

## **Response**

**of the Greek Government  
to the report of the European Committee  
for the Prevention of Torture and Inhuman  
or Degrading Treatment or Punishment (CPT)  
on its visit to Greece**

**from 14 to 23 April 2015**

The Greek Government has requested the publication of this response. The CPT's report on the April 2015 visit to Greece is set out in document CPT/Inf (2016) 4.

Strasbourg, 1 March 2016

Table of contents

Response of the Ministry of Justice, Transparency and Human Rights .....	3
Response of the Ministry of Interior and Administrative Reconstruction .....	23
Follow-up response of the Ministry of Justice, Transparency and Human Rights to paragraphs 63, 79, 80, 81 and 82 .....	65



HELLENIC REPUBLIC  
MINISTRY OF JUSTICE, TRANSPARENCY  
AND HUMAN RIGHTS  
GENERAL DIRECTORATE OF  
CRIME AND CORRECTIONAL POLICY  
DIRECTORATE OF ORGANIZATION AND  
FUNCTION OF PRISON ESTABLISHMENTS  
DEPARTMENT OF GENERAL AND  
AGRICULTURAL PRISON ESTABLISHMENTS-  
CENTRAL WAREHOUSE OF PRISON MATERIAL  
Post Address: No 96 Mesoghion St.  
Post Code: 115 27  
Telefax: +30 (210) 77 67 458  
Tel: +30 (210) 7767239

**URGENT**

Athens, 14/10/2015  
Ref. No: 75814

**ΥΠΟΥΡΓΕΙΟ:**

Ministry of Foreign Affairs,  
Directorate D3

**Subject: «Follow up to the recommendations included in the Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) following its visit to Greece from 14 to 23 April 2015»**

**Re.:** Document of the President of the CPT with ref. CPT/MG/2015/46 dated 15-7-2015, with the Report of the CPT adopted on 1-7-2015

We transmit the response of the Ministry of Justice, Transparency and Human Rights in the 2015 Report of the CPT, following its visit to Greece from 14 to 23 April 2015, translated into English, and we kindly ask for your further official actions.

Regarding the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) we kindly inform you the following:

As regards the preliminary remarks made by the Committee and in addition to the Response to the preliminary observations made by Latif Huseynof, Head of the delegation, to the Greek authorities in Athens on 22-23 April 2015 (Ref. No 51142/ 30-06-2015) we would like to briefly comment the following:

The serious problem of prison overcrowding, which troubles not only Greece but many countries in Europe, requires synthetic actions which could compound to a long term solution. At the moment, the following initiatives are being taken by our Ministry that could contribute to relieving the problem of prison overcrowding:

- The Committee for the reform of the Penal Code is preparing a new draft which includes considerable reform of the system of penalties. The rationalisation of this system could contribute to the overall shortening of the length of prison sentences and possible reduction in the use of life sentence, since it is well established that long prison sentences have a serious effect on overcrowding. Moreover, alternative measures will be strengthened and promoted. Additionally, the reform

of both the Correctional Code and the Code of Penal Procedure is currently considered by two respective committees that are in full deliberation.

