

Criminal Detention in the EU: Conditions and Monitoring

Update of FRA's Criminal Detention Database
(FRANET)

Country: Greece

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Part I: National standards

Explanatory text:

The great majority of criminal detention conditions described in the submitted report are applicable to all detention regimes in place regarding Greek penitentiary system since the core element of the Greek prison system is the equal treatment of all prisoners; the below mentioned standards apply both to pre-trial detention and regular imprisonment/ post-trial detention. According to article 1 of the Greek [Penitentiary Code](#)¹ prisoners (regular imprisonment) are those persons who are serving sentences of imprisonment, as well as pre-trial detainees; namely, according to Greek legislation, sentences against freedom as well as temporary (pre-trial) detention are being exclusively carried out in prison facilities. In a few cases/aspects where legal standards offer a particular regime for pre-trial detainees, this is being mentioned in an additional section under the relevant question/bullet points.

1. Cells

a. Cell space

Cell space (minimum capacity) is provided in article 21 of the [Greek Penitentiary Code](#)² and it applies to pre-trial and post-trial detention in prison facilities: a) 35 cubic meters for private cells (single cell accommodation), b) 40 cubic meters in case of placement of a second inmate in a private cell (double cell accommodation), c) 40 cubic meters for female inmates detained with their infants (up to three years old), who are always held in private cells, d) 6 square meters per inmate in wards/ multi occupancy cells. The calculation requirements spelled out by the CJEU in its *Dorobantu* ruling (as cited in paragraphs 72-77 of the judgment of the Court of Justice), are observed. Additionally, the requirements spelled out in para. 34 of the Commission recommendation of 8.12.2022 on procedural rights of suspects and accused persons subject to pre-trial detention and on material detention conditions are also observed. Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

b. Access to natural light and fresh air, cell equipment, furniture, and facilities

As regards access to natural light and fresh air in cells, as well cell equipment, furniture and/or facilities: according to article 21 of the [Greek Penitentiary Code](#)³, the construction and layout of detention establishments ensures to satisfactory degree sunlight and ventilation with the use of windows, heating, comfortable circulation within the areas, suitable for the climate of their location. As regards furniture, as referred to in article 21 of the [Greek Penitentiary Code](#)⁴, private cells have a bed, table, chair and closet, while wards should be equipped with the corresponding beds,

¹ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

² Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

³ Greece, article 21 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁴ Greece, article 21 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

closets, as well as with the relevant table(s) capacity and an equal number of chairs. Furthermore, private cells and wards have their own heating and sanitation (washbasin, toilet) [facilities](#)⁵. Every sanitation installation of the wards must not serve more than three inmates. The existence of a bath in the cells and wards is not necessary, if there is an adequate number of common use bathroom installations with hot and cold water for the personal hygiene and cleanliness of each inmate. Prisoners, as provided in article 15 of the Internal Regulation for the Operation of General [Detention Facilities](#)⁶ are also provided with a mattress, two pillow cases, two blankets, four sheets, two face towels, two bath towels and they have the right to use their own sheets, blankets and towels of different colour from the ones granted by the facility (without any selvage). Furthermore, according to article 15 of the Internal Regulation for the Operation of General [Detention Facilities](#)⁷, prisoners have daily access to the showers, at hours determined by daily order of the detention facility's director, following the warden's recommendation. Hot water is available, both in the showers and in the laundry facilities. Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

c. Video-surveillance of cells

There is no specific mention in any legal instrument or public guidelines of national standards for video-surveillance of cells in prison facilities. There is no explicit prohibition, but there is an explicit provision when and where visual inspection of cells is allowed, under article 10 of the Internal Regulation for the Operation of [General Detention Facilities](#)⁸. In exceptional cases, when there is urgent need for special treatment of a detainee due to disputes with co-detainees, self-destructive tendencies or health problems, the detainee may reside in a special protection area, if the infrastructure and the staffing of the prison permit it. This area is systematically monitored even with the use of electronic means, provided that the detainees who are under protection are already informed. The placement is executed with the consent or after approval of the prison's public prosecutor (supervisor) or the prison doctor and in exceptional cases; this placement is carried out by the chief warden or the head of the shift. Furthermore, according to article 3 of the Security Regulation for [Detention Facilities](#)⁹, all the common areas of the Detention Facilities are being monitored, controlled and recorded by an electronic system, which is being operated by the control room, and a relevant registration file is being kept for a sufficient period of time, which is being handed out to the competent authorities for the verification of any criminal offenses. Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

⁵ Greece, article 21 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁶ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁷ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁸ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁹ Greece, Ministerial Decision 104356/2014 Internal Regulation for the Security of Detention Facilities (*Κανονισμός Ασφάλειας των Καταστημάτων Κράτησης*), available in [Greek](#) (O.G.G. Issue B 3581/31.12.2014).

d. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021 (Ετήσια Ειδική Έκθεση 2020-2021), available in [English Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021¹⁰:

Υλικές συνθήκες: ΗCPT συνιστά στις Ελληνικές αρχές να λάβουν επείγοντως μέτρα για να μειώσουν τα επίπεδα πληρότητας στο κατάστημα κράτησης Κέρκυρας σε ένα άτομο ανά κελί. Περαιτέρω, θα πρέπει να υλοποιηθεί σε κάθε πτέρυγα ένα πρόγραμμα ανακαίνισης, μεταξύ άλλων όσον αφορά τη λειτουργία των θερμαντικών σωμάτων, τη στερέωση των υδραυλικών εγκαταστάσεων και την προστασία των τοίχων από τη συσσώρευση υγρασίας,Η CPT καλεί τις Ελληνικές αρχές να μειώσουν τα επίπεδα πληρότητας στους κοιτώνες τόσο στα καταστήματα κράτησης της Χίου όσο και της Κω, ώστε να διασφαλιστεί ότι κάθε κρατούμενος διαθέτει τουλάχιστον 4 m² χώρους διαβίωσης, εξαιρουμένου του αποχωρητηρίου. Θα πρέπει να απομακρυνθούν οι μη κατελημμένες κουκέτες σε ορισμένους από τους κοιτώνες. Η CPT καλεί και πάλι τις Ελληνικές αρχές να λάβουν επείγοντα μέτρα για τη σημαντική μείωση του ακραίου υπερπληθυσμού στο κατάστημα κράτησης Ανδρών Κορυδαλλού. Θα πρέπει να καταρτιστεί ένα σταδιακό πρόγραμμα για τη μείωση των επιπέδων πληρότητας από τα σημερινά επίπεδα των τριών ή περισσότερων κρατουμένων ανά κελί 9,5m² σε όχι περισσότερους από δύο ανά κελί και για τη μείωση των επιπέδων πληρότητας στους κοιτώνες ώστε να διασφαλιστεί ότι κάθε κρατούμενος έχει τουλάχιστον 4m² χώρου διαβίωσης, εξαιρουμένου του χώρου υγιεινής. Περαιτέρω, είναι σημαντικό οι Ελληνικές αρχές να διασφαλίσουν ότι σε όλους τους κρατούμενους παρέχονται ελάχιστες βασικές συνθήκες διαβίωσης, ώστε να πληρείται το όριο αξιοπρέπειας, όπως ορίζεται στην 30η Γενική Έκθεση της CPT του Μαΐου 2021.....ΗCPT επαναλαμβάνει τη σύστασή της να μην υπάρχουν κελιά συνήθους διαμονής στο κατάστημα κράτησης Νιγρίτας που να φιλοξενούν περισσότερα από τρία άτομα, ώστε να διασφαλίζεται ότι κάθε κρατούμενος έχει τουλάχιστον 4m² ζωτικού χώρου, εξαιρουμένου του χώρου υγιεινής, και ότι όλοι οι κρατούμενοι πρέπει να έχουν το δικό τους κρεβάτι για να κοιμούνται.

Material conditions: *The CPT recommends that, at Corfu Prison, the Greek authorities take urgent steps to reduce the occupancy levels to no more than one person per cell. Further, a programme of refurbishments, including as regards the operation of the radiators, fixing the plumbing and protecting the walls from condensation, should be carried out in each wing[....]The CPT calls upon the Greek authorities to reduce the occupancy levels in the dormitories at both Chios and Kos Prisons to ensure that each prisoner is provided with at least 4m² of living space, excluding the sanitary annexe. The unoccupied bunk beds in certain of the dormitories should be removed. The CPT once again calls upon the Greek authorities to take urgent steps to significantly reduce the extreme overcrowding at Korydallos Men's Prison. A phased programme should be devised to reduce the occupancy levels from the current three or more prisoners per 9.5m² cell to no more than two per cell and to reduce the occupancy levels in the dormitories to ensure that each prisoner is provided with at least 4m² of living space, excluding the sanitary annexe. Further, it is essential that the Greek authorities ensure that all prisoners are provided*

¹⁰ The visits took place from November 22th to 1st of December in 2021. Therefore, this is within the reference period.

with a minimum standard of basic living conditions in order to meet the decency threshold as set out in the CPT's 30th General Report of May 2021. To this end, steps should also be taken to maintain the cells and dormitories in a decent state of repair and to ensure that they are regularly disinfected and that prisoners are provided with sufficient cleaning materials to keep themselves and their cells clean.....The CPT reiterates its recommendation that no ordinary accommodation cell in Nigrita Prison accommodate more than three persons so as to ensure that each prisoner is provided with at least 4m² of living space, excluding the sanitary annexe, and that all prisoners must have their own bed to sleep on.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022¹¹. *No relevant recommendations are available regarding these aspects.*

All our inspections over the years have shown that overcrowding poses severe problems to space management in correctional facilities, as the standards for the number of prisoners allowed per cell are not met. The prison administrations occasionally attempt to increase the available space by altering the use of other spaces inside the prison, but, in most cases, without significant results. According to our findings in NPM [special report 2015](#)¹² "The problems identified again are, among other things, the overcrowding of the prisoners, shortages in infrastructures and the age of the facilities, problems with the heating of the facilities and the supply of hot water, worn and dirty mattresses with parasitic insects (bedbugs), the lack of any educational or creative activity programme whatsoever, the lack of a rehab programme, shortages in specialised staff, such as medical/nursing personnel, and the deficient or even non-existent in some cases staff in of the Social Service of the Facilities. Even though the situation, in relation to the overcrowding of the prisons, appears to be improved compared to previous years, however, in specific facilities it is still particularly problematic. A typical example is the Nafplio Detention Facility, where 212 people are forced to sleep on the floor on mattresses, which during the day are placed in an elevated area, in order not to obstruct circulation. The same situation is found in the Kos Detention Facility, where prisoners, in addition to the floor and under the beds, are also sleeping on the roof of the bathrooms inside the cells, something which the Ombudsman has never encountered in the Greek prisons, and which is revealing, in the most dramatic manner, of the problem with the living conditions of the people who are deprived of their liberty. [...] Also, in the Komotini Detention Facility, the disciplinary cells which lack natural lighting and ventilation, are used out of necessity as the place of regular and usual stay of the prisoners (in fact according to their wish), due to the overcrowding of the prisoners in the other cells. The Chania (Crete) Detention Facility is new, with much better conditions and infrastructure for a large number of prisoners, there are problems however with staffing, and some wings remain closed to this date. Special concern finally, is caused by the lack of any provision for spaces for sports and related sporting equipment, work positions/spaces (e.g. workshops for iron - wood, etc.) and other areas where the prisoners can be employed and be entertained."

See also our relevant observations in the [NPM special report 2018](#)¹³, according to which "The actual consequences of overcrowding are particularly visible in small prisons with no supplementary spaces

¹¹ The visits took place from November 8th to November 11th in 2022. Therefore, this is within the reference period.

¹² Greece, Greek Ombudsman (Συνήγορος του Πολίτη), 'Special Report 2015', available in English https://old.synigoros.gr/resources/docs/npm_2015_en.pdf.

¹³ Greece, Greek Ombudsman (Συνήγορος του Πολίτη), 'Annual Special Report 2018' (Ετήσια Ειδική Έκθεση 2018), available in [English https://old.synigoros.gr/resources/annual-special-report-2018-national-preventive-mechanism-against-torture-and-ill-treatment.pdf](https://old.synigoros.gr/resources/annual-special-report-2018-national-preventive-mechanism-against-torture-and-ill-treatment.pdf).

available for use, as in the cases of the Chalkis and Tripolis detention facilities, where stifling living conditions on the blocks exclude all forms of privacy and deviate from the minimum space per prisoner according to European specifications¹⁴.”

2. Allocation of detainees

a. Geographical allocation

The public prosecutor when ordering pre- trial detention or regular imprisonment decides on the allocation of each detainee. Among other factors, the public prosecutor is taking into account the place of residence of the detainee¹⁵.

b. Allocation within detention facilities

As provided in article 11 of the [Penitentiary Code](#)¹⁶, prisoners are divided into categories in order to specialize their treatment according to the needs imposed by their actual or legal situation. Prisoners of each category live in special prison facilities or independent sections of prison facilities¹⁷. Detainees awaiting trial (pre- trial detainees) or convicted persons serving a prison sentence which does not exceed 5 years of imprisonment ([short term sentences](#))¹⁸, reside in Type A detention facilities or in separate sections of detention facilities, without communication with prisoners of other categories. On the other hand, prisoners who are serving long term prison sentences ([incarceration](#))¹⁹, which includes those with a life sentence, reside in type B detention facilities or in separate sections of detention facilities, without communication with prisoners of other categories. There is no corresponding penitentiary regulation as regards the separation of first- time offenders from recidivists.

In practice, the allocation of detainees, which depends on the judgment administration of each prison’s director, within the detention facility is taking into account various factors, including their requests to

¹⁴ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

¹⁵ As verified by representative of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024.

¹⁶ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁷ According to article 19 of Greek Penitentiary Code, prison facilities in Greece are divided into general, special and therapeutic. General prison facilities are further divided as “type A” (for inmates awaiting trial and those serving short term sentences) and “type B” (for inmates serving long term prison sentences, which include those with a life sentence).

¹⁸ According to Greek Penal Code [Greece, Law 4619/2019 Penal Code (*Ποινικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 95/11.06.2019)], imprisonment does not exceed five years, nor is it less than ten days.

¹⁹ According to Greek Penal Code [Greece, Law 4619/2019 Penal Code (*Ποινικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 95/11.06.2019)], incarceration is temporary and exceptionally, as long as the law explicitly provides for it, for life. The duration of temporary incarceration does not exceed twenty (20) years nor is it less than five (5) years.

reside in specific cells or wards in order to live together with their fellow nationals or for reasons of protection of their personal safety. Relationships between different ethno-cultural groups of prisoners are also taken into account in order to minimise the risk of violent group confrontations or conflicts²⁰.

c. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021(*Ετήσια Ειδική Έκθεση 2020-2021*), available in [English Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021. [Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022.

*The allocation of detainees does not seem to take into account their need to be close to their families. The Greek Ombudsman has received many complaints by detainees whose request for transfer was rejected without solid justification by the Central Transfers Committee (KEM)*²¹.

3. Hygiene and sanitary conditions (note – section 11 contains specific questions concerning female detainees)

a. Access to toilets

According to Greek Penitentiary Code, private cells and wards have their own sanitation facilities ([washbasin and toilet](#))²². Furthermore, every sanitation installation of the wards must not serve more than three inmates. The kind or the extent of privacy offered to detainees who use the above-mentioned facilities is not regulated by any kind of legislation or act, but the majority of prisons in Greece offer private cells and wards with their own sanitation facilities²³.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

²⁰ As verified by representative of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024.

²¹ Consultation conducted with members of the Greek Ombudsman on April 4th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

²² Greece, article 21 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

²³ As verified by representative of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024.

b. Access to showers and warm and running water

As referred in Penitentiary Code, the existence of a bath/shower in the cells and wards is not necessary, if there is an adequate number of common use bathroom installations with hot and cold water for the personal hygiene of [each inmate](#)²⁴. According to article 15 of the Internal Regulation for the Operation of [General Detention Facilities](#)²⁵, prisoners have daily access to the showers/ bathing facilities, at hours determined by daily order of the detention facility's director, following the warden's recommendation. Hot water is available, both in the showers and in the laundry facilities. The extent of privacy offered to detainees who use the above-mentioned facilities is not regulated by any kind of legislation or act, but the majority of prisons in Greece offer private cells and wards with their own shower/bathing facilities²⁶.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

c. Access to sanitary products

According to article 15 of the Internal Regulation for the Operation of General Detention Facilities, new prisoners are provided with essential personal hygiene products, such as soap, shaving cream, cotton, disposable razors, toothpaste, toothbrushes, and shampoo. Soap and toilet paper are provided to all prisoners, and prisoners who lack the necessary means may receive essential toiletries and cleaning materials for free. Furthermore, new entrants that are indigent are supplied by the prison facility with sanitary paper and personal hygiene items (toothpaste, toothbrush, washing powder, soap, etc.). The other detainees may procure personal hygiene items by ordering them from a contracted super market and the cost is debited to their account kept with the [accounts department](#)²⁷.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

d. Hygienic conditions in cells

As referred to in the Penitentiary Code, the administration of each prison is responsible for the hygienic conditions of the facility, maintains in good operating order all the premises and provides the means for personal hygiene and cleanliness of the prisoners. The detainees are obliged to comply with the rules of personal hygiene and cleanliness of the common use areas, as these are being determined by the internal regulation and according to the instructions of the competent

²⁴ Greece, article 23 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022)

²⁵ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

²⁶ As verified by representative of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024.

