



Prison conditions in Greece

The Nisiotis group of cases

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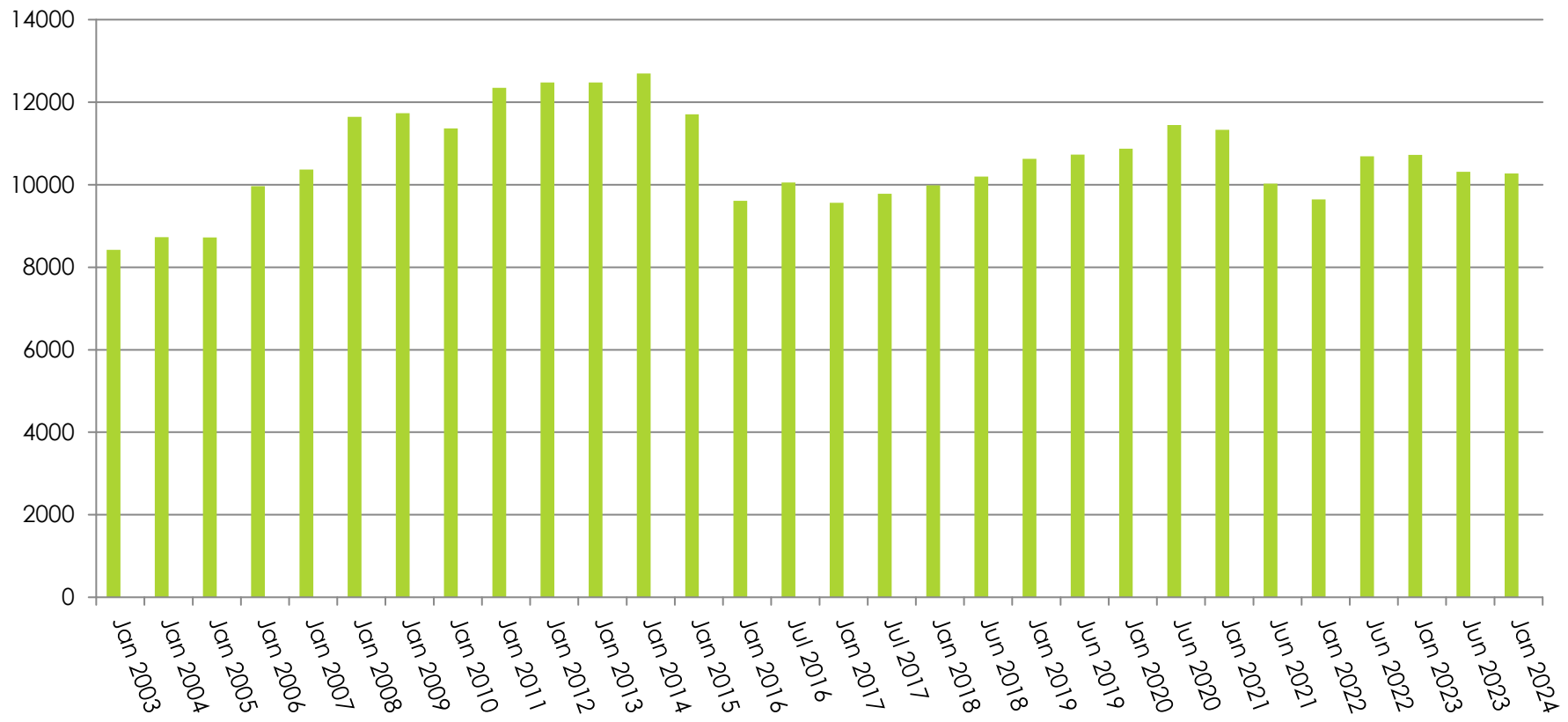
Major findings of the ECtHR

- **As regards Article 3**
- Overpopulation [*in all judgments*].
- Inadequate medical services in prison (*Mekras*, 12863/14, 9.6.2016).
- Deficiencies in infrastructure: Lack of dining place (*Alexopoulos and Others*, 41804/13, 6.10.2016), inadequate ventilation, lack of toilet doors (*Filipopoulos*, 41800/13, 12.11.2015), inadequate heating (*Daoukopoulos* 44711/16, 12.7.2018).
- **As regards Article 13**
- No effective remedy [*in all judgments*].