- Meanwhile, serious efforts are made for the wider use of the measure of electronic monitoring which has been recently introduced on a pilot base (see below on paragraph 62). Informatory events have been held for members of the judiciary and lawyers both in Athens, Pireaus and Thessaloniki, which are the cities that are included in the first implementation phase. The very recent event at the Athens' Bar Association (9/10/2015) has attracted much positive media attention and it is expected that the measure will gradually gain visibility and acceptance. Other measures such as the community service order (art. 82 Penal Code) and the suspended sentence with probation (art. 100 Penal Code) have been introduced for more than a decade and were reformed in 2010 (law 3904/2010). Nevertheless their impact is still quite small and considerable steps need to be taken both towards restructuring the probation service and in the direction of regulating the application of these measures. As regards the first, a structural reform is already under way and it is expected to be supported by the technical assistance programme on the reform of the Greek judicial system which will be implemented in cooperation with the Austrian Federal Ministry of Justice as a reform partner, which includes a component about the reform of the probation service.
- Legislative emergency measures for relieving prison overcrowding and for the release of vulnerable prisoners were already mentioned in our preliminary response (p. 2-3) and are updated below (see paragraph 62). It remains a big challenge to keep prison population below 10,000 prisoners, which would allow for upgrading of prison conditions and seriously addressing the overcrowding issue. Prison capacity is expected to reach 9,886 following the full functioning of Nigrita and Chania prison facilities, although an official procedure has already been initiated for the accurate measurement of the capacity of prison establishments in the country.
- As regards effective prison management which would allow for even distribution of prisoners among all prison establishments and prevent incidents of some prisons' functioning well above their official capacity while others having unused places (as mentioned in your report under 62), it is expected that the on-line system of "Electronic Services of Detention Establishments" will considerably contribute to this end (see in more detail below on paragraph 70 and 84). Moreover, it is useful to note that following the abolition of the ultimate security facility at Domokos prison and its subsequent operation as a regular prison has not overturned the low level of inmates in the facility, while other establishments such as agricultural prisons (semi open farm houses) may at times not be utilized to their full potential because of legislative restraints in the conditions for admission.

As regards the serious issue of staff shortage we would like to stress that all efforts are being made so that staffing levels are increased despite the acute austerity measures and ban on recruitments. More specifically the following actions are under way:

- All prison staff (as well as probation and juvenile probation officers) are included in the positions for the mobility within the public sector programme which will take effect in the next months.
- A well – reasoned proposal for the emergency recruitment of a minimum number of 500 employees (prison staff, scientific staff, medical and nursing staff) is being devised in order to be forwarded for exceptional approval by the government.

- The possibility of recruiting medical and nursing staff in cooperation with the Ministry of Health is examined as part of the plan for the full implementation of the Special Peripheral Medical Centers in prisons (see below).
- The appointment of educational and training staff for the implementation of new training and educational programmes in prisons is being examined in cooperation with the Ministry of Education as part of the general plan for the strengthening of educational and training activities in order to prepare the social reintegration of inmates.
- In relation to staff training, cooperation has already been established with the Institute of Training (INEP) of the National School of Public Administration & Local Government (EKDDA) and a national registry of qualified trainers is being formed at the moment. The provision of training for prison staff by the competent institute for the training of all public servants is expected to improve perceptions of the staff in relation to their status as well as reinforce the identity of the prison service as a public service whose employees have the obligations and enjoy the rights of all servants working in public administration.
- Moreover, as regards the issue of staff training, there is need for specialized training for prison officers, in the area of efficient management of conflict resolution between prisoners and promoting dynamic security, as well as on awareness-raising aimed at lifting xenophobic attitudes and preventing outbreaks of racial violence. It is expected that the cooperation with the Council of Europe delegation that is planned at the moment will offer specific assistance and expertise.

The issue of health care in prisons is regarded as one of top priority and already a number of steps have been taken in order to devise a comprehensive plan of action.

- There has been a mapping of health care services in all prison establishments. Today a very small number of 14 doctors are appointed as medical staff by the Ministry of Justice. Although there have been efforts to recruit a considerable number of medical staff in recent years, only 13 out of 33 places were filled and it is expected that these doctors will shortly take up their positions in local prisons (4 of them are appointed at Korydallos Prison Hospital, see below paragraph 79). Additionally, following recent reforming of the primary health care system by the Ministry of Health (see also preliminary response, p. 3), twenty five (25) local prisons are officially included as Special Peripheral Medical Centers (E.P.I.) in the national network of primary health care. Accordingly, general doctors have been appointed at 11 of them by the Ministry of Health, while at additional 12 prison establishments there is a rural doctor. Nevertheless, there are considerable problems regarding the regulation in the operation of these medical centers while shortage of nursing staff is still acute. Thus, it is of high priority that close cooperation is established both with the Ministry of Health and with the respective directors of the competent health districts (Ygeionomikes Perifereies) which have the responsibility for the development of primary health care services.
- As regards the integration of the Korydallos Prison Hospital and the Psychiatric Hospital for Prisoners into the National Health System (E.S.Y.), the relevant committee of the Ministry of Justice has completed its work in relation to the integration of the Psychiatric Hospital and submitted a comprehensive proposal which will be forwarded to the Ministry of Health for further consultation. It is

expected that in the following months, a similar proposal will be devised in relation to the Korydallos Prison Hospital.