²⁷ Greece, article 15 of 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

[prison staff](#)²⁸. The hygiene control of the detention facilities is conducted either by the sanitation inspector of the Ministry of Citizen Protection or by the competent sanitation inspection of the prefecture, in the region of which the establishment belongs, with the participation of one representative of the local Medical Association. The control is carried out regularly, during the first ten days of each trimester, by the competent judicial officer and exceptionally, if necessary, by the aforementioned judicial officer or the Sanitation Inspector of the Ministry of Citizen Protection or the Sanitation Inspection of the local Prefecture or the Direction of the detention establishment. Those procedures are initiated by the judicial officer who is also present [during the control](#)²⁹.

Additionally, according to article 15 of the Internal Regulation for the Operation of [General Detention Facilities](#)³⁰, clothing and bedding are being washed in the laundry area of the prison facility by working prisoners, under the supervision of the authorized prison employees. Detainees are required to comply with the rules of personal hygiene and cleanliness and to maintain their clothing, bedding and living areas clean. Furthermore, according to the same article, common areas are kept clean, on a daily basis, by cleaning crews consisting of working prisoners, under the supervision of the authorized employees. Prison services are responsible of placing daily appropriate pest and rodent control products in drains, wells and other key points. General cleaning is taking place once a week while general disinfection, pest and rodent extermination etc. are carried out regularly twice a year and exceptionally, when necessary, [by contracted workshops](#)³¹. Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

e. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021(*Ετήσια Ειδική Έκθεση 2020-2021*), available in [EnglishReport](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021.

Υλικές συνθήκες: Θα πρέπει επίσης να ληφθούν μέτρα για τη διατήρηση των κοιτώνων σε αξιοπρεπή κατάσταση και για να εξασφαλιστεί ότι απολυμαίνονται τακτικά και ότι οι κρατούμενοι διαθέτουν επαρκή υλικά καθαρισμού για να διατηρούν τους εαυτούς τους και τα κελιά τους καθαρά... Θα πρέπει να τεθεί σε εφαρμογή κυλιόμενο πρόγραμμα συντήρησης των πτερύγων, συμπεριλαμβανομένης της τακτικής απολύμανσης των χώρων διαμονής, και οι κρατούμενοι πρέπει να έχουν στη διάθεσή τους κατάλληλες ποσότητες προϊόντων υγιεινής και καθαρισμού.

²⁸ Greece, Greece, article 25 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

²⁹ Greece, article 26 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

³⁰ Greece, 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'), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

³¹ Greece, 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'), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

Material conditions: Steps should also be taken to maintain the dormitories in a decent state of repair and to ensure that they are regularly disinfected and that prisoners are provided with sufficient cleaning materials to keep themselves and their cells clean... A rolling programme of maintenance of the wings should be put in place, including regular disinfection of accommodation areas, and prisoners must be provided with appropriate quantities of hygiene and cleaning products.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022. We refer you to our remarks on question 1. It goes without saying that overcrowding pushes the capacity of means and infrastructures to their limits³².

4. Nutrition

a. Quality and quantity of food

Provision of sufficient quality and quantity of nutrition for prisoners is a state obligation, according to article 32 of the [Penitentiary Code](#)³³ and article 14 of the Internal Regulation for the Operation of [General Detention Facilities](#)³⁴. For this purpose, each prison facility is being staffed with a sufficient number of cooks. The formulation of alternating weekly programmes of the inmates' nutrition is planned by the doctor of the prison in cooperation with the Prison Council.

As provided in article 32 of the [Penitentiary Code](#)³⁵ and article 14 of the Internal Regulation for the Operation of [General Detention Facilities](#)³⁶, the prison doctor drafts the nutrition programme on a weekly basis and defines special or complementary diets to individual prisoners or to special groups of prisoners according to their health condition (e.g. patients, pregnant women, mothers, infants, elderly prisoners), certain needs and religious beliefs. Prisoners can also cook their own food on the director's license and in agreement with the doctor, if there is a need for special diet or additional nutrition for health reasons.

³² Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

³³ Greece, Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

³⁴ Greece, 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'), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

³⁵ Greece, Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

³⁶ Greece, 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'), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

According to article 14 of the Internal Regulation for the Operation of [General Detention Facilities](#)³⁷, food is prepared and delivered three times per day: breakfast at 7:30 and two warm meals, lunch at 12:00 and dinner half an hour before sunset.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

b. Drinking water

As mentioned under 4a., according to article 32 of the [Penitentiary Code](#)³⁸ and article 14 of the Internal Regulation for the Operation of [General Detention Facilities](#)³⁹, provision of sufficient quality and quantity of nutrition for prisoners is a state obligation. Furthermore clean drinking water is available to detainees at all times, since there are available taps in the areas (private cells and wards) where they reside and sleep⁴⁰.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

c. Dietary requirements

As provided in article 32 of the [Penitentiary Code](#)⁴¹ and article 14 of the Internal Regulation for the Operation of [General Detention Facilities](#)⁴², the prison doctor drafts the nutrition programme on a weekly basis and defines special or complementary diets to individual prisoners or to special groups of prisoners according to their health condition (e.g. patients, pregnant women, mothers, infants, elderly prisoners), certain needs and religious beliefs. Prisoners can also cook their own food on the director's license and in agreement with the doctor, if there is a need for special diet or additional nutrition for health reasons.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

d. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021 (*Ετήσια Ειδική Έκθεση 2020-2021*), available in [English](#)

³⁷ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

³⁸ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

³⁹ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁴⁰ As verified by representative of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024.

⁴¹ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁴² Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021.

.....και οι κρατούμενοι θα πρέπει να έχουν πρόσβαση σε καθαρό πόσιμο νερό δωρεάν... Η CPT συνιστά στις Ελληνικές αρχές να διασφαλίσουν ότι όλοι οι κρατούμενοι θα μπορούν να τρώνε τα γεύματά τους με αξιοπρέπεια μέσω της παροχής μαχαιροπήρουνων και πιάτων και ότι θα βελτιωθούν οι κανόνες υγιεινής όσον αφορά την παράδοση και τη διανομή των γευμάτων, ιδίως στο κατάστημα κράτησης Κορυδαλλού. Θα πρέπει επίσης να καταβληθούν πρόσθετες προσπάθειες για να διασφαλιστεί ότι θα πρέπει να διατίθεται μεγάλη ποικιλία τροφίμων στις σωστές αναλογίες, ώστε να μπορούν οι κρατούμενοι να διατηρούν μια επαρκώς θρεπτική, επαρκώς θερμιδική και ισορροπημένη διατροφή, καθώς και πρόσβαση σε άφθονα υγρά. 24 Τα άτομα με ανεπαρκή εισοδήματα θα πρέπει να λαμβάνουν πρόσθετη οικονομική βοήθεια στο κατάστημα κράτησης, ώστε να μπορούν να αγοράζουν βασικά είδη που δεν παρέχονται δωρεάν από τις σωφρονιστικές αρχές..... and detained persons should have access to clean drinking water free of charge... The CPT recommends that the Greek authorities ensure that all prisoners are able to eat their meals in dignity through being provided with cutlery and plates, and that hygiene norms are improved regarding the delivery and distribution of meals, notably at Korydallos Men's Prison. Additional efforts should also be made to ensure that a wide variety of foods should be made available in the right proportions to enable prisoners to maintain an adequately nutritious, sufficiently calorific and well-balanced diet, as well as access to plenty of fluids. Those with insufficient incomes should receive additional financial assistance in prison to enable them to purchase basic items that are not provided free of charge by the prison authorities.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022.

The most important issue we have observed across all correctional facilities is the extremely small food portions per detainee. However, the significant differences across facilities show that there is room for better and more flexible resource management. It is noteworthy, that some correctional facilities do not offer any fruit to detainees on the pretext that the latter may use it to produce self-improvised alcohol. The needs of detainees who must follow a special diet because of their health issues, mainly diabetics, are hardly met, as many correctional facilities do not provide a special diet. In many other facilities, the doctor who is responsible just offers special dietary advice to detainees with health issues⁴³.

⁴³ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

5. Time spent outside the cell and outdoors

According to article 8 of the Internal Regulation for the Operation of [General Detention Facilities](#)⁴⁴, the timetable of each prison facility is the following:

07.30am: waking – Cells and chambers open – Counting prisoners.

07.45am: Breakfast

08.00am – 12.00am: sports, work, training, participating in programmes, free time.

12.00pm: Meal

12.15pm: Cells closing at noon – counting prisoners.

12.30pm – 15.00pm: resting

15.00pm: cells opening for the afternoon.

15.00pm until half an hour before sunset: Sports, work, training, participating in programmes, free time.

Half an hour before sunset: Closing day – dinner – final counting

a. Time spent outdoors

According to the prison daily schedule, as provided under article 8 of the Internal Regulation for the Operation of [General Detention Facilities](#)⁴⁵, detainees are allowed to spend a large part of the day outdoors (within the boundaries of the prison), exercising, working, participating in miscellaneous programmes and enjoying free time, from 08:00 a.m. (cells open at 07:30 a.m.) to 12:00 p.m. (afternoon lockdown at 12:15 p.m.) and from 15:00 p.m. to 30 minutes before sunset. Following a decision by the prison council, prisoners may deviate from the daily schedule for reasons relating to their participation in educational or vocational programmes, inside or outside the boundaries of the detention facility.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

⁴⁴ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁴⁵ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

b. Time spent indoors

According to the prison daily schedule, as provided under article 8 of the Internal Regulation for the Operation of [General Detention Facilities](#)⁴⁶, detainees are allowed to spend time outside their cells and within the indoor common areas, mainly during meals (approximately 15 minutes, 3 times a day). They are also allowed to spend some free time confined within their wings until 20:30 p.m. during wintertime and until 21.00 p.m. during summer season (evening lockdown). Special provisions are applicable and prisoners are allowed to remain outside their cells and wards, but confined within their wings, on New Year's eve (until 00.30 am on the 1st of January), during established religious, national, and local holidays (during "noon hours": approx. between 15.00 pm and 17.30 pm), on days when temperatures exceed 36°Celsius (during noon hours, or, in exceptional circumstances, when state measures are required to combat the heat, for an additional 1-2 hours following evening lockdown). Following a decision by the prison council, prisoners may deviate from the daily schedule for reasons relating to their participation in educational or vocational programmes, inside or outside the boundaries of the detention facility.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

c. Recreational facilities

Sports Facilities: According to article 36 of [Penitentiary Code](#)⁴⁷, in order to maintain their physical and mental health, detainees are given at least one hour per day to walk or exercise in the establishment's courtyard or in an open space protected from weather conditions. For this purpose, the law provides that adequate spaces should be created either indoors (gym) or outdoors (courts), and should be properly equipped for individual or group exercises. Exercise and sports programmes are organized and supervised by trainers, while the establishment's doctor performs the necessary checks to ensure each prisoner has the physical ability to participate in these programmes. Through a decision by the Minister of Citizen Protection, following a proposal by the Central Scientific Council of Prisons, are determined the conditions and the procedure for the organization of common manifestations of educational, entertainment, sports or of other similar character by the detainees of the miscellaneous detention establishments or their sections or for the organization or annual athletic manifestations with organizations outside the establishment. Furthermore, according to article 17 of the Internal Regulation for the Operation of [General Detention Facilities](#)⁴⁸, prisoners may also exercise, under appropriate supervision, in indoor sports facilities outside the boundaries of the detention facility. The Department of Social Work of each detention facility, in cooperation with the Office for Physical Education of the Prefecture, may organize group sports programmes for prisoners by creating sports clubs, provided there are suitable spaces and the proper operation of the detention facility is not obstructed.

⁴⁶ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁴⁷ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁴⁸ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

Recreational facilities: The entertainment of the detainees is taking place, under provision of article 38 of the [Penitentiary Code](#)⁴⁹, in an appropriately organized outdoor or indoor area of the Prison. Prisoners participate in individual or group artistic events, in theatrical groups, choirs, painting and handcraft exhibitions and movie/film projections. Where possible, a cinema may operate within the Prison. The active participation of the detainees in these programmes and in general the creative use of their free time are taken into consideration when measures are taken or privileges are given which are beneficial for the inmate according to the provisions of the Penitentiary Code.

Within each private cell or ward there is at least one television set all prisoners may have free access to, according to article 19 of the Internal Regulation for the Operation of [General Detention Facilities](#)⁵⁰. There could also be pay-TV only if it is permitted by the Prison Council, at prisoners' expense. The use of personal computers and video games is prohibited, unless required for educational purposes.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

d. Educational activities

Educational facilities: According to article 35 of the [Penitentiary Code](#)⁵¹ the educational programme of the detainees aims to offer education or supplementary training of all levels, as well as vocational training. For this purpose, Primary and Secondary Education units are established within each prison facility, i.e. Elementary Schools, High Schools or Second Chance Schools, General or Vocational High Schools, as well as post-secondary education structures, i.e. Public Vocational Training Institutes, Vocational Training Schools, Public Centers for Lifelong Learning and Greek Language Learning Sections. The Prison Council organizes, with the cooperation of competent bodies, professional education and training programs, including internships or apprenticeships.

[Second Chance Schools](#)⁵² are operating in prisons for adult inmates who have graduated from primary school, aspiring to complete the 9- year compulsory education (secondary education). Second Chance School's curriculum is based on the principles of adult education and contributes to raising the level of education of detainees. Their aims are: 1. completion of compulsory education for people that have reached the minimum age of 18 years, 2. connection of learners to the education and training systems, 3. acquisition of current knowledge, skills and attitudes that can help to their socio-economic inclusion and advancement, 4. reinforcement of learners' self-esteem and 5. contribution to their inclusion or improvement of workplace status.

⁴⁹ Greece, Greece, Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁵⁰ Greece, 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'), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁵¹ Greece, , Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁵² In Greece, Second Chance Schools were established in 1997 by article 5 of Law 2525/1997 "Unified High School, access of its graduates to higher education, evaluation of educational work and other provisions", (O.G.G. Issue A 188/23.09.1997), available in [Greek](#).

Access to a physical library and/or to computers/the internet: According to article 37 of the [Penitentiary Code](#)⁵³ and article 18 of the Internal Regulation for the Operation of [General Detention Facilities](#)⁵⁴, all prisons should have a lending library which should be kept up to-date and connected with local Public Libraries, with the co-operation of a librarian. Prison libraries are normally open on working days for at least two hours, in the morning and in the afternoon. All prisoners have access to the library on condition that they do not meet prisoners kept in other sections of the same prison. Prisoners have the right to use computers/ the internet only in special areas for training purposes, following a decision from the [Prison Council](#)⁵⁵.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

e. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021 (*Ετήσια Ειδική Έκθεση 2020-2021*), available in [English Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021.

Η CPT καλεί τις Ελληνικές αρχές να βελτιώσουν σημαντικά τα προγράμματα στοχευμένων δραστηριοτήτων που προσφέρονται στους κρατούμενους (τόσο τους προφυλακισμένους όσο και τους καταδικασμένους), συμπεριλαμβανομένων των εκπαιδευτικών, επαγγελματικών, αθλητικών και ψυχαγωγικών ευκαιριών, σε όλα τα καταστήματα κράτησης. Επαναλαμβάνει επίσης τη σύστασή της να εισαχθεί η εκπόνηση σχεδίων ποινής για τους κρατούμενους με τη συμβολή τους, θα μπορούσε να εξεταστεί το ενδεχόμενο να ξεκινήσει από τους καταδικασμένους σε ισόβια κάθειρξη.

The CPT calls upon the Greek authorities to improve substantially the programmes of purposeful activities on offer to inmates (both remand and sentenced), including educational, vocational, sports and recreational opportunities, in all prisons. It also reiterates its recommendation that the elaboration of sentence plans for prisoners with their input be introduced; consideration might be given to starting with life-sentenced prisoners.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022.

No relevant recommendations are available regarding these aspects.

⁵³ Greece, Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁵⁴ Greece, 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'), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁵⁵ Article 19 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'), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

This is another area in which we have observed significant differences across correctional facilities. This is no surprise, considering that out-of-cell time depends on various factors, including available spaces and staff to supervise out-of-cell activities. As the General Secretariat of Anti-Crime Policy has not issued any relevant guidelines, the matter falls under the discretion of each facility administration.

6. Solitary confinement

a. Placement in solitary confinement

Solitary confinement in a cell is a disciplinary measure imposed on prisoners who have committed a particularly serious disciplinary offence (Class A disciplinary offence). These are strictly enumerated in article 68-69 of the Penitentiary Code and include: a) violent attempt to escape, b) violence or threat of violence against the facility's personnel, c) physical violence against a fellow inmate, d) sexual violence, e) construction and possession of objects capable of being used as a weapon, f) use or possession of drugs and alcohol, g) destruction of property of the establishment of a particular great value or of special use, h) bribery of a staff member of the establishment and i) use or possession of a [mobile phone](#)⁵⁶. No penalties are imposed for offences not previously prescribed by law.