Major findings of the CPT

- Prison conditions and Overpopulation (CPT 2023, para. 12, 14, and CPT 2022, paras. 28-33).
- Inter-prisoner violence (CPT 2022, p. 18).
- Understaffing – untrained staff (CPT 2022, paras 47, 50-56).
- Lack of a long-term policy and a strategic plan (CPT 2022, para. 19, and CPT 2023, para. 6, 14).
- Transfer of prisoners by police vehicles (CPT 2022, para. 86).
- There is no effective complaints system (CPT 2022, para. 84).
- Ref: [CPT report 2022](#) and [CPT report 2023](#)

Prison population: Evolution in time



Maximum capacity:
approx. 10,000

Open and closed prisons – alternative measures

- ▶ Prison population: 10,270. All closed prison establishments suffer from extreme occupancy that constantly exceeds maximum capacity.
- ▶ Average occupancy of closed prisons: 120-160%
- ▶ Average occupancy of open prisons: 35-60%
- ▶ Social work: 0
- ▶ Monitoring bracelet: 0-2

Major challenges: What the Greek government has done

- ▶ The Greek government announced the establishment of new prisons. The new prison of Drama is operational (only one wing).
- ▶ A number of new staff was hired in 2023-2024.
- ▶ A new domestic remedy was adopted in October 2022 [Art 6a of the Penitentiary Code].

Major challenges: What the Greek government failed to do

- ▶ The recommendations addressed by the CPT are in most of the cases still not implemented.
- ▶ The findings of the ECtHR as regards Art. 3 (overpopulation and material prison conditions) are not effectively redressed.
- ▶ The findings of the ECtHR as regards Art. 13 (domestic remedy) are not effectively redressed.

Aspects of ineffective implementation of Art. 3 [I]

- ▶ Overcrowding is still an enduring structural problem affecting a large number of detainees.
- ▶ The high number of friendly settlements concluded between the Government and the applicants amounts to acknowledgment that prison conditions do not comply with Art. 3.
- ▶ The new provisions of the Criminal Code will cause a serious increase of prison population.
- ▶ The expected new prison establishments are not going to solve the problem of overpopulation ([CPT 2022](#), paras. 13, 16)

Aspects of ineffective implementation of Art. 3 [II]

- ▶ No measures have been taken in order to redress inadequate transfers of prisoners by police vehicles
- ▶ No measures have been taken as regards disciplinary cells

Aspects of ineffective implementation of Art. 13

- ▶ The domestic remedy introduced in October 2022 (Art. 6a Pen. Code) is not effectively implemented.
- ▶ All 350 applications of Art. 6a have been rejected by the Court Councils. All relevant decisions were outdated.
- ▶ Already, the Greek Ombudsman (2024) said that Art. 6a “is not an adequate measure to improve detention conditions when they amount to a violation of Art. 3 ECHR”.

Recommendations

- ▶ Draft and enforce a genuine “Strategic plan” after dialogue with stakeholders setting a specific timetable, ensuring funding sources, indicating specific sustainable measures for decongestion.
- ▶ Start working with the most highly overpopulated prisons (Komotini, Korydallos, Ioannina, Volos, Nafplion, Tripoli, Chios). Implement alternative measures (social work) and expand rural prisons.
- ▶ Guarantee regular allocation of funds for prisons: upgrading prison premises and staff. Not expanding closed prison places but ensuring more than 3 sq.m. of “free space to move” to each inmate.
- ▶ Urgently reconsider criminal policy which has been adopted. Increasing sentences will result in extreme suffocation of the prison establishments.
- ▶ Hire additional custodial trained staff and conduct regular training on security, crisis management, health issues etc, in relation to prison to all existing staff.
- ▶ Reconsider implementation of Art. 6A of the Penitentiary Code, as it has been proved that it can not offer guarantees as an effective means to redress prison conditions.