- Furthermore, constructing a set of regulations and protocols for the operation of medical services in prison as well as improving training and management of medical and nursing staff, are issues that are expected to be developed in cooperation with the Council of Europe delegation that is planned at the moment in order to offer specific assistance and expertise.
- A number of drug treatment programmes and consultation centers operate within prisons (24 in total, see p. 9 and Annex, p. 17-18), while opiate substitution treatment has also been introduced in two facilities (Korydallos and Patra Prison). Moreover, a pilot programme is under way with the cooperation of the National School of Public Health (ESDY), for the screening of newcomers in Korydallos male prison for transmittable diseases (see below on paragraph 83).

Finally, as regards the operation of the Special Juvenile Detention Facility in Corinth Judicial Prison we would like to comment that there are deliberations at the moment considering assessing the operation of solitary confinement cells in the facility. Moreover, the proposal for overall reconsidering of disciplinary punishment for juvenile inmates is forwarded to the competent committee for the reform of the correctional code.

**On paragraph 62:**

According to statistics kept by the central services of our Ministry, a significant and steady decline in the total population of prisoners is being recorded. In particular, on January 1st 2015, the number of prisoners was 11,798 people, while on October 1st 2015, this number dropped to 9,758. Therefore, there is a reduction in prisoners' population of approximately 17.29% since the beginning of the year. Undoubtedly, the legislative intervention that took place with the adoption of Law 4322/2015 has contributed to this reduction.

Nevertheless, after taking into consideration that the decongestion measures included in the regulations of the abovementioned law have an exceptional nature, whereas the problem facing our country, unfortunately, appears as a timeless trend, there are also efforts for more preventive measures and for modernizing the system of penalty enforcement, in accordance with your recommendations.

In this context, alternative forms of serving sentences are promoted. In particular, with respect to non-custodial measures, we note that the pilot implementation of the institution of electronic monitoring has begun. This programme, with a total duration of 18 months, applies to 250 persons, of which 100 on remand. The contractor company, in consultation with the competent committee for monitoring the project, has undertaken the organization of relevant seminars for better informing judges, prosecutors and lawyers across the country.

Moreover, according to the provisions of article 64 of the Correctional Code, there is the possibility of converting a prison sentence initially to a monetary penalty and then to community service. The list of organisations offering work placements for offenders has been enriched. Currently, the relevant list includes 291 agencies for community work for adult offenders and 155 agencies for juveniles respectively (Ministerial Decisions No.108073/2013 and No. 97241/2014).

At the same time, steps are taken to facilitate the social reintegration of prisoners through various education and training programmes. In collaboration with the Ministry of Education, access to formal education (primary, secondary, high school) and the Vocational Training Institutions (IEK), is provided to detainees. Lifelong learning is also promoted, through the institution of Schools of Second Opportunity, which is acknowledged as equivalent to formal education. It is worth mentioning that degrees provided by schools operating in prisons (formal education and Schools of Second Opportunity) do not mention that education took place in prison, in order not to impede social reintegration of inmates. Moreover, a number of productive workshops operate within prison establishments, which offer practical experience to working detainees (e.g. production of mattress in Halkida Prison). All the above are complemented with actions for counseling and psychological support (e.g. special programmes for drug addicts), which are considered as crucial to the social empowerment of prisoners. Regarding the various programmes operating in the Detention Establishments of the country, there is a relative table in the Annex.

Moreover, the main body responsible for the support and facilitation of the social integration of released prisoners is EPANODOS, an organization supervised by the Ministry of Justice. Finally, the serious issue of existing barriers to ex-prisoners' reintegration (for example criminal record or bans for performing certain professions) is already being examined by a committee of experts. The committee is expected to come up with concrete proposals for the amendment of relevant legislation and the abolition of such regulations which seriously act as barriers to desistance processes.