Confinement is imposed by a reasoned decision of the [Detention Facility's Disciplinary Council, prison's public prosecutor \(supervisor\) presiding](#)⁵⁷. Prisoners are notified in writing of the disciplinary offence they are accused of committing and are called for a hearing before the Council 48 hours prior. If they do not speak Greek an interpreter is present [during the proceedings](#)⁵⁸. In extremely urgent cases, a fast track procedure may be followed, whereby the decision for solitary confinement is taken by the facility's director, subject to approval within 24 hours by the detention facility's Council. After this approval, the [disciplinary procedure continues as normal](#)⁵⁹. Prisoners may appeal the decision on their confinement before the competent courts within five days from the issuance of the Council's decision. The appeal does not automatically suspend the execution of the confinement penalty, but suspension may be ordered by the [Disciplinary Council](#)⁶⁰. The law proscribes the imposition of multiple penalties for the

⁵⁶ Greece, article 68 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁵⁷ Greece, Greece, article 70 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022); Greece, Article 2 of 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'), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁵⁸ Greece, article 70 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022); Greece, article 31 of 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'), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁵⁹ Greece, articles 65 and 71 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁶⁰ Greece, article 71 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

same offence, it does not, however, preclude disciplinary punishment, including confinement in disciplinary cells, when criminal [procedures have been initiated for the same offence](#)⁶¹.

When imposing the penalty of confinement in disciplinary cells the Council takes into account the severity of the offence and the conditions under which it was perpetrated, the prisoner's personality, the time left until the end of their sentence, and any other element it deems important in each particular case. The Council, the Competent Minister, and, in exceptional cases, the director of the facility, may decide, ex officio or following a request submitted by the prisoner, the suspension, discontinuance, or extinction, fully or partially, of the confinement penalty when there is a real risk for the life, or a risk of serious and irreversible damage to the health of the prisoner, or when exceptional actions undertaken [by the prisoner convince them that his sense of restraint has been restored](#)⁶².

Solitary Confinement is implemented in regular cells as defined in article 21 of the Penitentiary Code, for duration of one to ten days maximum (maximum five days for remand prisoners). The cells where disciplinary confinement is executed are located in a separate part of the detention facility, so as not to disrupt its [daily function](#)⁶³. Collective punishment as well as confinement in dark cells, or punishment which may constitute torture, or which can cause bodily harm, or damage the health of the prisoner or which may constitute psychological violence are strictly prohibited. Measures contrary to the prisoners' rights, as defined in articles 4-6 of the Penitentiary Code, and measures capable of violating human dignity, or which may cause disruption of psychological or mental functions are also proscribed.

According to the Penitentiary Code, elderly prisoners, women, prisoners who are ill, and adolescents may be placed in solitary confinement only in exceptional circumstances following a specifically reasoned decision by the [Disciplinary Council](#).⁶⁴

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

b. Monitoring of detainees

[Daily visits from the detention facility's doctor are mandated during the time of disciplinary confinement \(in- person monitoring\)](#)⁶⁵. Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

⁶¹ Greece, article 66 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁶² Greece, article 70 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022); Greece, article 32 of 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁶³ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁶⁴ Greece, article 69 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁶⁵ Greece, article 69 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

c. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021(*Ετήσια Ειδική Έκθεση 2020-2021*), available in [English](#)

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021

No relevant recommendations are available regarding these aspects

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022

No relevant recommendations are available regarding these aspects.

In most correctional facilities, solitary confinement cells are no longer used for disciplinary purposes but as spaces for protective custody. This involves health emergencies, as was the case during the COVID-19 pandemic, or, more commonly, a request submitted by the detainee herself/himself for her/his own protection. Conditions in solitary confinement cells are usually worse than those in typical cells, in terms of out-of-cell time and hygiene but we have not observed any cases of inadequate supervision⁶⁶.

7. Work and education of detainees to promote social reintegration

a. General measures to promote social reintegration

According to article 81 of the [Penitentiary Code](#)⁶⁷, post release integration and adaptation of ex-prisoners to their social, professional and family environment are tasks assigned to EPANODOS (which means return), a non-profit private law legal entity, supervised by the Greek Ministry of Citizen Protection. This after-care structure is located in Athens and is staffed by volunteers and affiliated collaborators, who cooperate with prison social services and offer counselling, vocational training, minimal financial support and short-term housing, to facilitate any efforts towards the social reintegration of prisoners and former prisoners. It is the first, as well as the sole, official agency providing ex-prisoners with “after-care” services to be established in Greece. According to its [founding act](#)⁶⁸, it

⁶⁶ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

⁶⁷ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁶⁸ Greece, Presidential Decree No. 300/2003 (Formation and Operation of a private law legal entity named EPANODOS), available in [Greek](#) (O.G.G. Issue A 256/05.11.2003).

aims at “prisoners and ex-prisoners’ vocational support, as well as at the preparation and promotion of their social reintegration in a broad sense”.

For the fulfilment of its goals, EPANODOS: 1) Organizes programmes, within correctional facilities, which prepare prisoners for life “outside prison bars” and aim at their smooth reintegration into free society, 2) Carries out activities aimed at prisoners’ creative occupation and training, 3) Carries out educational and cultural activities aimed at bringing images of free life into correctional facilities, 4) Cooperates with the social service staff working in correctional facilities and provides prisoners with counselling services, especially about legal matters and pending legal issues which they may encounter. Moreover, it provides social support and aid for them and their families, 5) Informs prisoners and ex-prisoners about their labour rights, allowances and financial reliefs to which they are entitled, about current subsidized vocational training programmes and work experience programmes, as well as about the existing labour supply and labour demand, always in cooperation with the Greek Manpower Employment Organization and other competent agencies, 6) Provides ex-prisoners with housing and feeding for a short period of time, meets their urgent needs and assists them in resolving specific problems which they may encounter, 7) Informs and sensitizes employers as well as enterprises, and also encourages policies that give priority to the employment of ex-prisoners, 8) Supports the establishment of social enterprises by the ex-prisoners themselves, 9) Informs the community about, and sensitizes it to, the problems faced by people involved in the criminal justice system and, more specifically, by juvenile offenders, 10) Supports any initiative taken by private bodies and volunteer organizations which is intended to combat the stigma and the social exclusion of ex-offenders, 11) Cooperates with the Greek Central Scientific Prison Council, the Companies of Minors’ Protection, the Social Assistance Guardians and the Minors’ Guardians; it also participates in the “Orestis” network of the Central Scientific Council for Preventing and Combating the Risk of Victimization and Criminality of Minors (K.E.S.A.TH.E.A.), and plays an active role in the field of “after care” at national level as well as within the framework of the European Union and other international organizations and 12) Submits annual reports to the Greek Ministry of Citizen Protection and proposes measures and initiatives regarding the treatment of ex-offenders.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

b. Access to work

As provided in Penitentiary Code and in Internal Regulation for the [Operation of Prison Facilities](#)⁶⁹, there are several work opportunities for inmates of prisons. Prisoners are employed in auxiliary work or services which meet the operational needs of the detention facility and other public buildings or spaces, such as cleaning, cooking, laundry, cleaning or transporting food, and gardening services. Working or employment for the detainee is not punishment or oppression but his/her choice. Additionally, there is opportunity for different types of work in the rural/farm prisons and in the Central Warehouse of Prisons’ Supplies (K.A.Y.F) at Korydallos Prison Complex. [Inmates working in Greek prisons gain a](#)

⁶⁹ Greece, articles 40-45 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022); Greece, article 20 of Ministerial Decision 58819/2003 Internal Regulation for the Operation of A and B type General Detention Facilities (*Εσωτερικός Κανονισμό λειτουργίας Γενικών Καταστημάτων Κράτησης τύπου Α' και Β'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

[substantial reduction of their sentence length \(beneficial calculation of penalty's days\)](#)⁷⁰ and receive a nominal daily [financial remuneration](#)⁷¹. Some inmates who work in specific prison posts or who attend training programmes are insured only [against the risk of an accident](#)⁷². Accident insurance coverage varies depending on how dangerous and how demanding the work is. Allocating prisoners to working places, defining working hours and working terms are determined by the Prisoners' Labour Board.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

According to article 35 of the [Penitentiary Code](#)⁷³, educational programmes available to the detainees aim to offer education or supplementary training of all levels, as well as vocational training. To this effect within the establishment, wherever this is possible, an elementary school is in operation which is subject to the Ministry of Education and Religious Affairs and to the provisions that are in force for public schools. The Prison Council organizes, together with other competent agencies, programmes of vocational training, of apprenticeship or specialization. The titles of studies awarded are equivalent to those of the corresponding schools of the same education level, without any reference that they were acquired in a detention establishment. Special measures are also taken for the education of foreign prisoners. Primary education is mandatory for young detainees, while illiterate adults are encouraged to attend courses of primary education or programmes of vocational education and training. Prisoners who have completed primary education can continue their studies in secondary or higher education using special educational leaves. During the period of their education the work assigned to prisoners is as much as possible related to the subject of their studies.

According to article 20 of the Internal Regulation for the Operation of [General Detention Facilities](#)⁷⁴, each detention facility organises educational and vocational training programmes for small groups of prisoners, in cooperation with specialised training centres, under the supervision of the social work department, the sociologist and the education consultant of the facility. All educational programmes are conducted in an appropriate room, inside or outside the detention facilities and at least one guard is available to escort and supervise the prisoners. The Prison Council ensures the establishment of programmes, if necessary, such as: (a) programmes for illiterates; (b) second chance schools; (c) vocational training; (d) learning of foreign languages.

⁷⁰ Greece, article 46 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁷¹ Greece, article 43 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁷² Greece, article 47 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁷³ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁷⁴ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

Finally, according to [Ministerial Decision 2357/2019](#)⁷⁵ educational, athletic, cultural, creative activities' and vocational training programmes are being organised for all prisoners. The purpose of these programmes is to improve the skills of detainees, making full use of detention time and prepare for social reintegration. Those programmes are classified into five categories: a) educational programmes for the acquisition of basic skills (learning Greek language and computer science) b) athletic activities, which aim at maintaining the physical and mental health of prisoners and the development of team spirit, c) cultural activities, especially art and culture groups (theater, painting, music, photography, cinema, etc.), d) creative activities, such as construction workshops (ceramics, decorative objects, carpentry, jewelry, etc.) and e) vocational training, which aim at acquiring technical and professional skills and provide as many certified degrees as possible by the competent bodies.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

c. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021(*Ετήσια Ειδική Έκθεση 2020-2021*), available in [EnglishReport](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021.

Η CPT καλεί τις Ελληνικές αρχές να βελτιώσουν σημαντικά τα προγράμματα στοχευμένων δραστηριοτήτων που προσφέρονται στους κρατούμενους (τόσο τους προφυλακισμένους όσο και τους καταδικασμένους), συμπεριλαμβανομένων των εκπαιδευτικών, επαγγελματικών, αθλητικών και ψυχαγωγικών ευκαιριών, σε όλα τα καταστήματα κράτησης.....

The CPT calls upon the Greek authorities to improve substantially the programmes of purposeful activities on offer to inmates (both remand and sentenced), including educational, vocational, sports and recreational opportunities, in all prisons.....

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022

No relevant recommendations are available regarding these aspects

During our inspections, we consistently pay special attention to the available education, training and work programs in the correctional facilities, taking into account their key importance for the detainees' smooth social reintegration. Undoubtedly, we consider the function of lifelong learning programmes, such as Second Chance Schools, a best practice. However, as this heavily depends on available spaces, many correctional facilities, which lack available space, do not provide any educational activities. Our

⁷⁵ Greece, Ministerial Decision 2357/2019 Organization and implementation of educational, athletic, cultural, creative activities' and vocational training programmes by the Ministry of Justice, Transparency and Human Rights for Prisoners (*Οργάνωση και υλοποίηση προγραμμάτων επιμόρφωσης, άθλησης, πολιτιστικών δραστηριοτήτων, δημιουργικής απασχόλησης και επαγγελματικής κατάρτισης από το Υπουργείο Δικαιοσύνης, Διαφάνειας και Ανθρωπίνων Δικαιωμάτων για τους κρατούμενους στα Καταστήματα Κράτησης*), available in [Greek](#) (O.G.G. Issue B 327/8.2.2019).

remarks on the recent shrinking of the Greek rural correctional facilities are also relevant here, since we advocate for their revitalization considering their key importance to social reintegration⁷⁶.

8. Healthcare (note – section 11 contains specific questions concerning female detainees)

a. Access to healthcare

The administration of each prison facility ensures that all prisoners enjoy health care services of similar level to those which exist for the general public on a [24-hour-a-day basis](#)⁷⁷.

In case of emergency treatment, and provided the treatment is not possible in the infirmary of the prison or in the therapeutic establishments of Korydallos Prison Complex (Korydallos Special Health Centre for Prisoners and Korydallos Psychiatric Hospital), the director of the establishment, to prevent danger to the life or serious and permanent damage to the health of a detainee, orders his/her transfer either to a public hospital of the prefecture where the prison facility is located, or, if it is not possible to be hospitalized in this hospital, he/she is transferred, by order of the director of the relevant clinic, [to the nearest public hospital of the prefecture where another prison facility is located](#)⁷⁸.

As regards psychological/psychiatric treatment, mentally ill prisoners are admitted to the infirmary (for a maximum period of one month), or are restricted to a separate space within the detention facility. If necessary for their treatment, they are transferred to a special psychiatric unit of the nearest hospital of the regional unit where the prison facility is located or in a corresponding psychiatric unit of the same district. If deemed necessary by the director of the aforementioned psychiatric unit, detainees are transferred to a special therapeutic prison facility (Korydallos Psychiatric Hospital for Prisoners), [where they receive appropriate care and participate in therapeutic programmes](#)⁷⁹.

In order to deal with the dental problems of the prisoners, a dental department operates in each prison facility, which is staffed by a permanent and, in case of unavailability, by a visiting dentist. To deal with serious surgical dental work, there is a surgical dental department at the Korydallos Special Health Centre for Prisoners, [where prisoners are admitted after a written opinion from the dentist of each](#)

⁷⁶ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G. Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

⁷⁷ Greece, article 27 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022) and article 3 of 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁷⁸ Greece, articles 30 and 74 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁷⁹ Greece, article 27 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικό κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

[prison](#)⁸⁰. The dentist of each prison facility deals with the oral hygiene of prisoners, in particular with fillings and tooth extractions, dental treatments and dental prosthetic work. In case of dental prosthetic work, [prisoners bear the cost themselves](#)⁸¹. Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

b. Availability of medical staff

Doctors, dentists, pharmacists and nurses are included in medical personnel, according to articles 44-49 of the Internal Regulation for the Operation of General Detention Facilities⁸². Their exact duties are listed in detail, in the aforementioned articles.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

c. Medical examination upon admission

All prisoners are being examined on admission to prison or immediately after it and then regularly, twice a year and anytime they ask for it, by either the doctor of the prison (who is a member of the prison staff or a visitor contracted to the prison administration) [or a doctor of their own choice \(in this case prisoners bear the cost themselves\)](#)⁸³.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

d. Preventive care

As regards preventive care and health screening of detainees, according to penitentiary law, the doctor interviews all newly-admitted prisoners and records [their medical history upon admission](#)⁸⁴. The doctor prescribes various examinations and tests (e.g. for HIV, hepatitis, glucose and a chest x-ray). Additionally, an Individual Health Record (card) is kept for each prisoner, in which data of medical interest is recorded, such as the Social Security Registration Number (AMKA) or other related data, the time of each medical examination, the relevant diagnosis, the treatment recommended, as well as the name, specialty and signature of the doctor who examined the prisoner. [This card is kept in the detention facility clinic's file and accompanies the prisoner to each of his/her transfers](#)⁸⁵.

⁸⁰ Greece, article 27 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁸¹ Greece, article 46 of 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁸² Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

⁸³ Greece, article 27 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁸⁴ Greece, article 27 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁸⁵ Greece, article 28 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

No information is available regarding vaccinations⁸⁶

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

e. Specialised care

Chronically ill prisoners are detained in Korydallos Special Health Centre for Prisoners. Additionally, prisoners who suffer from chronic diseases at the time of their detention may request that their treatment is carried out by their personal doctor (in this case prisoners bear the cost themselves), in the presence of the [facility's doctor](#)⁸⁷.

Mentally ill prisoners are admitted to the infirmary (for a maximum period of one month), or are restricted to a separate space within the detention facility. If necessary for their treatment, they are transferred to a special psychiatric unit of the nearest hospital of the regional unit where the prison facility is located or in a corresponding psychiatric unit of the same district. If deemed necessary by the director of the aforementioned psychiatric unit, detainees are transferred to a special therapeutic prison facility (Korydallos Psychiatric Hospital for Prisoners), [where they receive appropriate care and participate in therapeutic programmes](#)⁸⁸.

The right to health services of similar level to those for the [general population](#)⁸⁹ also includes the right to treatment of prisoners facing problems by using addictive substances. Additionally, drug addicted detainees are subject to the legal regime defined by [special legal provisions](#)⁹⁰. For that purpose there are several detention premises where operate consultation stations and therapeutic programmes. For instance, the Centre for the Treatment of Drug Addicted Detainees- K.A.K.T. "EPILOGI" (Choice), supervised by the Ministry of Citizen Protection, is operating [in Eleona Thiva prison Complex and offering a full detoxification programme run and staffed fully by the prison service \(therapeutic personnel, custodial and perimeter security staff\)](#)⁹¹.

