detention facility. There were 146 irregular migrants crammed into a room of 110 m², with no access to outdoor exercise or any other possibility to move around and with only one functioning toilet and shower at their disposal; 65 of them had been held in these deplorable conditions for longer than four weeks and a number for longer than four months” (CPT 2012).

The CPT provided a similarly stark description of conditions at a now-closed border guard station in Feres: “At the time of the visit more than 70 men were crammed into a cell of some 45m² while 37 women contorted themselves in order to be able to lie down in the other official cell12 measuring some 30m². A further 30 women and two men were accommodated in a room of some 40m²; access to natural light was minimal and artificial lighting poor (one artificial strobe light had been installed the morning of the delegation’s visit). All detained persons had limited access to one of two small yards during the day. The female sanitary facilities had been recently refurbished and were in a decent state of repair; however, the male sanitary facilities were dilapidated and filthy and required urgent refurbishment (only one of the two toilets functioned). The manner in which the food was distributed was totally inappropriate; for example, at 11 a.m., a large cardboard box containing breakfast (a bread roll and a small carton of juice) was placed on the floor of the women’s sanitary facilities from which the female detainees had to help themselves” (CPT 2012).

A new border guard station was opened in Feres to replace the one visited by the CPT. Financed by the EU External Border Fund, it reportedly offers better conditions than the
previous one and can accommodate up to 87 persons (Pappa 2012; Patsopoulou 2012). However, AI reported in 2013 that detainees at the facility had to call the police whenever they needed to use the toilet. Sometimes calls went unanswered, forcing detainees to urinate in bottles (AI 2013b).

**Aegean Islands.** Various islands previously hosted detention facilities, which were closed when migratory pressures shifted to the Evros region (see the GDP Greece 2009 profile). However, as pressures have shifted back to the Aegean, police have often confined migrants in police stations, sometimes under appalling conditions (Infomobile 2012b; Pappa 2012). To accommodate the resurgence of detainees, the old Mersinidi detention centre in Chios and Vanthy detention centre in Samos were reopened in April 2013 as screening centres (Pappa 2013). During its previous operations, the Vanthy centre was notorious for overcrowding and deplorable hygiene. The ECtHR condemned the facility in A.A. (ECtHR 2010). In September 2013, the second First Reception Centre was set up in Moria in Lesvos, with the capacity of 150 (Theodoropoulou 2013).
Facts & Figures

As of October 2013, the GDP had identified 11 dedicated immigration detention centres in Greece and 16 border guard and police stations used for immigration detention purposes, including a police facility at the Athens Airport that is used to hold non-citizens trying to leave the country without authorisation (Pappa 2012; Greek Ministry of Interior 2009; CPT 2009; Kehayiolyou 2009; HRW 2008b).

In 2012, 9,575 persons applied for international protection in Greece, and 9,310 in 2011. The number of asylum requests has decreased significantly in recent years. In 2008, there were 19,885 applications; in 2009, 15,925 (Eurostat; UNHCR 2013a).

The number of asylum applications submitted in Greece in 2012 was less than 3 percent of the total number of applications lodged in the EU that year. Nearly a quarter of the applications were made by Pakistani nationals (2,340). Other major countries of origin included Bangladesh (1,000 applicants), Georgia (895 applicants), and Afghanistan (585 applicants). In 2011, 60 applications were submitted by unaccompanied minors, in 2012 75, of whom 20 by Pakistani and 30 by Afghan nationals (Eurostat).

In 2012, protection rates in the first instance were the lowest in the EU, at 0.3 percent for Geneva Convention status and 0.9 percent for the overall protection rate (including complementary protection statutes) (UNHCR 2013b).

There were 975,374 non-citizens residing in Greece in 2012, of which 151,154 were EU nationals (Eurostat). Non-citizens made up 8.6 percent of Greece’s total population. In 2012, 2,100 refugees resided in Greece (UNHCR 2013b).

In 2012 and 2011, respectively, 9,415 and 11,160 persons were refused entry at the border. These figures represent a dramatic increase compared to the 3,805 refusals of entry in 2010 and 3,000 in 2009 (Eurostat).

According to various estimates, the undocumented population was approximately 470,000 in 2013, 390,000 in 2011, and between 200,000–400,000 in 2006 (SRHRM 2013, Maroukis 2012; Rapporteur on Migration, Refugees and Population 2007). Irregular immigrants in Greece come from a number of countries, including Albania, Afghanistan, Bulgaria, Iraq, Romania, Egypt, the Former Yugoslav Republic of Macedonia, Pakistan, and Georgia (Chindea et al. 2008, p.40).