**On paragraphs 65-70:**

We acknowledge the conditions of staff shortages, since retirements are not replenished with equal recruitments, given the fiscal challenges facing our country. However, despite the existing shortcomings in staff levels, prison officers are constantly alert in order to maintain prison control while it is manifested in every way that phenomena of violence, abuse and victimization among prisoners will not be tolerated and that all incidents will be promptly and vigorously addressed both by disciplinary and criminal procedures. In any case it is not a precise and entirely representative picture that there are generalized issues of challenges in the control of prisons since each establishment is an autonomous managed unit. To this end:

a) Penal legislation has become stricter, as regards incidents of violence against prison staff and other inmates. In particular, pursuant to article 94 par. 4 of the Greek Penal Code, as it was recently amended by article 5 of Law 4322/2015, penalties imposed for felonies or intended misdemeanors which involve physical violence and have been committed by inmates against other prisoners or employees of the detention facilities or during a prisoner's leave, are served fully, after serving the sentence imposed on the perpetrator.

b) In any case, it is closely observed that prisoners remain separated at all times mainly on ethnic and religious grounds but also on grounds of age, criminal offence, level of security and vulnerability (due for example to their medical condition or sexual orientation) in order to prevent any violent outbursts. The Central Transfers' Committee (KEM), which is the responsible body for ordering transfers for reasons of prison safety, is overseeing both transfers as a disciplinary penalty and for the prevention of violent incidents. Special attention is paid for the protection of vulnerable prisoners through placing them in proper units and level of security prisons. Greek prison establishments range from low level semi open (farm house/ agricultural)

prisons, to two type of establishments (Type A, Type B) depending on the level of security each prisoner is presenting.

c) Moreover, regular and unannounced investigations are held by the Body for Inspection and Control of Detention Establishments, which is an investigative body under the Ministry of Justice with full authority to enter prison establishments and conduct inspections.

Exercising violence against another inmate constitutes a disciplinary offense (article 68 of the Correctional Code), therefore, in the case of such incidents, the disciplinary process is activated, as it is provided for in legislation (article 71 of the Correctional Code), namely: a written report on the specific case of a disciplinary offense is submitted immediately after it has been committed or when the officer was informed of the incident and the perpetrator. The Disciplinary Board is convened within 48 hours, otherwise within five days of the submission of the report. The decision of the Disciplinary Board is announced immediately after the hearing and registered, if a penalty is imposed, in the establishment registries as well as in the personal file of the prisoner. The inmate has a right to appeal against the decision of the Disciplinary Board before the Judicial Council. Additionally, the competent public prosecutor is informed and, after conducting preliminary investigations, may instigate criminal proceedings and prosecute the perpetrator according to penal law.

Concerning the two reported incidents of attacks against other inmates in the Nafplio prison, it is evident from the relevant documentation forwarded by the prison director, that the above-mentioned procedure was observed. More specifically, the perpetrators were brought before the Disciplinary Board and punished with disciplinary transfer. In one case (16 May 2014), the transfer was executed 21 days following the return of the inmate to prison from the local hospital. This delay was due to the elections' procedure (the perpetrators were included in the election records and had the right to vote at Nafplio prison). During their stay following the decision of the disciplinary board they were held in a specific unit separated from other inmates. Moreover, the prosecutor was informed and charges were pressed against all perpetrators in both cases (the criminal procedure is pending).

As regards the first incident at the Corinth prison, it has been reported by the prison director that the victim did not wish to report the case. We are aware and we do acknowledge that the lack of staff may contribute to failure to prevent violent incidents among prisoners, while at the same time perceptions of vulnerability among prisoners may affect their willingness to name the perpetrators. As regards the second incident of 11 March 2015 at the Corinth Prison, we would like to inform you that the perpetrator was brought before the Disciplinary Board for the disciplinary offence of committing physical violence and money extortion. Accordingly, the relevant disciplinary punishment was imposed on him by the decision 04/2015 of the Disciplinary Board. Taking into consideration the relevant documentation, it becomes obvious that disciplinary procedures were adhered to in the case at question. In both cases the Prisoners' Injuries Registry had been informed.