In general, prisoners who are addicted drug users have the right to: 1. request to participate in a counselling or therapeutic programme operating at the prison facility where they are being detained, 2. request to be transferred to K.A.T.K. or to another facility where a therapeutic programme is operating so that they follow it, if they meet the law requirements, 3. Request not to be transferred to a detention premise where they cannot continue to participate in a counselling or therapeutic programme, 4.

⁸⁶ No relevant information was given for this specific question by the representatives of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024.

⁸⁷ Greece, article 27 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁸⁸ Greece, article 27 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁸⁹ Greece, article 27 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁹⁰ Greece, article 30 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

⁹¹ Ministerial Decision 1154/4.9.2002, Pilot operation of the Centre for the Treatment of Drug Addicted Prisoners in Eleona Thiva, for physical and mental detoxification and social reintegration of detained drug addicts and psychotropic substance users (*Πιλοτική λειτουργία του Κέντρου Απεξάρτησης Τοξικομανών Κρατούμενων Ελαιώνα Θηβών για τη σωματική και ψυχική απεξάρτηση και την κοινωνική επανένταξη των κρατούμενων τοξικομανών και χρηστών ψυχοτρόπων ουσιών*), available in [Greek](#) (OGG Issue B 137061/4.9.2002).

request, fully applying [Law 4139/2013](#)⁹², by the Special Committee prescribed by [article 31](#)⁹³, to decide on their placement in a physical detoxification and mental rehabilitation programme in prison and 5. be informed by the social service and the scientific staff of the prison facility where they are being detained concerning counselling and therapeutic programmes that are currently operating.

Article 34 of Law 4139/2013 on Addictive Substances provides that prisoners who claim that are addicted to drugs, and wish to participate in a rehabilitation programme must first go through a diagnostic and detoxification process for a period of one to three weeks, based on their specific needs, [as assessed by the head of the relevant programme](#)⁹⁴. This process includes drug replacement therapy⁹⁵. A committee, appointed by the competent Minister and comprising the detention facility's Council and the head of the facility's detoxification and rehabilitation programme, assesses the success of the above process and, following the diagnosis of the prisoner as psychologically dependent on the use of drugs, grants them permission to follow a specialised programme of psychological rehabilitation, [administered within the facility](#)⁹⁶.

The aforementioned programmes and processes are administered by specialised, accredited organisations, listed in article 51 of [law 4139/2013](#).⁹⁷ Ministerial Decree 212/2014 regulates the establishment and operation of OKANA (National Organisation Against Drugs), a legal entity and social actor for drug-related policy, prevention and treatment supervised by the Ministry of Health, within the detention facilities of Patras and Korydallos⁹⁸. Treatment and rehabilitation programmes run by OKANA are administered in specially modified areas within the detention facilities. These areas should include a space for administrative personnel, a space for therapy sessions, a space for administering pharmaceutical treatments, and a lavatory. Prisoners participating in treatment and rehabilitation programmes are also tested for infectious diseases commonly associated with drug abuse, such as HIV-AIDS, hepatitis, and TB. Finally, OKANA is responsible for providing the necessary education and training to the detention facility's personnel as regards all matters related to the implementation of the treatment and rehabilitation programmes. [Prisoners participating in treatment and rehabilitation](#)

⁹² Greece, Law 4139/2013 on addictive substances (*Νόμος Περί Εξαρτησιογόνων Ουσιών*), available in [Greek](#) (OGG Issue A 74/20.03.2013).

⁹³ Greece, article 31 of Law 4139/2013 on addictive substances (*Νόμος Περί Εξαρτησιογόνων Ουσιών*), available in [Greek](#) (OGG Issue A 74/20.03.2013).

⁹⁴ Greece, article 34 of Law 4139/2013 Law on addictive substances (*Νόμος Περί Εξαρτησιογόνων Ουσιών*), available in [Greek](#) (OGG Issue A 74/20.03.2013).

⁹⁵ Greece, Ministerial Decree 212/2014, Establishment and Operation by OKANA of Addiction Treatment Units with the provision of substitutes in the detention centers of Korydallos and Patras (*Ίδρυση και Λειτουργία από τον OKANA Θεραπευτικών Μονάδων αντιμετώπισης της εξάρτησης με την χορήγηση υποκατάστατων στα καταστήματα κράτησης Κορυδαλλού και Πατρών*)(OGG issue B 524/28.2.2014); Ministerial Decree Υ5γ/Γ.Π.οικ.100847/14.10.2002 Authorization of providing substances for the remedy from drugs dependence from the Combatting Drugs Organisation (*Άδεια χορήγησης ουσιών για την αποκατάσταση της εξάρτησης από τον Οργανισμό Καταπολέμησης Ναρκωτικών*) (OGG Issue B' 1343/2002).

⁹⁶ Greece, article 31 of Law 4139/2013 on addictive substances (*Νόμος Περί Εξαρτησιογόνων Ουσιών*), available in [Greek](#) (OGG Issue A 74/20.03.2013).

⁹⁷ Greece, article 51 of Law 4139/2013 Law on Addictive Substances (*Νόμος Περί Εξαρτησιογόνων Ουσιών*), available in [Greek](#) (OGG Issue A 74/20.03.2013).

⁹⁸ Greece, Ministerial Decree 212/2014, (OG issue B 524/28.2.2014).

[programmes are not to be transferred to a different detention facility for the duration of the programme they are following](#)⁹⁹.

Another accredited organisation, listed in article 51 of [law 4139/2013](#)¹⁰⁰, is KETHEA, which provides counselling, rehabilitation and reintegration services to prisoners. The Centre for the Treatment of Drug-dependent Persons (KETHEA), provides psychosocial counselling and motivational support for prisoners while running therapeutic units inside Greek prison facilities as well as reception, [treatment and social reintegration centres for former inmates in society](#).¹⁰¹

As regards sick and elderly detainees, article 105 of the [Greek Penal Code](#)¹⁰² provides home detention as a way of executing the prison detention for convicted offenders over 70 years. [It is also compulsory to serve the sentence at home for prisoners who suffer from end-stage acquired immune deficiency syndrome, chronic renal failure and undergo regular dialysis, resistant tuberculosis or are quadriplegic, cirrhosis of the liver with a disability over sixty-seven percent \(67%\), senile dementia or end-stage malignant neoplasms](#).¹⁰³

Sick prisoners enjoy a beneficial calculation for the serving of their sentences, as one day of stay in a penitentiary facility is automatically calculated as two days, shortening thus the custodial part of the sentence served. Currently, according to article 105b of the Penal Code, each day of detention of prisoners who have hemiplegia or paraplegia, multiple sclerosis or have undergone a heart, liver, kidney or bone marrow transplant operation or are carriers of the Acquired Immune Deficiency Syndrome or have malignant neoplasms or renal failure for which regular hemodialysis is being performed or tuberculosis during its treatment, shall be beneficially counted as two (2) days of the suspended sentence. The same applies to a) prisoners with a disability rate of fifty percent (50%) or more, who cannot work, if it is judged that their stay in the detention center becomes particularly burdensome due to their inability to take care of themselves, b) detainees with a disability rate of sixty-seven percent (67%) or more, c) detainees who, following an opinion from a Center for the Certification of Disability (KE.P.A.), are prohibited from undertaking work or employment that can reasonably cause serious and permanent damage to their health. [In any case, a minimum portion of the sentence must be served](#)¹⁰⁴.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

f. Treatment of the detainee's choosing

In case of chronic diseases detainees can ask for medical treatment from their own private doctor, in the presence also of the establishment's doctor. [In that case the prisoners must bear the relevant](#)

⁹⁹ Greece, article 30 of Law 4139/2013 Law on Addictive Substances (*Νόμος Περί Εξαρτησιογόνων Ουσιών*), available in [Greek](#) (OGG Issue A 74/20.03.2013).

¹⁰⁰ Greece, article 51 of Law 4139/2013 Law on Addictive Substances (*Νόμος Περί Εξαρτησιογόνων Ουσιών*), available in [Greek](#) (OGG Issue A 74/20.03.2013).

¹⁰¹ KETHEA- Therapy Centre for Dependant Individuals, available at: [Home - ΚΕΘΕΑ \(kethea.gr\)](#) (accessed 20 March 2024) [in English].

¹⁰² Greece, Law 4619/2019 Penal Code (*Ποινικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 95/11.06.2019)

¹⁰³ Greece, article 105 of Law 4619/2019 Penal Code (*Ποινικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 95/11.06.2019).

¹⁰⁴ Greece, article 105b of Law 4619/2019 Penal Code (*Ποινικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 95/11.06.2019).

[expenses](#)¹⁰⁵. Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

g. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021 (*Ετήσια Ειδική Έκθεση 2020-2021*), available in [English Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021.

Υπηρεσίες υγειονομικής περίθαλψης στο κατάστημα κράτησης

HCPT επαναλαμβάνει τη σύστασή της σύμφωνα με την οποία, ως αρχικό μέτρο, οι ελληνικές αρχές πρέπει να ενισχύσουν επειγόντως τα επίπεδα προσωπικού στον τομέα της υγειονομικής περίθαλψης ως εξής:

Στα καταστήματα κράτησης της Χίου και της Κω, να εξασφαλίσουν ότι κάθε κατάστημα κράτησης έχει καθημερινή νοσηλευτική παρουσία.

Στο κατάστημα κράτησης της Κέρκυρας, να εξασφαλίσουν την εισαγωγή του Ισοδύναμου Πλήρους Απασχόλησης (ΙΠΑ) 0,5 γενικών ιατρών και δύο νοσοκόμων ΙΠΑ.

Στο κατάστημα κράτησης Νιγρίτας, να εξασφαλίσουν την συμβολή ΙΠΑ 1,5 γενικών γιατρών πλήρους απασχόλησης και να ενισχυθεί σημαντικά το εξειδικευμένο νοσηλευτικό προσωπικό σε τουλάχιστον 6 νοσηλευτές πλήρους απασχόλησης, το νοσηλευτικό προσωπικό θα πρέπει να είναι παρόν στο κατάστημα κράτησης κάθε ημέρα της εβδομάδας.

Στο Κατάστημα Κράτησης Ανδρών Κορυδαλλού, να εξασφαλίσουν την συμβολή των ΙΠΑ 3 γενικών ιατρών και 12 νοσηλευτών ΠΕΑ, εκ των οποίων τουλάχιστον δύο θα πρέπει να έχουν εργασιακή εμπειρία στον τομέα της ψυχικής υγείας.

Στο κατάστημα κράτησης της Κέρκυρας, θα πρέπει να θεσπιστούν ρυθμίσεις ώστε να διασφαλίζεται η τακτική συμμετοχή ψυχιάτρου και κλινικώς εκπαιδευμένου ψυχολόγου. Επιπλέον, ο αριθμός των οδοντιατρικών και ψυχιατρικών επισκέψεων θα πρέπει να αυξηθεί, ιδίως στα Κατάστημα Κράτησης Ανδρών Κορυδαλλού και Νιγρίτας.

Η CPT επαναλαμβάνει επίσης τη μακροχρόνια σύστασή της ότι οι κρατούμενοι δεν θα πρέπει να συμμετέχουν στην εκτέλεση των καθηκόντων υγειονομικής περίθαλψης και σε καμία περίπτωση δεν θα πρέπει να πραγματοποιούν τη χορήγηση φαρμάκων και/ή να έχουν πρόσβαση σε ιατρικά αρχεία. Η CPT επιθυμεί να λάβει χρονοδιάγραμμα για τη σταδιακή κατάργηση της χρήσης κρατουμένων για την εκτέλεση καθηκόντων υγειονομικής περίθαλψης στις εγκαταστάσεις στις οποίες πραγματοποιήθηκε επίσκεψη.

¹⁰⁵ Greece, article 27 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

Επιπλέον, η CPT επαναλαμβάνει ότι, κατ' αρχήν, οι σωφρονιστικοί υπάλληλοι δεν θα πρέπει να ασκούν ιατρικά καθήκοντα. Εν αναμονή της πρόσληψης επαρκούς υγειονομικού προσωπικού, οι σωφρονιστικοί υπάλληλοι που δεν διαθέτουν τα σχετικά προσόντα δεν θα πρέπει να ασκούν νοσηλευτικά καθήκοντα. Επιπλέον, οι ειδικευμένοι σωφρονιστικοί υπάλληλοι που εργάζονται στην υγειονομική υπηρεσία ενός καταστήματος κράτησης θα πρέπει να τελούν υπό την εποπτεία του ανώτερου ιατρού/υπεύθυνου νοσοκόμου που είναι αρμόδιος για την υπηρεσία. Η CPT θα ήθελε επίσης να λάβει περισσότερες λεπτομέρειες σχετικά με τις ρυθμίσεις για την παροχή τηλεϊατρικής στο κατάστημα κράτησης Κω.

Η CPT επαναλαμβάνει τη σύστασή της να επανεξεταστεί το σύστημα διανομής και χορήγησης φαρμάκων προκειμένου να διασφαλιστεί ότι είναι ασφαλές και υπεύθυνο.

Η CPT επαναλαμβάνει τη σύστασή της προς τις ελληνικές αρχές να διασφαλίσουν ότι κάθε νεοεισερχόμενος κρατούμενος θα πρέπει να εξετάζεται διεξοδικά και να εξετάζεται σωματικά από γιατρό ή πλήρως ειδικευμένο νοσηλευτή που θα αναφέρεται σε γιατρό εντός 24 ωρών από την εισαγωγή του και ότι τα αποτελέσματα θα πρέπει να σημειώνονται επιμελώς στον προσωπικό ιατρικό φάκελο του κρατουμένου. Περαιτέρω, σε όλους τους νεοεισερχόμενους κρατούμενους θα πρέπει να προσφέρεται συστηματικά έλεγχος για μεταδοτικές ασθένειες όπως η ηπατίτιδα Β και C, ο ιός HIV και η φυματίωση.

Η CPT επαναλαμβάνει τη σύστασή της να ληφθούν μέτρα σε όλα τα ιδρύματα ώστε να διασφαλιστεί ότι ο φάκελος που συντάσσεται μετά την ιατρική εξέταση ενός κρατουμένου - είτε πρόκειται για νεοαφιχθέντα είτε για κρατούμενο μετά από βίαιο περιστατικό στο κατάστημα κράτησης - συμμορφώνεται με τις διαδικασίες που ορίζει η CPT στην παράγραφο 50 της έκθεσής της για την επίσκεψη του 2019. Θα πρέπει επίσης να γίνει αναφορά στο Πρωτόκολλο της Κωνσταντινούπολης του 1999 για την αποτελεσματική διερεύνηση και τεκμηρίωση των βασανιστηρίων και άλλων σκληρών, απάνθρωπων ή εξευτελιστικών μεταχειρίσεων ή τιμωριών.

Η CPT επαναλαμβάνει την πάγια σύστασή της προς τις Ελληνικές αρχές να λάβουν τα απαραίτητα μέτρα για τη διασφάλιση του ιατρικού απορρήτου τόσο των επισκέψεων όσο και των ιατρικών δεδομένων. Αυτό απαιτεί την πρόσληψη επιπλέον νοσηλευτών, όπως συνιστάται παραπάνω.

η CPT καλεί τις Ελληνικές αρχές να καταρτίσουν μια ολοκληρωμένη στρατηγική για την παροχή βοήθειας σε κρατούμενους με προβλήματα που σχετίζονται με τα ναρκωτικά, στο πλαίσιο μιας εθνικής στρατηγικής σχετικά με τη χρήση ουσιών. Στο πλαίσιο αυτής της εθνικής προσέγγισης, η Επιτροπή συνιστά να μπορεί ο ΟΚΑΝΑ να προσφέρει θεραπεία με οπιοειδή αγωνιστές στα καταστήματα κράτησης και να διατίθενται επαρκείς υπηρεσίες διερμηνείας για την υποστήριξη του έργου των ψυχιάτρων και των ψυχολόγων. Επιπλέον, θα πρέπει να αυξηθεί ο αριθμός των συμβούλων που εργάζονται για το ΚΕΘΕΑ. Επιπλέον, η CPT συνιστά στις Ελληνικές αρχές να αρχίσουν να καταρτίζουν στατιστικά στοιχεία σχετικά με τη χρήση ουσιών από τους κρατουμένους, ώστε να εκτιμηθούν με μεγαλύτερη ακρίβεια οι ανάγκες και η έκταση του προβλήματος και, ως εκ τούτου, να προσδιοριστούν καλύτερα τα μέτρα που απαιτούνται για την αντιμετώπισή του.

Ειδικό Κέντρο Υγείας Κορυδαλλού

Η CPT επαναλαμβάνει τη σύστασή της να λάβουν οι Ελληνικές αρχές, και ιδίως το Υπουργείο Υγείας, επείγοντα μέτρα για τη σημαντική αύξηση του αριθμού του ειδικευμένου προσωπικού υγειονομικής

περίθαλψης που απασχολείται στο Ειδικό Κέντρο Υγείας. Περαιτέρω, θα πρέπει να δημιουργηθούν συστήματα που να εξασφαλίζουν καλύτερο συντονισμό και ανταλλαγή πληροφοριών μεταξύ του ιατρικού προσωπικού.

