

National Standard

Country	Detention Issues	Key provision	Legal Instrument	NPM Recommendation	NPM Recommendation year	NPM report URL
Greece	III treatment	Prison guards are responsible for maintaining order and security within the facility, as well as in every space where prisoners live or work. They are also entrusted with facilitating the prisoners' every-day lives, ensuring respect for human dignity, and bolstering the self-respect and sense of social responsibility of the prisoners. As part of their duties guards are performing regular and unprogrammed inspections of the premises, especially of cells and chambers, and remove prohibited and dangerous items.	Article 59 of the Ministerial Decision 58819/2003 Internal Regulation for the Operation of A and B type General Detention Facilities (Εσωτερικός Κανονισμός Λειτουργίας Γενικών Καταστημάτων Κράτησης τύπου Α' και Β')	The NPM in its annual special report of 2018 noted that the recording of a significant number of incidents of violence has raised its considerable concern and stressed the inadequate handling of incidents of violence amongst detainees. Especially as regards the adequacy of security measures, the recording of a significant number of deaths and incidents of violence has raised considerable concern... In this context, during the inspections, there was a thorough control carried out on the entries in the Injury Logs. In 2018, this initiative was carried out in seven cases... However, to date the practice of making specific inquiries has not led to useful conclusions, since the competent administrations of detention centres, in their generally succinct and descriptive responses, confine themselves to the constant and formal assurance that the service has taken every humanly possible preventive measure, with the reservation that the provision of further information will only be possible after the completion of the administrative inquiries and/or criminal investigations. It is therefore obvious that the common and rather general features of individual cases necessitate not only the vital ex-post investigation of incidents such as those mentioned above, but, above all, that care be taken to prevent them. Finally, because of the lack of experts amongst its staff members and, as a consequence, the NPM's inability to fully understand and use the coroner and medical reports, there is a need for external collaborators, especially from University medical schools... On the occasion of reports of detainees within the framework of the Ombudsman's general competence, the NPM in 2018 sought special information on how incidents of violence among detainees are being dealt with in terms of collecting medical files and through further disciplinary and criminal investigations, focusing on the increased responsibility of the State for ensuring the life, physical integrity and dignity of the detainees, and on the other hand the need to encourage victims to exercise their rights via complaints. The problem was highlighted in the Domokos Detention Facility, where the complaints of at least two detainees were fully confirmed, but the entries in the Injury Book were incomplete and inconsistent with the hospital transits, and the prosecuting authorities were informed by the Administration only when the victim wanted to file an allegation, which the prisoner was de facto discouraged from doing. In contrast, at the Nafplio Detention Facility, in spite of staff claims of difficulty in finding proof because witnesses are reluctant and the cameras are not working adequately, it seems that the prison disciplinary council tries to investigate incidents of violence thoroughly.	2018	https://www.synigoros.gr/?i=human-rights.en.recentinterventions.614116

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Greece	III treatment	Prisoners are separated in categories on the basis of, among others the severity of the crime they have committed, as well as their particular characteristics (such as their sex or their age) which may render them vulnerable during detention. Violence, threat of violence, and sexual violence, besides potentially giving rise to autonomous criminal proceedings, constitute serious disciplinary offences which may be punished with confinement in disciplinary cells, transfer to a different facility, a ban from participating in prison work schemes or vocational training for a year, or 'penalty points'. Generalised violence is dealt with through measures ordered by the supervising prosecutor, or in cases of emergency, by the director or the warden of the facilities, in collaboration with police forces.	Penitentiary Code (Σωφρονιστικός Κώδικας)	The NPM in its annual special report of 2018 noted that the recording of a significant number of incidents of violence has raised its considerable concern and stressed the inadequate handling of incidents of violence amongst detainees. Especially as regards the adequacy of security measures, the recording of a significant number of deaths and incidents of violence has raised considerable concern... In this context, during the inspections, there was a thorough control carried out on the entries in the Injury Logs. In 2018, this initiative was carried out in seven cases... However, to date the practice of making specific inquiries has not led to useful conclusions, since the competent administrations of detention centres, in their generally succinct and descriptive responses, confine themselves to the constant and formal assurance that the service has taken every humanly possible preventive measure, with the reservation that the provision of further information will only be possible after the completion of the administrative inquiries and/or criminal investigations. It is therefore obvious that the common and rather general features of individual cases necessitate not only the vital ex-post investigation of incidents such as those mentioned above, but, above all, that care be taken to prevent them. Finally, because of the lack of experts amongst its staff members and, as a consequence, the NPM's inability to fully understand and use the coroner and medical reports, there is a need for external collaborators, especially from University medical schools... On the occasion of reports of detainees within the framework of the Ombudsman's general competence, the NPM in 2018 sought special information on how incidents of violence among detainees are being dealt with in terms of collecting medical files and through further disciplinary and criminal investigations, focusing on the increased responsibility of the State for ensuring the life, physical integrity and dignity of the detainees, and on the other hand the need to encourage victims to exercise their rights via complaints. The problem was highlighted in the Domokos Detention Facility, where the complaints of at least two detainees were fully confirmed, but the entries in the Injury Book were incomplete and inconsistent with the hospital transits, and the prosecuting authorities were informed by the Administration only when the victim wanted to file an allegation, which the prisoner was de facto discouraged from doing. In contrast, at the Nafplio Detention Facility, in spite of staff claims of difficulty in finding proof because witnesses are reluctant and the cameras are not working adequately, it seems that the prison disciplinary council tries to investigate incidents of violence thoroughly.	2018	https://www.synigoros.gr/?i=human-rights.en.recentinterventions.614116
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<http://fra.europa.eu/en/databases/criminal-detention/>

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