**On paragraphs 70 and 84:**

Following earlier recommendations of your Committee and in order to ensure the protection of the rights of detainees, a circular has been issued (no. 51271/ 30-5-2011) to the Directorates of all the Detention Establishments for the creation and diligent updating of a Prisoners' Injuries Registry. Injuries found upon medical examination to



newcomers (namely persons being incarcerated for the first time or entering the facility after a transfer from another detention establishment) and the rest of the detainees, are recorded in this registry, with specific reference to the type of injury and the reported cause, as well as the date and time of examination. In cases where the cause of injury is reportedly an assault or is deemed to have been such, the prison director has the duty to promptly inform the Supervising Prosecutor and the General Directorate of Crime and Correctional Policy. In any case, the provided disciplinary and penal procedure is initiated by the competent authorities. Today, there have been efforts to reinforce the recording of incidents and the diligent keeping of the registry.

Moreover, a relevant electronic file is being kept at the General Directorate for Crime Policy, where all incidents of violent attacks (both against prisoners and staff), suicides/ attempted suicides and deaths are kept since March 2015. This informal registry will be fully integrated to the online electronic interface system of all detention facilities in the country, which is developed within the framework of the project "Electronic Services of Detention Establishments". The injury register will be enriched with data referring to the perpetrator, the victim and a description of the actual facts, as indicated by your Commission as well as with special mention of all disciplinary and criminal procedures that have been initiated. This project will facilitate the monitoring and the follow up of the disciplinary process and we believe it will contribute to the overall improvement of relevant procedures. The online system is expected to be fully operational within the next six months. Finally, let us stress that there is political commitment on our part for zero tolerance of inter-prisoner violence.

**On paragraphs 71-72:**

The Detention Establishments of Korydallos and Thessaloniki are located in the two major urban centers of the country. Consequently, they constitute de facto entrance gates in the prison system for a very large percentage of the total prisoners' population. As a result of the measures taken to immediately address overcrowding, the situation in Korydallos male prison has improved, but this was not the case for Thessaloniki prison. As Thessaloniki facility is the main establishment which serves first detention needs of all central and northern Greece, there is a high rate of new prison entries. Moreover, a significant number of prisoners who were held in police facilities in Thessaloniki greater area before law 4322/2015 took effect, were transferred to Thessaloniki prison thus making effective decongestion of the establishment more difficult. Nevertheless, constant efforts are made to manage the exceeded capacity of Thessaloniki prison by transferring inmates to other establishments. Finally, it is expected that the situation will improve when utilization of the full capacity of Nigrita and Chania prisons will be made possible once the issue of under-staffing is resolved.

The online system for the interoperability of detention establishments should lead to more effective management of prisoners' population and the rationalization of its distribution, as it will be a key tool for faster and more efficient management of the necessary transfers. As mentioned above, this online application is expected to be fully operational within the next six months (see above on paragraph 70 and 84).

**On paragraph 73:**

According to relevant documentation forwarded by the Director of Alikarnassos prison, the total number of prisoners detained at the facility on 13 October 2015 was 206 persons (including prisoners on leave and those temporarily transferred to other prisons, in order to attend trials). Accordingly, each cell is occupied by one or two inmates. There are only 3 exceptions where cells are occupied by 3 inmates, not due to

overcrowding, but because the inmates themselves asked not to be separated and to share cells.

Furthermore, the prison director has taken the initiative for remodeling the sanitary facilities according to your instructions. Regarding concerns on the structural solidity of part of the facility, we note that a study has been assigned and the work will be implemented by the authorities of the relevant Region.