Η CPT επαναλαμβάνει τη σύστασή της να διασφαλίσουν οι Ελληνικές αρχές ότι θα δημιουργηθεί ένας ενιαίος ηλεκτρονικός φάκελος υγείας για κάθε ασθενή. Περαιτέρω, θα πρέπει να καταρτιστεί ατομικό σχέδιο περίθαλψης για κάθε ασθενή.

Η CPT επαναλαμβάνει τη σύστασή της ότι το σύστημα διανομής και χορήγησης φαρμάκων πρέπει να επανεξεταστεί προκειμένου να διασφαλιστεί ότι είναι ασφαλές και υπεύθυνο.

Ψυχιατρική Μονάδα Κρατουμένων Κορυδαλλού

Η CPT συνιστά στις Ελληνικές αρχές να λάβουν επείγοντως μέτρα για τη σημαντική ενίσχυση του προσωπικού της Ψυχιατρικής Μονάδας Κρατουμένων Κορυδαλλού, ιδίως όσον αφορά τους ψυχιάτρους και τους νοσηλευτές. Ταυτόχρονα, θα πρέπει να ληφθούν μέτρα για την κατάργηση της πρακτικής της συμμετοχής σωφρονιστικών υπαλλήλων στην εκτέλεση καθηκόντων υγειονομικής περίθαλψης στο νοσοκομείο. Περαιτέρω, θα πρέπει να βελτιωθούν οι συνθήκες διαβίωσης στις οποίες φιλοξενούνται οι ασθενείς.

Health care services in prison

The CPT reiterates its recommendation that, as an initial measure, the Greek authorities urgently reinforce health care staffing levels as follows:

- at Chios and Kos Prisons, ensure each prison has a daily nursing presence; - at Corfu Prison, ensure the input of the Full Time Equivalent (FTE) of 0.5 general practitioners and of two FTE nurses;

- at Nigrita Prison, ensure the input of the FTE of 1.5 general practitioners and reinforce significantly the qualified nursing complement to at least 6 FTE nurses; nursing staff should be present in the prison every day of the week;

- at Korydallos Men's Prison, ensure the input of the FTE of 3 general practitioners and of 12 FTE nurses, at least two of whom should have mental health work experience.

At Corfu Prison, arrangements should be put in place to ensure there is a regularly input by a psychiatrist and a clinically trained psychologist. Further, the number of dental and psychiatric consultations should be increased, notably at Korydallos Men's and Nigrita Prisons.

The CPT also reiterates its long-standing recommendation that prisoners should not be involved in the performance of health care tasks, and under no circumstances should they perform the dispensing of medicines and/or have access to medical records. The CPT wishes to receive a timetable for the phasing out of using prisoners for carrying out health care tasks in the establishments visited. In addition, the CPT reiterates that, in principle, prison officers should not perform medical duties. Pending the recruitment of sufficient healthcare staff, prison officers who do not possess the relevant qualifications should not carry out nursing functions. Further, any qualified prison officers working in the health care service of a prison should be under the authority of the senior doctor/nurse manager responsible for the service.

The CPT reiterates its recommendation that the system of medicine dispensing and administration be reviewed in order to ensure it is both safe and accountable.

The CPT reiterates its recommendation that the Greek authorities ensure that every newly arrived prisoner be comprehensively interviewed and physically examined by a doctor or a fully qualified nurse reporting to a doctor within 24 hours of admission, and that the results be diligently noted in the prisoner's personal medical record. Further, all newly admitted prisoners should be routinely offered screening for transmissible diseases such as Hepatitis B and C, HIV and Tuberculosis.

The CPT reiterates its recommendation that steps be taken in all establishments to ensure that the record drawn up after the medical examination of a prisoner – whether newly arrived or following a violent incident in the prison complies with the procedures set out by the CPT in paragraph 50 of its report on the 2019 visit. Reference should also be had to the Istanbul Protocol of 1999 on the effective investigation and documentation of torture and other cruel, inhuman or degrading treatment or punishment

The CPT reiterates its long-standing recommendation that the Greek authorities take the necessary steps to guarantee medical confidentiality both of consultations and of medical data. This necessitates recruiting additional nurses as recommended above.

The CPT calls upon the Greek authorities to draw up a comprehensive strategy for the provision of assistance to prisoners with drug-related problems, as part of a national strategy concerning substance use. Within this national approach, the Committee recommends that OKANA should be able to offer opioid agonist therapy in prisons and that sufficient interpretation services be made available to support the work of the psychiatrists and psychologists. Further, the number of counsellors working for KETHEA should be increased. In addition, the CPT recommends that the Greek authorities start compiling statistics on substance use among prisoners in order to gauge more accurately the needs and the extent of the problem and thereby better identify the measures required to tackle it.

Korydallos Prison Special Health Centre

The CPT reiterates its recommendation that the Greek authorities, and notably the Ministry of Health, take urgent steps to significantly increase the number of qualified health care personnel employed at the Special Health Centre. Further, systems should be put in place to ensure a better coordination and exchange of information between medical staff.

The CPT reiterates its recommendation that the Greek authorities ensure that a single computerised electronic health record be established for each patient. Further, an individual care plan should be drawn up for each patient.

Korydallos Psychiatric Hospital for Prisoners

The CPT recommends that the Greek authorities take urgent action to significantly reinforce the staffing complement at the Korydallos Psychiatric Hospital for prisoners, notably in respect of psychiatrists and of nurses. At the same time, steps should be taken to abolish the practice of involving prison officers in the performance of health-care duties in the hospital. Further, the living conditions in which patients are accommodated should be improved.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022

The report is not available in Greek

The CPT reiterates its recommendation that the Greek authorities adopt a revised Strategic Plan, which includes a detailed implementation schedule, with a view to setting out a more detailed plan for the years ahead, taking into account the above remarks. In particular, the following areas should be covered and addressed:

- *the role and input of the Ministry of Health in the provision of somatic and mental healthcare, including as regards the staffing of healthcare services in prisons;*

During our inspections, we have observed disparities in the provision of healthcare services across correctional facilities, depending on whether the latter employ permanent medical staff and are located within a short distance from the nearest hospital. A persistent issue has been the pharmaceutical coverage of uninsured detainees who were in need of expensive medication. This issue, however, seems to have been resolved recently, with the introduction of the provisional insurance number for detainees (ΠΑΥΠΕΚ). Treating addiction in correctional facilities seems to be a horizontal issue since only a few facilities offer addiction treatment programs.¹⁰⁶

9. Prevention of violence and ill-treatment

a. Protection from violence by prison staff

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](#)¹⁰⁷. 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. Almost half of Greek prison facilities provide emergency call buttons inside each cell¹⁰⁸. The General Secretariat of Crime Policy of the Ministry of Citizen Protection founded the School of correctional officers (established on January 2022) and the School of external guards/ perimeter security staff (established on January 2023), with ultimate goal their stable operation at regular time

¹⁰⁶ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

¹⁰⁷ Greece, 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'), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

¹⁰⁸ As reported by the administration of a Greek prison, following interview conducted by telephone, on April 2nd 2024.

spans, i.e. not only as institutions of introductory education, but also lifelong learning(retraining). Some courses taught at the School of correctional officers, are related to ensure and protect prisoners' rights, communicate effectively and prevent acts of violence against prisoners within prison facilities¹⁰⁹.

Regarding prisoners' access to complaints mechanism, in case of a violent act against them, they have the right to report in writing, within a reasonable time, to the [Prison Council](#)¹¹⁰. Within fifteen (15) days of notification of the decision denying their request, or within one (1) month of the submission of the written report, if no decision has been issued, prisoners have the right to appeal to the Court of Execution of Sentences. This Court, if it accepts the appeal in substance, removes the results resulting from the illegal/violent action or order. The competent service of the Ministry of Citizen Protection, which supervises the operation of the prison facility, ensures the immediate compliance with the decision of the Prison's Council, revokes the illegal/violent action, satisfies the prisoner's request and inspects the parties that are responsible. Finally, the administration of the prison facility is under the obligation to forward, within a three day period, any report or letter by a prisoner addressed to a state authority (e.g the Ombudsman¹¹¹) or international organization, without becoming informed of its contents. A special protocol registry is kept to this effect. As added in the revised Penitentiary Code, [article 6A](#)¹¹² now provides for a domestic remedy for persons in prison who are held in conditions of detention which violate the provisions of Article 3 of the European Convention on Human Rights (access to an effective remedy).

Furthermore, article 25 of the Internal Regulation for the Operation of [General Detention Facilities](#)¹¹³ sets out the right of prisoners to be heard, as well as the conditions for the protection of this right to be heard by the Prosecutor Supervisor of the Prison. Article 31 of the Internal Regulation for the Operation of General Detention Facilities¹¹⁴ also stipulates the right of prisoners to file a complaint of violence from guards/prison staff to any public authority, inside or outside the Prison, as well as their legal protection by the Courts. If the complaint is rejected, detainees may challenge this decision under articles 6 and 86

¹⁰⁹ As reported by representative of the competent directorate of the Ministry of Citizen Protection, by email, on April 8th 2024.

¹¹⁰ Greece, article 6 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹¹¹ A detainee can also appeal to the Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

¹¹² Greece, article 6A of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹¹³ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

¹¹⁴ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

of [Penitentiary Code](#)¹¹⁵ before the competent enforcement tribunal. National law also provides additional remedies, as it allows detainees to make their complaints before the competent public prosecutor, under article 567 of the [Code of Penal Procedure](#)¹¹⁶. The public prosecutor is required to visit the prison once a week and monitors the treatment of detainees, the execution of sentences and the implementation of security measures of the facility.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

b. Protection from violence by other detainees

According to Greek Penitentiary Code, the use of violence against a prisoner constitutes a [disciplinary offence](#)¹¹⁷, therefore, disciplinary proceedings as provided for in the [relevant legislation](#)¹¹⁸ are initiated in such cases. A written report is submitted immediately after the commission of the offence or once both the act and the person responsible become known, and the Disciplinary Board of the prison facility is convened within 48 hours, otherwise within five days of the submission of the report. The decision of the Disciplinary Board shall be specifically reasoned, shall be issued immediately after the hearing of the case and if a penalty is imposed, it shall be recorded in the registers of the facility and on the prisoner's personal record.

Violence, threat of violence, and sexual violence against a prisoner by other detainees, besides potentially giving rise to autonomous criminal proceedings, constitute serious disciplinary offences (class A 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 51-100 "[penalty points](#)"¹¹⁹. Generalised violence is dealt with through measures ordered by the prison's public prosecutor (supervisor), or in cases of emergency, by the director or the warden of the facilities, in collaboration with police forces. Internal Regulation for the Security of Detention Facilities¹²⁰ sets out specific security measures applicable to the interior as well as the perimeter of the facilities.

Detainees are supervised by prison staff on a 24/7 basis¹²¹.

The General Secretariat of Crime Policy of the Ministry of Citizen Protection founded the School of correctional officers (established on January 2022) and the School of external guards/ perimeter security staff (established on January 2023), with ultimate goal their stable operation at regular time spans, i.e.

¹¹⁵ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹¹⁶ Greece, Law 4620/2019 Penal Code (*Κώδικας Ποινικής Δικονομίας*), available in [Greek](#) (O.G.G. Issue A 96/11.06.2019).

¹¹⁷ Greece, article 68 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹¹⁸ Greece, article 71 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹¹⁹ Greece, Articles 68 and 69 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹²⁰ Greece, Ministerial Decree 104356/2014 Internal Regulation for the security of detention facilities (*Κανονισμός Ασφάλειας των Καταστημάτων Κράτησης*) (OG Β' 3581/2014)

¹²¹ As reported by the administration of a Greek prison, following interview conducted by telephone, on April 2nd 2024.

not only as institutions of introductory education, but also lifelong learning(retraining). Some courses taught at the School of correctional officers, are related to prevention and de- escalation techniques¹²².

Regarding prisoners' access to complaints mechanism, in case of a violent act by other detainees against them, they have the right to report in writing, within a reasonable time, to the [Prison Council](#)¹²³. Within fifteen (15) days of notification of the decision denying their request, or within one (1) month of the submission of the written report, if no decision has been issued, prisoners have the right to appeal to the Court of Execution of Sentences. This Court, if it accepts the appeal in substance, removes the results resulting from the illegal/violent action. The competent service of the Ministry of Citizen Protection, which supervises the operation of the prison facility, ensures the immediate compliance with the decision of the Prison's Council, revokes the violent action, satisfies the prisoner's request and inspects the parties that are responsible. Finally, the administration of the prison facility is under the obligation to forward, within a three day period, any report or letter by a prisoner addressed to a state authority (e.g the Ombudsman¹²⁴) or international organization, without becoming informed of its contents. A special protocol registry is kept to this effect. As added in the revised Penitentiary Code, [article 6A](#)¹²⁵ now provides for a domestic remedy for persons in prison who are held in conditions of detention which violate the provisions of Article 3 of the European Convention on Human Rights (access to an effective remedy).

Furthermore, article 25 of the Internal Regulation for the Operation of [General Detention Facilities](#)¹²⁶ sets out the right of prisoners to be heard, as well as the conditions for the protection of this right to be heard by the Prosecutor Supervisor of the Prison. Article 31 of the Internal Regulation for the Operation of [General Detention Facilities](#)¹²⁷ also stipulates the right of prisoners to file a complaint of violence to any public authority, inside or outside the Prison, as well as their legal protection by the Courts. If the complaint is rejected, detainees may challenge this decision under articles 6 and 86 of Penitentiary Code¹²⁸ before the competent enforcement tribunal. National law also provides additional remedies, as

¹²² As reported by representative of the competent directorate of the Ministry of Citizen Protection, by email, on April 8th 2024.

¹²³ Greece, article 6 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹²⁴ A detainee can also appeal to the Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

¹²⁵ Greece, article 6A of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹²⁶ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

¹²⁷ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

¹²⁸ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022)

it allows to detainees to make their complaints before the competent public prosecutor, under article 567 of the [Code of Penal Procedure](#)¹²⁹. The public prosecutor is required to visit the prison once a week and monitors the treatment of detainees, the execution of sentences and the implementation of security measures of the facility.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

c. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021 (*Ετήσια Ειδική Έκθεση 2020-2021*), available in [EnglishReport](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021.

Κακομεταχείριση κρατουμένων από το προσωπικό

“Η CPT συνιστά στις Ελληνικές αρχές να επαναλάβουν στο κατάστημα κράτησης της Κέρκυρας το σαφές μήνυμα ότι η σωματική κακομεταχείριση των κρατουμένων είναι εντελώς απαράδεκτη και θα τιμωρηθεί αναλόγως. Η διοίκηση του καταστήματος κράτησης της Κέρκυρας θα πρέπει να επιδεικνύει αυξημένη επαγρύπνηση σε αυτόν τον τομέα, διασφαλίζοντας την τακτική παρουσία των υπευθύνων του καταστήματος κράτησης (συμπεριλαμβανομένου του διευθυντή) στους χώρους κράτησης, την άμεση επαφή τους με τους κρατουμένους, τη διερεύνηση των καταγγελιών που υποβάλλουν οι κρατούμενοι και τη βελτίωση της κατάρτισης του προσωπικού του καταστήματος κράτησης”.

Ill-treatment of prisoners by staff

“The CPT recommends that the Greek authorities reiterate to custodial staff at Corfu Prison the clear message that physical ill-treatment of prisoners is wholly unacceptable and will be sanctioned accordingly. The management at Corfu Prison should demonstrate increased vigilance in this area, by ensuring the regular presence of prison managers (including the director) in the detention areas, their direct contact with prisoners, the investigation of complaints made by prisoners, and improved prison staff training”.

Βία μεταξύ φυλακισμένων

Η CPT επαναλαμβάνει τη σύστασή της να χαράξουν οι ελληνικές αρχές μια αποτελεσματική εθνική στρατηγική για την πρόληψη της βίας και του εκφοβισμού μεταξύ φυλακισμένων, υπό το πρίσμα των ανωτέρω παρατηρήσεων. Η στρατηγική αυτή πρέπει να περιλαμβάνει εκτίμηση κινδύνων και αναγκών και κατάλληλη κατανομή βάσει αυτής της αξιολόγησης κάθε κρατουμένου που εισέρχεται στο σωφρονιστικό σύστημα, τον κατάλληλο έλεγχο των πτερύγων από το σωφρονιστικό προσωπικό, τον διαχωρισμό ισχυρότερων ομάδων κρατουμένων από άλλους κρατουμένους, τη μείωση του υπερπληθυσμού και την παροχή δραστηριοτήτων. Πρέπει επίσης να βελτιωθεί η ορθή καταγραφή και αναφορά και η διεξοδική διερεύνηση ύποπτων περιπτώσεων βίας και εκφοβισμού και, κατά

¹²⁹ Greece, Law 4620/2019 Penal Code (*Κώδικας Ποινικής Δικονομίας*), available in [Greek](#) (O.G.G. Issue A 96/11.06.2019).