In 2012, 72,420 persons were found to be irregularly present in Greece. With 88,840 apprehensions in 2011, Greece had the highest number of apprehensions of undocumented migrants in the EU. In comparison, the EU countries with the next highest apprehension numbers in 2011 were Spain with 68,825 and France with 57,975. Apprehensions in Greece have tapered off considerably: In 2010 there were 115,630 and 108,315 in 2009 (Eurostat). The number of irregular immigrants apprehended in Greece was reportedly very high at the turn of the century, peaking at 259,403 in 2000. The numbers then purportedly fell dramatically to 66,351 in 2005 (Chindea et al. 2008, p.37).
Greece also has among the highest number of expulsions. In 2012, it issued 84,705 expulsion orders, a slight decrease from 2011 (88,820). The numbers used to be much higher. In 2009 and 2010, 126,132 and 132,525 persons, respectively, were ordered to leave Greece (Eurostat website). In 2005, the government issued 40,649 expulsion decisions and removed 21,219 persons from the territory (Chindea et al. 2008, p.42).
List of Detention Sites

<table>
<thead>
<tr>
<th>Name</th>
<th>Status (Year)</th>
<th>Location</th>
<th>GDP Facility Type</th>
<th>Detention Time-frame</th>
<th>Security</th>
<th>Authority</th>
<th>Management</th>
<th>Capacity</th>
<th>Reported Population on a Single Day</th>
<th>Demographics &amp; Segregation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detention Centre</td>
<td>Use</td>
<td>Location</td>
<td>Type</td>
<td>Long-term Security</td>
<td>Ministry of Public Order and Citizen Protection</td>
<td>Police Directorate</td>
<td>Capacity/Opening Date</td>
<td>Gender Note</td>
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</tbody>
</table>

21
<table>
<thead>
<tr>
<th>Institution</th>
<th>Type</th>
<th>Location</th>
<th>Station Type</th>
<th>Security</th>
<th>Directorate/Office</th>
<th>Capacity</th>
<th>Occupancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tychero Border Guard Station</td>
<td>In use</td>
<td>Tychero, South Evros, Thrace</td>
<td>Police Station</td>
<td>Long-term Secure</td>
<td>Ministry of Public Order and Citizen Protection</td>
<td>76 (2012)</td>
<td>140 - 150 (January 2011)</td>
</tr>
<tr>
<td>Xanthi Police and Border Guard Station</td>
<td>In use</td>
<td>Xanthi, Thrace</td>
<td>Police Station</td>
<td>Long-term Secure</td>
<td>Ministry of Public Order and Citizen Protection</td>
<td>35 (2009)</td>
<td>70 (September 2008)</td>
</tr>
<tr>
<td>Xanthi Pre-removal Detention Centre</td>
<td>In use</td>
<td>Xanthi, Thrace</td>
<td>Migrant Detention Centre</td>
<td>Long-term Secure</td>
<td>Ministry of Public Order and Citizen Protection</td>
<td>440 (2013)</td>
<td>More than 500 (October 2012)</td>
</tr>
</tbody>
</table>
Map of Detention Sites

1. Amygdaleza Pre-removal Detention Centre
2. Amygdaleza Special Holding Facility for unaccompanied minors
3. Athens Airport Holding Facilities
4. Attica Aliens Police Directorate at Petrou Ralli Street
5. Chios Screening Centre (formerly Mersinidi Detention Centre)
6. Corinth Pre-removal Detention Centre
7. Didymoteicho Border Guard Station
8. Drama Pre-removal Detention Centre
9. Feres Police and Border Guard Station
10. Fylakio Pre-removal Detention Centre (formerly Fylakio Special Holding Facility for irregular migrants)
11. Isamoa Border Guard Station
12. Igoumenitsa Coast Guard detention facility
13. Komotini Pre-removal Detention Centre
14. Kordello border Guard Station
15. Metaxades Police and Border Guard Station
16. Moria First Reception Centre
17. Nea Vissa Border Guard Station
18. Orestiada Border Guard Station
19. Orestiada First Reception Centre
20. Poros Border Guard Station
21. Samos Screening Centre (formerly Vathy Detention Centre)
22. Soufli Police and Border Guard Station
23. Thermi Border Guard Station
24. Thessaloniki Aliens Police Directorate
25. Tychero Border Guard Station
26. Xanthi Police and Border Guard Station
27. Xanthi Pre-removal Detention Centre
Country links

Government Agencies

The Ministry of Public Order and Citizen Protection

The Greek Ombudsman
http://www.synigoros.gr/?i=stp.en

Hellenic Migration Policy Institute IMEPO

Hellenic Police

International Organizations

UN High Commissioner for Refugees – Greece Country Information
http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e48e726

International Organisation for Migration – Greece Country Information
http://www.iom.int/jahia/Jahia/activities/europe/southern-europe/greece

NGOs and Research Institutions

Amnesty International Greek Section (Greek)
http://www.amnesty.org.gr/

Antigone
http://www.antigone.gr/en/

Greek Refugee Council

Group of Lawyers for the rights of migrants and refugees
http://omadadikigorwnenglish.blogspot.ch/

Hellenic Foundation for European and Foreign Policy
http://www.eliamep.gr/en/

Hellenic Republic National Commission for Human Rights
Human Rights Watch - Greece  

Infomobile  
http://infomobile.w2eu.net/

Mediterranean Migration Observatory  
http://www.mmo.gr/

Media

Athens News  
http://www.athensnews.com/ohio/

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