**On paragraphs 74-76:**

Nafplio prison also constitutes to a great extent a de facto gate of entrance to the prison system, as is the case for the Detention Establishments of Korydallos and Thessaloniki (see also paragraph 72). The Central Transfers' Committee (KEM) takes steps for the decongestion of the detention facilities, whenever the possibility to accommodate a specific number of detainees in a certain prison is far exceeded, following a report from the prison director. Accordingly, the reduction by 29 detainees, during the week prior to the delegation's visit falls under this practice followed on a weekly basis, in the context of managing overcrowding. In corroboration, we note that, due to this practice which leads to a constant level of prisoners' mobility a total number of 419 detainees have been transferred from Nafplio prison to other detention facilities throughout the country from January until July 2015; and that there has been no intention on the part of our services to conceal the existing situation in any way.

According to our statistics, on 1<sup>st</sup> October 2015, 444 persons were being held in Nafplion prison. As we stated in our response to the preliminary observations made by the delegation of the Committee, there are no longer detainees sleeping on mattresses on the floor, or living in corridors. Consequently, although there is considerable improvement in terms of overcrowding, the available living space per prisoner in the cell has not yet reached the desired standard of total space of 40m<sup>3</sup> for double capacity cells and 6m<sup>2</sup> for dormitories (according to articles 21 paragraph 2 and 4 Correctional Code).

As regards the issue of fully partition of the in-cell sanitary facilities, we would like to inform you that the director of Nafplio prison has been instructed to take all necessary action, following your recommendations.

**On paragraph 77:**

Creating opportunities for education, lifelong learning and vocational training for detainees, constitutes one of our clear priorities. We are determined to maintain and, where possible, reinforce the existing educational structures, the language classes and the institution of Schools of Second Opportunity, in cooperation with the Ministry of Education. More particularly, the establishment of three new Schools of Second Opportunity in Chania, Nigrita and Nafplio prisons is underway, while the re-opening of the school at Domokos prison - which had been closed following the turning of the facility to a high security prison - is imminent.

Apart from the collaboration with the aforementioned Ministry on the programmes mentioned under paragraph 62, consolidating a similar cooperation with national agencies for the development of human resources is also considered a key objective.

Regarding work opportunities, it should also be highlighted that, through a recent legislative amendment, an additional motivation for work is given to detainees. More specifically, the Presidential Decree 60/2015 stipulates that each working day at is beneficially calculated as 3 days of serving penalty in agricultural prisons.

Below is a brief list of the various programmes in the Detention Establishments of Korydallos, Thessaloniki and Alikarnassos, according to your request.

A. Educational and recreational programmes that take place in the Detention Facility of Korydallos
<b>A. EDUCATIONAL AND PSYCHOLOGICAL PROGRAMS</b>
<b>1. Schools of Second Opportunity</b>
Purpose: Completion of basic training in order for the trainees to obtain diploma equivalent to that of three-grade High school and general assistance to their reintegration after their release.
Participants: the programme is attended currently by eighty-eight (88) trainees (63 in the first year and 25 in the second year).
Starting year : 2005
<b>2. Vocational Training Institute (I.E.K.)</b>
Purpose: The training of participants in specialties of "Form Designer and Electronic Media" and "Cartoon art - Iconography Graphics."
Participants : in the specialty of "Form Designer and Electronics Media" , 18 male prisoners and in the specialty of "Cartoon Art -Eikonografia Graphics", 15 male prisoners.
Starting Year : 2014 (September)
<b>3. Learning Greek Programme for foreigners "ULYSSES"</b>
Purpose: Learning Greek for foreign prisoners
Participants: two sections consisting of 20 foreign trainees each.
Starting Year : 2014
<b>4. Club of reading literature and social thought</b>
Purpose: reduction of the adverse effects of incarceration through group discussion for literature works. (prose, poetry, drama) and direct communication with leading creators (authors, directors, etc. artists often visit the club).
Participants: 15-25 prisoners in each meeting.
Starting Year : 2009
<b>B. THERAPEUTIC PROGRAMMES AND COUNSELING</b>

**1. Therapeutic Community KETHEA**

Purpose: mental rehabilitation from psychoactive substances.

Participants: 14 drug addicted detainees.

Starting Year: 2008

**2. KETHEA - Advisory center of the programme "In Action"** Purpose: mobilization, treatment and reintegration of prisoners who are addicted users.