περίπτωση, η θέσπιση κατάλληλων κυρώσεων ή άλλων μέτρων, καθώς και η ανάπτυξη αποτελεσματικών παρεμβάσεων για τη μείωση της βίας. Πάνω απ' όλα, ως προαπαιτούμενο, κάθε στρατηγική θα απαιτεί σημαντική αύξηση του αριθμού των σωφρονιστικών υπαλλήλων, πέραν εκείνων που προσλαμβάνονται επί του παρόντος.

Inter-prisoner violence

The CPT reiterates its recommendation that the Greek authorities devise an effective national strategy concerning the prevention of inter-prisoner violence and intimidation, in the light of the above comments. Such a strategy must include a risk and needs assessment and an appropriate allocation based on this assessment of every prisoner entering the prison system, the proper control of the wings by prison staff, the separation of stronger groups of prisoners from other prisoners, a reduction in overcrowding and the provision of activities. There must also be an improvement in the proper recording and reporting and the thorough investigation of suspected cases of violence and intimidation and, where appropriate, the adoption of suitable sanctions or other measures, as well as the development of effective violence reduction interventions. Above all, as a prerequisite, any strategy will require a significant increase in the number of prison officers, over and above those currently being recruited.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022.

No relevant recommendations are available regarding these aspects.

The Greek Ombudsman has only investigated such issues following the submission of specific complaints. Following interviews with detainees, we have remarked that the latter seem hesitant to report violent incidents but, it remains a fact that we have not conducted a systematic investigation on the matter¹³⁰.

10. Contact with the outside world

According to [Greek penitentiary code](#)¹³¹, the regular and uninterrupted communication of each prisoner with the wider social environment aims at the smooth living in the prison facility and the faster adaptation to social life after release.

¹³⁰ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

¹³¹ Greece, article 51 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022)

a. Visits

According to article 52 of the [Penitentiary Code](#)¹³², any convicted detained person has the right to receive visits, once a week, from relatives up to the fourth degree, whose duration is at least of half an hour. On the other hand, every pre-trial detainee has the right to receive visits, twice a week, from relatives up to the fourth degree, [whose duration is at least of half an hour](#)¹³³.

The visits from legal representatives have no numerical or time limitation. The Prison Council may, on its own initiative or after a written or oral proposal from the social service or at the request of a prisoner, allow the visit of other persons (outside the family environment) or associations, which are estimated not to have an adverse effect on the prisoner. Representatives of social organizations, members of scientific societies, cultural, religious or other associations have the right to visit prisoners after the permission of the Prison Council. The social service of each prison facility is taking care of maintaining the family bonds of each prisoner or of creating positive interpersonal relations with third parties. [The prison council can also extend the duration of visits to detainees or allow the visit of other persons or entities that are estimated to have a beneficial effect on the prisoner](#)¹³⁴. The visits are taking place in a special and suitable area of the prison facility where there is only visual inspection. Upon a prisoner's request and provided the permission of the Prison Council, [visiting is allowed in an area without grid or other separating means](#)¹³⁵. Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

b. Correspondence

Each inmate can communicate with a telephone located in a common, visually controlled area of the prison facility. There is no limit in the number of phone calls made. [There is only a limit as regards the value of phone-cards a prisoner can possess – up to 25 euros worth each time](#)¹³⁶. The possession and use of mobile phones is strictly forbidden. By decision of the Prison Council, the special conditions of communication with the public telephones, as well as the cases of communication with persons who do not have the right to visit are determined. In any case, the Prison Council can limit the prisoner's communication when there is a serious risk of disrupting the proper and safe operation of the prison. There is no limit, either in the number of telegrams or in the number of letters sent or received. Prisoners communicate at their own expense, but if they are unable to do so, [the relevant expense may be](#)

¹³² Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022)

¹³³ Greece, article 21 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003)

¹³⁴ Greece, article 21 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003)

¹³⁵ Greece, article 21 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003)

¹³⁶ Greece, article 22 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

[covered by the competent prison service](#)¹³⁷. Electronic communication (e-visits via skype) is also carried out through computers installed in a specific area chosen by the Prison Council¹³⁸.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities. Additionally, as mentioned in the [penitentiary code](#)¹³⁹, every pre-trial detainee has the right to communicate by telephone with his lawyer without limit in the number of phone calls made.

c. Visits with children

The visits of spouses and children of the prisoners take place in a special, suitable area of the prison. Especially in the cases of visits by children up to eleven (11) years of age, the Prison Council, at the request of the prisoner or a specialist scientist of the prison facility, may decide on the more specific formation of the visiting area and method of communication based on the interest of the child. This area is a specially designed child-friendly one that resembles a children's room, outside the facility's wings. The entry for the children to this room is taking place without going through the prison premises¹⁴⁰. [The other parent may also be present during the visit](#)¹⁴¹.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

d. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021 (*Ετήσια Ειδική Έκθεση 2020-2021*), available in [English Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021.

Επαφή με τον έξω κόσμο

Η CPT συνιστά στις ελληνικές αρχές να αυξήσουν τις δυνατότητες των κρατουμένων να διατηρούν επαφή με τις οικογένειές τους, υπό το πρίσμα των παραπάνω παρατηρήσεων. Θα επιθυμούσε να ενημερωθεί συγκεκριμένα για τέτοιες ευκαιρίες στα καταστήματα κράτησης Χίου, Κέρκυρας και Κω. Περαιτέρω, θα πρέπει να επισκευαστούν τα τηλέφωνα στα καταστήματα κράτησης.

Contact with the outside world

¹³⁷ Greece, article 53 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹³⁸ Greece, article 21 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

¹³⁹ Greece, article 53 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁴⁰ As reported by the administration of a Greek prison, following interview conducted by telephone, on April 2nd 2024.

¹⁴¹ Greece, article 52 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

The CPT recommends that the Greek authorities increase the opportunities for prisoners to maintain contact with their families, in the light of the above remarks. It would like to be informed specifically about such opportunities at Chios, Corfu and Kos Prisons. Further, telephones in the prisons should be repaired.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022.

The Report is not available in Greek.

Contacts with the outside world (and information on rights)

The CPT recommends that steps be taken to increase the visiting entitlement to the equivalent of one hour per week.

There has been significant progress on visitation rights, namely after the establishment of special visitation areas for children and the general implementation of video visitation¹⁴².

11. Special measures for female detainees

a. General conditions of detention for women and girls

According to article 13 of the [Greek Penitentiary Code](#)¹⁴³, women detainees reside in prison facilities for women prisoners or in special sections of other prison facilities. In that case, communication with prisoners of other categories is prohibited. Transgender women are being transferred to prison facilities for women prisoners upon their request, which is considered on a priority basis. In the prison facilities for women or in the special sections, the rules governing the living conditions and the programmes implemented therein are adjusted to the requirements of their gender. Pre-trial females are separated from sentenced ones, being kept in two different prisons (Korydallos II and Eleonas Thiva respectively).

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

¹⁴² Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

¹⁴³ Greece, Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

b. Separation from men

As provided in article 13 of the [Greek Penitentiary Code](#)¹⁴⁴, female prisoners are kept separately from male ones. There are two separate women's prisons (Korydallos, Thiva) and separate female sections in men's prisons (e.g. Neapolis in Crete), used mainly for procedural reasons.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

c. Hygiene

Article 25 of the [Greek Penitentiary Code](#)¹⁴⁵ and article 15 of the Internal Regulation for the Operation of [Detention Facilities](#)¹⁴⁶, as described under 3. d) are correspondingly applicable. More specifically, female detainees that are indigent are supplied by the prison administration with essential women-only sanitary products, including sanitary towels¹⁴⁷.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

d. Healthcare

As mentioned under 8. a), according to article 13 of the [Greek Penitentiary Code](#)¹⁴⁸, in the female prison facilities the rules governing the living conditions and the programmes implemented therein are adjusted to the requirements of detainees' gender. Additionally, as mentioned under 8. a), according to article 27 of the [Greek Penitentiary Code](#)¹⁴⁹ and article 16 of the Internal Regulation for the Operation of [General Detention Facilities](#)¹⁵⁰, prisoners should enjoy health care services to the same level as the general population, on a 24-hour-a-day basis.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities. Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

¹⁴⁴ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁴⁵ Greece, Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁴⁶ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

¹⁴⁷ As verified by the administration of the women's prison at Eleonas Thiva, following interview conducted by telephone, on April 2nd 2024.

¹⁴⁸ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁴⁹ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁵⁰ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

More specifically, as provided in the [penitentiary code](#)¹⁵¹, by joint decision of the Ministers of Citizen Protection and Health, the following are established at the Eleonas Thiva Prison for Women: a) Psychiatric Department for female prisoners, without the possibility of communication with the other departments of the facility, where the same security conditions apply as the other premises of the prison. Women prisoners with psychiatric problems are admitted to this Department, at the judgment of the attending psychiatrist or a Director of the Psychiatric Clinic of the National Health System (E.S.Y.). The capacity, the mode of operation, the staffing, as well as the connection with the psychiatric unit of the E.S.Y. are determined by the decision of the first paragraph, b) Hospital Department, as a Special Health Center for female prisoners, with connection and support from a hospital unit of the E.S.Y.. The capacity, the purchase of equipment, the staffing, the mode of operation, the definition of the way of connection of the Department with the hospital unit of the E.S.Y. and every detail for the implementation of this is determined by the decision of the first paragraph.

More specifically, at Women's Prison of Eleonas Thiva, a permanent gynecologist and a volunteer pediatrician are available. Additionally, two separate sections operate inside the facility where pregnant detainees and mother with children up to the age of three have their own private cells which offer personal heating and sanitation (washbasin, toilet) facilities¹⁵².

Those standards apply to post-trial detention since Eleonas Thiva Prison is a facility for convict women.

e. [Pregnancy and women with babies or young children](#)

According to article 13 of the [Greek Penitentiary Code](#)¹⁵³, mother prisoners who have their children up to three (3) years old with them, live in a separate special area of the prison facility or section of it, without access of the other female prisoners to these areas. In the abovementioned areas of the facility, under the care of the prison and in cooperation with the Ministry of the Interior, a nursery is being established and operates, with special rules of operation, different from the internal regulations for the operation of the prison, which is being issued by decision of the Minister of Citizen Protection. The same ministerial decision determines the programme and the staffing of the nursery, taking into account the applicable standards of Nursery Schools, adapted to the capabilities of the Prison facility.

Childbirth is taking place outside of prison; pregnant detainees who reside at Eleonas Thiva Prison (for convict women), at the beginning of the seventh month of their pregnancy, are being transferred at Korydallos Women's Prison (for untried women), which is located in Athens, so as to give birth at the public maternity hospitals of Athens¹⁵⁴.

Children over the age of three (3) are admitted to Child Care Institutions that operate under the supervision of the Ministries of Health and Labour and Social Affairs, provided they have no suitable

¹⁵¹ Greece, article 13 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁵² As reported by the administration of the women's prison at Eleonas Thiva, following interview conducted by telephone, on April 2nd 2024.

¹⁵³ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁵⁴ As reported by the administration of the women's prison at Eleonas Thiva, following interview conducted by telephone, on April 2nd 2024.

relatives according to the judgment of the competent judicial functionary and following an interview of the parents.

Those standards apply to post-trial detention since Eleonas Thiva Prison is a facility for convict women.

f. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021(Ετήσια Ειδική Έκθεση 2020-2021), available in [English Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022.

No comments available regarding the reference period.

12. Special measures for foreign nationals

a. General measures for foreign nationals

Upon entry of newly arriving foreign nationals in Greek prisons facilities, extensive information is provided on the rights and obligations of the prisoner and on the operation of the prison by the Director and the Social Service. This information is provided in the language foreign prisoners can understand; [the assistance of the relevant consular authority is also possible](#)¹⁵⁵. The information received orally includes the information reflected in the booklet "Prisoner's Alphabet" which has been published in Greek, English and Albanian and is available in the libraries of all Prisons. It is a guide that aims to inform prisoners in a simple and understandable way about the rules of safe living and what they are entitled and obliged to do in prison. It contains information concerning, for example, the right to leave, education, permitted and prohibited items and objects, temporary release, treatment (rehabilitation), etc., as well as the basic obligations of prisoners¹⁵⁶.

Foreign prisoners are provided with all possible facilities to communicate with the diplomatic or consular representatives of the state of which they hold citizenship or with other persons who, at the discretion of the Prison Board, contribute to the normalization of the special problems created by their detention. Prisoners from states that do not have diplomatic or consular representatives in Greece, [as well as refugees and stateless persons, can address the diplomatic representative of the state that has undertaken their interests or any other national authority or international organization whose mission is to defend these interests](#)¹⁵⁷.

¹⁵⁵ Greece, article 24 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁵⁶ As reported by the administration of a Greek prison, following interview conducted by telephone, on April 2nd 2024.

¹⁵⁷ Greece, article 52 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

Special measures are also taken for the education of [foreign prisoners](#)¹⁵⁸. Additionally EPANODOS, as described under 7 a), the non-profit private law legal entity supervised by the Greek Ministry of Citizen Protection is offering every year lessons of Greek language as a second language (for foreign nationals detainees)¹⁵⁹.

In practice deviation of each prison daily schedule, as provided under article 8 of the Internal Regulation for the Operation of [General Detention Facilities](#)¹⁶⁰ is very common for e.g. inmates who want to communicate with their families in countries with different time zones or foreign inmates of different religion (e.g. they are offered breakfast before sunrise and dinner after sunset). Additionally, in some prison facilities, Voice over Internet Protocol (VOIP) communications between foreign prisoners and their families is being implemented¹⁶¹.

b. Interpretation and translation

There are, as far as we can find, no publicly accessible national legislation, guidelines or policy documents that regulate the provision of interpretation and translation services in detention for foreign nationals. In practice, other co-inmates, who can speak and understand Greek language, are offering those services¹⁶².

c. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021 (*Ετήσια Ειδική Έκθεση 2020-2021*), available in [English Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021.

Η CPT επαναλαμβάνει τη σύστασή της να δοθεί σε όλους τους νεοεισερχόμενους κρατούμενους το εισαγωγικό φυλλάδιο για τη ζωή στο κατάστημα κράτησης. Περαιτέρω, οι αλλοδαποί κρατούμενοι θα πρέπει να λαμβάνουν πληροφορίες σε γλώσσα που κατανοούν.

The CPT reiterates its recommendation that all newly admitted prisoners be provided with the introductory brochure about prison life. Further, foreign-national prisoners should be provided with information in a language they understand.

¹⁵⁸ Greece, article 35 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁵⁹ As reported by competent representative of EPANODOS, following interview conducted by telephone, on April 8th 2024.

¹⁶⁰ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

¹⁶¹ As reported by the administration of a Greek prison, following interview conducted by telephone, on April 2nd 2024.

¹⁶² As reported by the administration of a Greek prison, following interview conducted by telephone, on April 2nd 2024.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022.

No relevant recommendations are available regarding these aspects .

Correctional facilities fail to provide interpretation services to foreign nationals. The detainees are usually depending on other detainees who can speak and understand Greek to communicate with the authorities. However, in certain correctional facilities foreign nationals can learn Greek by enrolling in special programmes. The issue remains, that such programmes are not always available and depend on whether there is access to funds. Foreign embassies have full access to their nationals¹⁶³.

13. Special measures relating to detention of children and young adults/juvenile detention regime¹⁶⁴

a. Age groups

In accordance with Article 126 of the [Criminal Code](#)¹⁶⁵, children from 12-15 years, do not have criminal responsibility and cannot be sentenced to a custodial sentence, but only to reformatory or therapeutic measures. According to articles 127 and 130(1) of the Greek Penal Code, children over the age of 15 are detained in special juvenile detention facilities only in cases where they have committed a crime which, if committed by a criminally responsible adult, [would be a felony capable of incurring a life in prison sentence](#)¹⁶⁶.

[According to Greek Penitentiary Code, young prisoners, within the meaning of the Penitentiary Code, are prisoners of both sexes, who have reached the age of 15 and have not reached the age of 21 \(adolescents and post-adolescents\)](#)¹⁶⁷.

b. General measures for detained children and young adults

Young detainees (15-21 years old and sometimes adults up to 25 years old in order to complete their educational or vocational programmes) are held in the three autonomous detention facilities: the Special Juvenile Detention Centre in Avlona, the Special Juvenile Detention Centre in Volos and the Special Rural Juvenile Detention Centre in Kassaveteia. Children offenders (aged 15-18 years) are held in

¹⁶³ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

¹⁶⁴ For the purposes of these information requests, the term “children” shall mean and refer to any natural person below the age of 18, and the term “young adult” shall mean and refer to any natural person between the age of 18 and 21.

¹⁶⁵ Greece, Law 4619/2019 Penal Code (*Ποινικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 95/11.06.2019).

¹⁶⁶ Greece, Law 4619/2019 Penal Code (*Ποινικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 95/11.06.2019).

¹⁶⁷ Greece, article 12 of Law 2776/1999 *Penitentiary Code* (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

the [Corinth detention facility](#)¹⁶⁸. All those facilities are subject to their own internal regulations, based on the provisions of Internal Regulation for the Operation of [Special Detention Facilities](#)¹⁶⁹. Detainees beyond these age limits, are immediately transferred [to prison facilities for adults](#)¹⁷⁰. There are only few cases of adults who remain in Juvenile detention facilities, only for work, where they engage in skilled jobs, but without contact with juveniles and young prisoners.

c. Separation from adults

As mentioned above, under 13 a) and b).

d. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021(*Ετήσια Ειδική Έκθεση 2020-2021*), available in [English](#).

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022.

In the context of our special competences as NPM and Deputy Ombudsperson for Children's Rights, we monitor consistently all issues regarding detention conditions of juveniles and minors. Our key findings include inadequacies in the provision of social protection and psychological support services for minors and juveniles¹⁷¹.

¹⁶⁸ List with Prison Facilities in Greece, available in [Greek](#)(accessed 28 March 2024).

¹⁶⁹ Greece, Ministerial Decision 47503 / 21.6.2005 Internal Regulation for the Operation of Special Detention Facilities (*Υπουργική απόφαση 47503/21.6.2005 εσωτερικός κανονισμός λειτουργίας των ειδικών καταστημάτων κράτησης*), available in [Greek](#) (OGG Issue B' 889/30.6.2005).

¹⁷⁰ Greece, article 12 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁷¹ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

14. Special measures to protect detainees with disabilities or serious medical conditions

a. Care in detention

Persons with disabilities or other serious medical conditions and persons with mental health-related medical conditions are kept in Korydallos Special Health Centre for Prisoners and Korydallos Psychiatric Hospital respectively, so that they get better treatment for their [medical condition](#)¹⁷².

Greek Penal Code regulates issues concerning the lenient treatment of elderly detainees or detainees with disabilities or other serious medical conditions. The possibility to serve the sentence at home is extended to detainees over the age of 70 who had sentences of temporary incarceration. It is also compulsory to serve the sentence at home for prisoners who suffer from end-stage acquired immune deficiency syndrome, chronic renal failure and undergo regular dialysis, resistant tuberculosis or are quadriplegic, [cirrhosis of the liver with a disability over sixty-seven percent \(67%\), senile dementia or end-stage malignant neoplasms](#).¹⁷³

Prisoners with disabilities enjoy a beneficial calculation for the serving of their sentences, as one day of stay in a penitentiary facility is automatically calculated as two days, shortening thus the custodial part of the sentence served. Currently, according to article 105b of the Penal Code, each day of detention of prisoners who have hemiplegia or paraplegia, multiple sclerosis or have undergone a heart, liver, kidney or bone marrow transplant operation or are carriers of the Acquired Immune Deficiency Syndrome or have malignant neoplasms or renal failure for which regular hemodialysis is being performed or tuberculosis during its treatment, shall be beneficially counted as two (2) days of the suspended sentence. The same applies to a) prisoners with a disability rate of fifty percent (50%) or more, who cannot work, if it is judged that their stay in the detention center becomes particularly burdensome due to their inability to take care of themselves, b) detainees with a disability rate of sixty-seven percent (67%) or more, c) detainees who, following an opinion from a Center for the Certification of Disability (KE.P.A.), [are prohibited from undertaking work or employment that can reasonably cause serious and permanent damage to their health. In any case, a minimum portion of the sentence must be served](#)¹⁷⁴.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities

No information available.¹⁷⁵

¹⁷² Greece, articles 27 and 30 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁷³ Greece, article 105 of Law 4619/2019 Penal Code (*Ποινικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 95/11.06.2019).

¹⁷⁴ Greece, article 105b of Law 4619/2019 Penal Code (*Ποινικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 95/11.06.2019).

¹⁷⁵ No relevant information was given for this specific question by the representatives of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024

b. Reasonable accommodation and accessibility

According to the [first annual report](#)¹⁷⁶ on the implementation of the National Plan for the Rights of [Persons with Disabilities](#)¹⁷⁷, actions were implemented to improve the living conditions of people with disabilities in prison facilities; the current situation of all prisons was recorded in terms of the criterion of accessibility, and the study for the interventions required was carried out at two levels of implementation: upgrading the access infrastructure to the parking areas, administrative Services, toilets and visiting area for visitors and prisoners' advocates and upgrading access infrastructure and improving the quality of detention conditions for prisoners with disabilities themselves. Additionally, the entire population of prisoners with any form of disability was recorded and educational actions for prison staff were implemented.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities

c. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021 (*Ετήσια Ειδική Έκθεση 2020-2021*), available in [English Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021

(Στο Σωφρονιστικό Κατάστημα Νιγρίτας) Η CPT Περαιτέρω, εάν τα κελιά αυτά πρόκειται να χρησιμοποιηθούν για τη φιλοξενία ευάλωτων ατόμων, συμπεριλαμβανομένων των κρατουμένων με σωματικές αναπηρίες, πρέπει να προσαρμοστούν και να επιπλωθούν ανάλογα.

(Nigrita Prison ad hoc Visit)... The CPT recommends..... Further, if these cells are to be used for accommodating vulnerable persons, including prisoners with physical disabilities, they must be adapted and furnished accordingly.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022.

No relevant recommendations are available regarding these aspects

The conditions in correctional facilities are completely unsuitable to address psychiatric incidents in-house, so the only alternative is to transfer detainees with mental issues in the Korydallos psychiatric hospital. It goes without saying that this alternative does not suffice. As a rule, mental health services are provided by visiting private practitioners and we have generally remarked that mental health issues are commonly treated by overprescribing psychiatric medication. With regard to detainees with mobility

¹⁷⁶ Annual report on the implementation of the National Plan for the Rights of Persons with Disabilities, available in [Greek](#) (accessed April 10th 2024).

¹⁷⁷ National Plan for the Rights of Persons with Disabilities, available in [Greek](#) (accessed April 10th 2024).

impairments, we have observed that many correctional facilities have installed proper infrastructures over the last years¹⁷⁸.

15. Specific measures to protect detainees with special needs or other vulnerabilities

a. Protection of LGBTI detainees

According to the Greek Penitentiary Code, any disparate discriminatory treatment of prisoners based on sex or gender identity or sexual orientation, is prohibited. Additionally, special treatment of prisoners is reserved for reasons of gender identity, as long as it is done in favour of the prisoners and to serve [the individual needs arising from the situation in which they find themselves](#)¹⁷⁹.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

b. Protection of trans detainees

As mentioned above, under question 15 a), the penitentiary Code prohibits discrimination based on gender or gender identity and sexual orientation and advocates special treatment for prisoners for [reasons of gender where required](#)¹⁸⁰. Furthermore, [transgender women are being transferred to prison facilities for women prisoners upon their request, which is considered on a priority basis](#)¹⁸¹.

A transgender unit at Korydallos Women's Prison was opened in December 2021 and the transgender female detainees who, at that time, were being held at Corfu Prison were transferred to a new separate section. This section was renovated and adapted to create five 5 cells, with an area of 12m² which could offer the best possible conditions for the detention of transgender female prisoners. A built-in bed with mattress, table, chair, new tiles and sanitary equipment were installed in the cells, while special care was taken to ensure that each cell has its own toilet, washbasin and shower and hot water supply throughout the year. The personal hygiene area is separated from the rest of the room by a built-in wall. In addition, a new radiator was installed in each cell; there is a window for sufficient external natural lighting and ventilation, in addition to the artificial internal lighting¹⁸².

¹⁷⁸ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

¹⁷⁹ Greece, article 3 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁸⁰ Greece, article 3 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁸¹ Greece, article 13 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁸² As reported by representative of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

c. Protection of other vulnerable detainees

According to the Greek Penitentiary Code, any disparate discriminatory treatment of prisoners, in particular based on race, colour, national, ethnic or social origin, property status, disability, religious or ideological beliefs, sex or gender identity or sexual orientation, is prohibited. Additionally, [special treatment of prisoners is reserved, when justified by their legal or factual situation, such as persons with special needs or for religious or other beliefs or for reasons of gender identity, as long as it is done in favour of the prisoner and to serve the individual needs arising from the situation in which he/she finds himself/herself](#)¹⁸³.

In practice, the allocation of detainees, which depends on the judgment administration of each prison's director, within the detention facility is taking into account various factors, including their requests to be kept in specific cells or wards in order to live together with their fellow nationals or for reasons of protection of their personal safety. Relationships between different ethnic or religious groups of prisoners are also taken into account in order to minimise the risk of violent group confrontations or conflicts¹⁸⁴.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

d. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021(*Ετήσια Ειδική Έκθεση 2020-2021*), available in [English Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021

“Η CPT συνηγορεί στις Ελληνικές αρχές να χαράξουν σαφή πολιτική και κατευθυντήριες γραμμές για τη διαχείριση των διεμφυλικών κρατουμένων, οι οποίες θα εγγυώνται την κάλυψη των ιδιαίτερων αναγκών τους, σύμφωνα με τις προαναφερθείσες αρχές”.

“The CPT recommends that the Greek authorities draw up a clear policy and guidelines for the management of transgender prisoners which guarantees that their specific needs are catered to, in line with the above-mentioned principles”.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022.

¹⁸³ Greece, article 3 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁸⁴ As verified by representative of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024.

The Report is not available in Greek.

“ The CPT recommends that the Greek authorities:

- develop a clear policy framework for transgender persons in prison in accordance with the Yogyakarta Principles, which should include protocols on such issues as searches, use of force, staffing, healthcare and treatment (hormone and/or gender affirming surgery) and association and access to activities together with cisgender prisoners;*
- pursue their training programmes for staff working with transgender persons;*
- improve the access of transgender women to a range of purposeful activities;*
- review the safety and security of the outdoor courtyard.*

The Committee would also like to be informed about the support being offered to the transgender woman potentially facing a long sentence of imprisonment and to be updated on the number of transgender women in the unit as of 1 May 2023.”

So far, we have not investigated relevant matters¹⁸⁵.

16. Specific measures to address radicalisation in prisons

a. General measures to prevent radicalisation

There are, as far as we can find, no publicly accessible national legislation, guidelines or policy documents that regulate or prevent the phenomenon or radicalization in the Greek prisons. Prison detainees are treated according to the provisions of the basic penitentiary laws and regulations¹⁸⁶.

b. Risk assessments

No information available ¹⁸⁷.

c. Training of staff

The General Secretariat of Crime Policy of the Ministry of Citizen Protection founded the School of correctional officers (established on January 2022) and the School of external guards/ perimeter security staff (established on January 2023), with ultimate goal their stable operation at regular time spans, i.e.

¹⁸⁵ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

¹⁸⁶ No relevant information was given for this specific question by the representatives of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024.

¹⁸⁷ No relevant information was given for this specific question by the representatives of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024.

not only as institutions of introductory education, but also lifelong learning(retraining). Some courses taught at the School of correctional officers, are related to recognise signs of radicalization or international risk assessment tools for radicalization and violent extremism within prison facilities¹⁸⁸.

d. Deradicalisation measures

No information available.¹⁸⁹

e. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021(Ετήσια Ειδική Έκθεση 2020-2021), available in [EnglishReport](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021

No relevant recommendations are available regarding these aspects.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022

No relevant recommendations are available regarding these aspects

So far, we have not investigated relevant matters¹⁹⁰.

17. Inspections and monitoring

a. Inspections

The Body of Prisons Inspection and Control (S.E.E.K.K.), is an inspection special body for the proper functioning and effective control of the prison facilities of the country, whose task is to carry out regular and extraordinary checks to verify the conditions of detention, the performance of the duties of prison employees, the exercise and protection of the rights of detainees, the observance of security measures in the prisons, as well as the implementation of the provisions of the Penitentiary Code and the Rules

¹⁸⁸ As reported by representative of the competent directorate of the Ministry of Citizen Protection, by email, on April 8th 2024.

¹⁸⁹ No relevant information was given for this specific question by the representatives of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024.

¹⁹⁰ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

of Operation of Prisons. [SEEKK serves under the Secretary General for Crime Policy of the Ministry of Citizen Protection](#) ¹⁹¹.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

b. Access to detention facilities by national authorities

The [Body of Prisons Inspection and Control](#) (S.E.E.K.K.)¹⁹², as mentioned above under question 17 a) and the Greek Ombudsman as the NPM¹⁹³, are the two national authorities that have access to prison facilities to inspect them. Additionally, [the Intergroup Committee on examining the penitentiary system and the living conditions of the detained persons is of the Greek parliament is allowed to visit, after prior notification of the director of the prison, detention facilities](#)¹⁹⁴.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

c. Access to detention facilities by international bodies

Both delegations of the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)¹⁹⁵ and the [Greek Ombudsman as NMP](#)¹⁹⁶ are frequently carrying out visits to detention facilities. There is no information available as regards the access of members of the European Parliament.

¹⁹¹ Greece, Law 3090/2022 Body of Inspection and Control of Prison Facilities (Σώμα Επιθεώρησης και Ελέγχου Καταστημάτων Κράτησης), available in [Greek](#) (OGG A 329/24.12.2002)

¹⁹² Greece, Law 3090/2022 Body of Inspection and Control of Prison Facilities (Σώμα Επιθεώρησης και Ελέγχου Καταστημάτων Κράτησης), available in [Greek](#) (OGG A 329/24.12.2002)

¹⁹³ The Ombudsman, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons, collects data through any available means (including through visits, interviews and photographs); orders expert examinations, conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

¹⁹⁴ Greece, article 52 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁹⁵ As verified by representative of the competent directorate of the Ministry of Citizen Protection, after an interview conducted by telephone, on April 3rd 2024.

¹⁹⁶ The Ombudsman, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons, collects data through any available means (including through visits, interviews and photographs); orders expert examinations, conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

¹⁹⁶ Greece, article 52 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

d. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021 (*Ετήσια Ειδική Έκθεση 2020-2021*), available in [English Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021.

No relevant recommendations are available regarding these aspects.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022.

No relevant recommendations are available regarding these aspects.

Over the last years, we have not remarked any impediments to the access provided to Greek or international monitoring and inspection bodies¹⁹⁷.

18. Access to remedy

Detainees who reside in Greek prison facilities generally have the right to make requests and complaints both orally and in written form to various administrative and judicial national and international competent authorities.

Article 6A of the revised Penitentiary Code provides (since October 2022), for a domestic effective remedy (and just satisfaction) for persons in prison who are held in conditions of detention that violate the provisions of Article 3 of the [European Convention on Human Rights](#)¹⁹⁸. If the infringement of national standards for detention conditions of detainees, pre-trial or convicts, in prison facilities offends human dignity, the prisoners may appeal to the Criminal Court (Court for the Execution of Sentences) mentioned in [article 86 of the penitentiary code](#)¹⁹⁹. The appeal is made in writing to the Secretariat of

¹⁹⁷ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

¹⁹⁸ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

¹⁹⁹ Greece, article 86 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

the Court of Execution of Sentences or to the Director of the relevant prison facility. The Court shall decide on the appeal no later than within thirty (30) days of its application and its decision shall be executed immediately. If the appeal is accepted, the Court of Execution of Sentences shall order any appropriate measure at its discretion, to ensure compliance with the rules of living conditions of the applicant- detainee within the same facility, such as the change of the place of detention and if the implementation of such measures is not possible, (the Court of Execution of Sentences) orders the transfer to the prison hospital or another public hospital or the priority transfer of the applicant to another prison facility in accordance with paragraph of [article 72 of the penitentiary code](#)²⁰⁰. The directors of the prison facility shall comply without delay with the decisions of the Court of Execution of Sentences.

In any case, the Court of Execution of Sentences may adjudicate, if a relevant request is submitted by the applicant- detainee, monetary compensation for the moral damage suffered, the amount of which is defined from five (5) to thirty (30) euros per day of violation, depending on the gravity of the breach and beneficial calculation of the applicant- detainee sentence.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

a. Legal assistance

The prison facility public prosecutor, who is a kind of “judge for the execution of sentences”, is competent for legal counselling, independently of the prisoners’ financial status. Moreover, [prisoners with are financially weak can apply for free legal aid](#)²⁰¹ so that a lawyer is appointed ex officio, submitting together supportive documents such as a tax return, certificate of payment for welfare or unemployment benefits, minutes from court decisions proving that they were tried without a lawyer, that they were not able to pay any fines or convert sentences into fines, etc.

[All kinds of communication between detainees and their legal advisers – by telephone, correspondence, or in- person communication – are strictly confidential as mentioned in the penitentiary code](#)²⁰². Legal visits take place under visual (not acoustic) control.

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

b. Request and complaints

Except the procedure explained under question 18. a) (effective remedy and just satisfaction) , a report in writing to the Prison Council and then an appeal against the Council’s decision to the Court of Execution of Sentences is a remedy that prison detainees can exercise against violations of the

²⁰⁰ Greece, article 72 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

²⁰¹ Greece, Law 3226/2004 Provision of legal aid to low-income citizens (Παροχή νομικής βοήθειας σε πολίτες χαμηλού εισοδήματος), available in [Greek](#) (O.G.G. Issue A 24/04.02.2004).

²⁰² Greece, article 53 of Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

penitentiary code that concern them individually, according to [article 6 of the Penitentiary Code](#)²⁰³. In case of an illegal act against them or an illegal order, detainees have the right to report in writing, within a reasonable time, to the Prison Council. Within fifteen days from service of the decision rejecting their request, or one month from submission of the report where no decision has been issued, detainees shall have the right to appeal to the Court of Execution of Sentences. If this court grants the appeal on the merits, it shall annul the effects of the illegal act or order. Moreover, the competent service of the Ministry of Citizen Protection, which monitors the operation of the prison facility and is responsible for the immediate application of the decision to the Prison Council, revokes the illegal action and satisfies the request of the detainee proceeding with an investigation of the parties responsible. Finally, the administration of the establishment is under the obligation to forward, within a three day period, any report or letter by a prisoner addressed to a state authority (e.g the Greek Ombudsman²⁰⁴) or international organization, without becoming informed of its contents. A special protocol registry is kept to this effect.

Additionally, [Articles 25 and 31 of the Internal Regulation for the Operation of General Detention Facilities](#)²⁰⁵ grant any detainee the right to lodge a complaint regarding the conditions of detention before the prison authorities and in particular the public prosecutor (supervisor) of the prison. If the complaint is rejected, [detainees may challenge this decision under articles 6 and 86 of Penitentiary Code](#)²⁰⁶ before the competent enforcement tribunal.

It is finally noted that detainees can request their transfer to another prison, according to [articles 72 and 73 of the Penitentiary Code](#)²⁰⁷ and in case the request for transfer is rejected for substantial reasons for the second consecutive time, they can appeal against the decision of the Central Transfers' Committee (K.E.M.) to the Court of Execution of Sentences which meets as a Council within 10 days from the notification of the rejection decision.

National law also provides additional facilitations, as it allows to detainees to make their complaints before the competent public prosecutor, under article 567 of the Code of Penal Procedure²⁰⁸. The public prosecutor is required to visit the prison once a week and monitors the treatment of detainees, the

²⁰³ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

²⁰⁴ A detainee can also appeal to the Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

²⁰⁵ Greece, 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'*), available in [Greek](#) (O.G.G. Issue B 463/17.04.2003).

²⁰⁶ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

²⁰⁷ Greece, Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

²⁰⁸ Greece, Law 4620/2019 Penal Code (*Κώδικας Ποινικής Δικονομίας*), available in [Greek](#) (O.G.G. Issue A 96/11.06.2019).

execution of sentences and the implementation of security measures of the facility. Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

c. Independent authority

Detainees can also appeal to the Independent authority of the Greek Ombudsman, who, [under Article 2 of Law 4228/2014](#)²⁰⁹, has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the abovementioned law. [The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties](#)²¹⁰ visits prisons, collects data through any available means (including through visits, interviews and photographs, orders expert examinations, conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The administration of the establishment is under the obligation to forward, within a three day period, any report or letter by a prisoner addressed to a state authority (e.g. the Greek Ombudsman²¹¹) or [international organization, without becoming informed of its contents. A special protocol registry is kept to this effect](#).²¹²

Those standards apply for pre-trial and post-trial detention and all the detention regimes in prison facilities.

d. NPM assessment

The Greek Ombudsman (Συνήγορος του Πολίτη), National Preventive Mechanism Against Torture and Ill-Treatment, Annual Special Report 2020-2021 (*Ετήσια Ειδική Έκθεση 2020-2021*), available in [English Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 November 2021 to 1 December 2021.

²⁰⁹ Greece, Law 4228/2014 Ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by the United Nations General Assembly (*Κύρωση του Προαιρετικού Πρωτοκόλλου στη Σύμβαση κατά των βασανιστηρίων και άλλων μορφών σκληρής, απάνθρωπης ή ταπεινωτικής μεταχείρισης ή τιμωρίας της Γενικής Συνέλευσης των Ηνωμένων Εθνών*), available in [Greek](#) (O.G.G Issue A 7/10.1.2014).

²¹⁰ Greece, Law 3094/2003 Ombudsman and other provisions (*Συνήγορος του Πολίτη και άλλες διατάξεις*), available in [Greek](#) (O.G.G. Issue A 10/22.01.2003).

²¹¹ A detainee can also appeal to the Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

²¹² Greece, article 6 of Law 2776/1999 [Penitentiary Code](#) (*Σωφρονιστικός Κώδικας*), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

Διαδικασίες υποβολής καταγγελιών

Δεν υπάρχει ακόμη κατάλληλο σύστημα εσωτερικών καταγγελιών στο σωφρονιστικό σύστημα. Στα καταστήματα κράτησης που επισκεφθήκαμε, οι κρατούμενοι μπορούσαν να υποβάλλουν αιτήματα (ή παράπονα) για διάφορες υπηρεσίες συμπληρώνοντας ένα χαρτί και τοποθετώντας το σε ένα κλειδωμένο κουτί στις πτέρυγες. Ωστόσο, δεν υπήρχε σαφής πολιτική που να ρυθμίζει το σύστημα παραπόνων, με χρονοδιαγράμματα για τις απαντήσεις και δυνατότητες προσφυγής σε ανώτερο όργανο σε περίπτωση απόρριψης του παραπόνου, ή ακόμη και ποιος θα έπρεπε να είναι υπεύθυνος για τη διερεύνηση ενός παραπόνου, ειδικά αν αφορούσε τον διευθυντή ή τον αρχιφύλακα. Ούτε καταγράφονταν τα παράπονα ούτε γινόταν προσπάθεια να συγκεντρωθούν στατιστικά στοιχεία για τους διάφορους τύπους παραπόνων που θα μπορούσαν να αποτελέσουν πληροφορίες για την πολιτική των καταστημάτων κράτησης.

Η CPT επαναλαμβάνει ότι πρέπει να τεθεί σε εφαρμογή ένα κατάλληλο εσωτερικό σύστημα παραπόνων, για παράδειγμα, οι κρατούμενοι θα έπρεπε να μπορούν να υποβάλλουν γραπτά παράπονα ανά πάσα στιγμή και να τα τοποθετούν σε ένα κλειδωμένο κουτί παραπόνων στο κεφαλόσκαλο του καταστήματος κράτησης (τα έντυπα θα έπρεπε να είναι ελεύθερα διαθέσιμα), όλα τα γραπτά παράπονα θα έπρεπε να καταγράφονται κεντρικά εντός του καταστήματος κράτησης πριν διατεθούν σε μια συγκεκριμένη υπηρεσία για διερεύνηση ή παρακολούθηση. Σε κάθε περίπτωση, η διερεύνηση πρέπει να διεξάγεται γρήγορα (με αιτιολογημένες τυχόν καθυστερήσεις) και οι κρατούμενοι πρέπει να ενημερώνονται εντός σαφώς καθορισμένων χρονικών περιόδων για τα μέτρα που λαμβάνονται για την αντιμετώπιση του προβλήματός τους ή για τους λόγους που θεωρούν ότι η καταγγελία δεν είναι δικαιολογημένη. Επιπλέον, θα πρέπει να τηρούνται στατιστικά στοιχεία σχετικά με τα είδη των παραπόνων που υποβάλλονται ως δείκτης για τη διαχείριση των πεδίων δυσαρέσκειας εντός του καταστήματος κράτησης. Φυσικά, οι σωφρονιστικοί υπάλληλοι θα πρέπει να ενθαρρύνονται και να εξουσιοδοτούνται στο μέτρο του δυνατού να επιλύουν οι ίδιοι τα παράπονα και μόνο όταν αυτό δεν είναι δυνατό θα πρέπει να προωθείται η προσφυγή σε γραπτή διαδικασία.

Η CPT επαναλαμβάνει τη σύστασή της προς τις ελληνικές αρχές να εισαγάγουν ένα επίσημο σύστημα καταγγελιών σε όλα τα ελληνικά καταστήματα κράτησης, λαμβάνοντας υπόψη τις παραπάνω παρατηρήσεις.

Complaints procedures

There is still no proper system of internal complaints available within the prison system. In the prisons visited, inmates could make requests (or complaints) for various services by filling out a paper and placing it in a locked box on the wings. However, there was no clear policy regulating the complaints system, with timelines for responses and possibilities to appeal to a higher body if the complaint was rejected, or even who should be responsible for investigating a complaint, especially if it concerned the Director or Chief Guard. Nor were the complaints recorded or any attempt made to compile statistics on the various types of complaints which might inform prison policy.

The CPT repeats that a proper internal complaints system needs to be put in place; for example, prisoners ought to be able to make written complaints at any moment and place them in a locked complaints box on a prison landing (forms should be freely available); all written complaints should be registered centrally within the prison before being allocated to a particular service for investigation or follow-up. In all cases, the investigation should be carried out expeditiously (with any delays justified) and prisoners

should be informed within clearly defined time periods of the action taken to address their concern or of the reasons for considering the complaint not justified. In addition, statistics on the types of complaints made should be kept as an indicator to management of areas of discontent within the prison. Of course, prison officers should be encouraged and empowered as far as possible to resolve complaints themselves and only where this is not possible should recourse to a written procedure be promoted.

The CPT reiterates its recommendation that the Greek authorities introduce a formal system of complaints in all Greek prisons, taking into account the above remarks.

[Report](#) to the Greek Government on the ad hoc visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 8 to 11 November 2022

No relevant recommendations are available regarding these aspects

The Ombudsman has welcomed the addition of provision 6A of the Greek Penitentiary Code which has introduced a complaint procedure against poor detention conditions. What must be examined is the extent to which its implementation contributes to the overall improvement of detention. In that light, the Ombudsman is in no position to confirm the effectiveness of the provision. What seems to be critical and most difficult to resolve in this procedure is the question of proof. As is the case so far, the plaintiffs' claims are dismissed as indefinite as they cannot be fully supported by evidence, whereas the administration's claims are deemed by definition to be true without any further examination (e.g. expert testimonies). As a result, complaints are dismissed solely by appealing to the evidence submitted by the administration without considering the imbalance of power between the administration and the plaintiffs. The administration's appeal to the inherent weaknesses of the Greek penitentiary system may be valid in certain cases but cannot be invoked at the expense of the detainees. Such is the case, when the administration claims that it cannot prove the exact period of a detainee's incarceration in a specific prison. The submitted evidence is in most cases inadequate and its evaluation is at times selective. Considering the rulings that have been officially notified to the Ombudsman, in numerous cases a complaint's dismissal is justified on the grounds that specific damage or endangerment was not proved. There are also numerous cases in which the admissibility of the complaint was dismissed on the grounds that the poor detention conditions lasted only for a short period of time, a criterion which was never introduced by the legislator. Finally, in some cases the plaintiff's claims were assessed solely by implementing the national legislation and ignoring the relevant EU or international legislation. Without commenting on specific case law, the Ombudsman remarks that rulings are often excessively strict and numerous times grounded on purely arithmetic criteria such as the square meters, while failing to consider other factors for the assessment of the prison detention conditions, e.g. the detainee's out-of-cell time, hygiene conditions, participation to education and training programmes, etc. The effectiveness and the prospects of the implementation of article 6A of the Greek Penitentiary Code can only be assessed considering the Greek penitentiary context and the penal treatment in a broad sense. This domestic remedy is a necessary but not adequate measure to improve detention conditions in general, which often do not fulfill the requirements set out by the law and thus raise concerns regarding the violation of article 3 of the European Convention of Human Rights regarding the prohibition of torture. The State's priority should be to ensure, by avoiding frequent legislation amendments, that prisons function in a manner which guarantees that detention conditions are in line with the Greek Penitentiary Code as well as with the numerous European and International texts which set the main rules for the

treatment of detainees. Short-term, nonsystematic, frequent and isolated interventions have not contributed to ameliorating the overall function of penitentiary establishments²¹³.

Part II: National case-law

As mentioned [under 18 \(access to remedy\) of Part I, article 6A of the revised Greek Penitentiary Code entitled «application by detainees concerning their detention conditions and just satisfaction»](#)²¹⁴ provides (since October 2022), that if the violation of the rules establishing the living conditions of prisoners, as these are stipulated in the Penitentiary Code, in article 3 of the European Convention on Human Rights and in other International Law rules regarding prisoners' treatment, offends human dignity, the prisoner is entitled to apply to the competent Enforcement Tribunal ([Judicial Council enshrined in article 86 of the Penitentiary Code](#)²¹⁵).

Since no relevant national case-law is publicly available, an information request²¹⁶ was submitted to the Greek Ombudsman as the judicial decisions adopted under the new above mentioned provision shall be notified to this Authority. The Greek Ombudsman, under [article 2 of Law 4228/2014](#)²¹⁷, has been also designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the abovementioned law. The Authority provided us with the undermentioned information:

Article 8 of Law 4985/2022 introduced into Greek legislation the new provision 6A of the Penitentiary Code for the protection of prisoners from general detention conditions, which was activated in 2023. According to this provision, the relevant judicial decisions of the Judicial Councils which examine the appeals of the prisoners are notified to the Ombudsman under the responsibility of the Ministry of Citizen Protection, without any further competence of the Independent Authority being foreseen. This enactment was seen from the beginning as a promising method in a two-way direction, i.e. with the aim not only of preventing convictions by the European Court of Human Rights by providing for an effective

²¹³ Consultation conducted with members of the Greek Ombudsman on April 8th 2024. The Ombudsman, who, under Article 2 of Law 4228/2014 (O.G.G Issue A 7/10.1.2014), has been designated as National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) of the General Assembly of the United Nations, which was ratified by the above law. The Ombudsman, as National Preventive Mechanism, as well as in the exercise of his duties under Article 3 of Law 3094/2003 (O.G.G. Issue A 10/22.1.2003), visits prisons; collects data through any available means (including through visits, interviews and photographs); orders expert examinations; conducts investigations and publishes reports, according to the relevant provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

²¹⁴ Greece, Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

²¹⁵ Greece, Law 2776/1999 [Penitentiary Code](#) (Σωφρονιστικός Κώδικας), available in [Greek](#) (O.G.G. Issue A 290/24.12.1999), as revised with Law 4985/2022, available in [Greek](#) (O.G.G. Issue A 203/27.10.2022).

²¹⁶ Information request submitted to the Greek Ombudsman by letter, on June 6th 2024. The Authority's answer was obtained, in writing, on June 25th 2024.

²¹⁷ Greece, Law 4228/2014 Ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by the United Nations General Assembly (Κύρωση του Προαιρετικού Πρωτοκόλλου στη Σύμβαση κατά των βασανιστηρίων και άλλων μορφών σκληρής, απάνθρωπης ή ταπεινωτικής μεταχείρισης ή τιμωρίας της Γενικής Συνέλευσης των Ηνωμένων Εθνών), available in [Greek](#) (O.G.G Issue A 7/10.1.2014).

remedy, but also of promoting the substantial improvement of detention conditions regarding both individual cases of the applicants and more broadly.

It is noted that [as being cited in no. 8/2024 circular of the Prosecutor of the Supreme Court](#)²¹⁸, according to the submitted data by the competent General Secretariat of Anti-Crime Policy of the Ministry of Citizen Protection, on 01.05.2024, from the date of this provision's entry into force (27.10.2022) until 15.04.2024 a total amount of 197 judicial decisions have been issued on individual and group appeals of article 6A, of which 98 rejected and only 4 accepted the appeals of the prisoners (all judicial decisions are of Larissa Judicial Council of First Instance and more specifically nos. 532/23, 132/24, 137/24 and 184/24, which concern the Larissa Prison Facility)²¹⁹, while it is pointed out that among the 15 Prisons, where no appeals have been submitted up to 15.04.2024, Korydallos II Prison and the Korydallos Psychiatric Hospital are included.

The Ombudsman has been notified, at present, of 88 decisions. On the basis of the picture that emerges so far from a perusal of these opinions, together with the data presented in the relevant Circular No. 8/2023 of the Supreme Court's Public Prosecutor's Office, the Ombudsman is not in a position to ascertain the success of the new provision. The Ombudsman's finding is not limited to the statistical fact of the large number of rejected petitions, as this could be attributed to procedural obstacles such as the conditions of admissibility or local jurisdiction that seem to be of concern. Such obstacles could be attributed to legitimate shortcomings or malfunctions of an initial period of adaptation, and could therefore be gradually reduced by internal circulars, such as the above-mentioned as well as a previous one, [aiming at harmonising case-law, or by continuously improving the information available](#)²²⁰ to legal practitioners. In terms of procedure, the issue of proving the detainees' allegations appears to be more crucial and complex to resolve. However, the impression that emerges from the initial reading of the decisions as regards the approach to the substantive issues is even more worrying. Indicatively, there are numerous cases in which the limited duration of the poor detention conditions, a criterion which is by no means envisaged in the law, has been taken into account to the detriment of the merits of the appeal. Furthermore, a simple reading of the decisions easily leads to the conclusion that the judges' stringency is exhausted in these judgments, which often focus on purely numerical criteria (square metres), while quite often there is a lack of consideration of other factors that must be taken into account when assessing the conditions of detention in prison, such as any free time the prisoner may have outside the cell, hygiene conditions, participation in education and training programmes, etc. It is reiterated that the above findings are the result of a simple perusal of the decisions notified to the Ombudsman. Although further in-depth examination of them is being planned, it does not appear possible at present to initiate an investigation and, therefore, it is not possible to provide the specific detailed information requested in your letter, beyond what is set out in this document.

²¹⁸ [Circular 8/2024](#) of May 2nd 2024, available in Greek.

²¹⁹ The Greek Ombudsman has been notified with no. 532/23 and 184/24 decisions. In these, the Council partially accepts the prisoners' appeal and awards to them the minimal compensation of the beneficial calculation of the penalty by 29 and 11 days respectively, in the Authority's opinion.

²²⁰ [Circular 3/2023](#) of January 18th 2023, available in Greek.