Participants: 85 drug addicted detainees.

Starting Year: 1989

**3. Opiate Substitution Treatment Unit – OKANA (Organisation Against Drugs)**

Purpose: pharmaceutical treatment of drug dependence.

Starting Year: 2014.

Participants: thirty-eight (38) dependent male prisoners.

**4. Over 18 - Treatment for drug addicted and alcoholic detainees.**

Purpose: Advisory and mobilization of prisoners addicted to drugs in order to continue the treatment after their release.

Participants: 82 drug addicts.

Starting year : 1993

**5. Drug addicted Anonymous**

Purpose: Psychological support for dependent drug users.

Participants: up to 25 drug addicted detainees.

Starting year: 1993.

**6. K.A.T.K.E.TH. – A' phase of preparation for mobilization and Advisory center.**

Purpose: mobilization and selection of drug addicts who are interested in participating in the programme of physical and psychological rehabilitation and social reintegration of the Center.

Participants : 30 prisoners

Starting year : 2002

Programmes that take place in the Detention Facility of Thessaloniki

- 1. KETHEA (advisory-therapeutic program)**  
210 detainees participated in the 2 cycles (men and women) and 48 in the phase of pre-community.
- 2. EPATH (programme "human communication")**  
15 women detainees are taking part.
- 3. ELLINION ("language laboratory")**  
16 women are taking part.
- 4. University of Florina (Department of creative writing)**  
15 men and 5 women are participating.

Programmes that take place in Alikarnassos Detention Facility

- **KETHEA ARIADNI of Heraklion (Therapeutic programme of advisory and self-help)**  
19 prisoners participated
- **Programme of Parents Faculty**  
Ministry of Education and Religious Affairs, Culture and Sports, General Secretariat of lifelong learning. There is 1 group of 10 detainees.
- **Programme of production of soaps**  
There is a trainer- prison officer and 2 working prisoners.
- **Programme for the production of organic fertilizer and the creation of incubator (gardening workshop)**  
1 trainer -prison officer and 2 working prisoners.
- **Pottery workshop**  
1 trainer-prison officer and 5 working prisoners.
- **Carpentry workshop**  
1 trainer –prison officer and 6 prisoners.
- **Voluntary learning programme** of Greek language, history of Primary and High school. This is a programme for foreign detainees by working detainees who voluntarily supported the programme in their leisure time. 29 prisoners participated. It is for the moment interrupted but it will be continued.

**On paragraph 78:**

Regarding the issue of creating a special area in Nafplion prison dedicated to prisoners' activities we would like to mention that due to acute overcrowding and accordingly limited available space for activities, there have been very few opportunities for inmates until today. However, the solution of placing a light construction has been approved and has already been assigned to a construction company. As the necessary funds have been earmarked, construction works are underway and it is planned that the first activity to be implemented will be the operation of the School of Second Opportunity, in cooperation with the Ministry of Education.

**On paragraphs 79:**

Through the decision of the Deputy Minister of Interior and Administrative Reconstruction with reference no. DIPAAD/FK /39/24132 /13-8-2015 (B' 1750), 13 physicians specialized in pathology, psychiatry, orthopedics, obstetrics/ gynecology, cardiology and radiology were allocated in Detention Establishments. More specifically, two (2) of them are appointed at Korydallos male prison, four (4) at Korydallos Prison Hospital, one (1) at Korydallos Psychiatric Hospital, one (1) at Women Prison at Thebes, two (2) at Patra prison, one (1) at Ioannina prison, one (1) at Thessaloniki prison and one (1) at Chania prison. The process for the appointment of the abovementioned physicians has already started and their placements are shortly expected.

As for other nursing staff, it is noted that an increase by 20 persons of Welfare Health staff (nursing specialty) has been provided for (article 16 of law 4322/2015) and the process of filling of these positions will begin.

In the context of hiring new medical and nursing staff by the Health Ministry, our Ministry will make all necessary steps so that the special peripheral medical centers operating in prisons are staffed with medical personnel appointed by the Ministry of Health, in order to ensure the provision of minimum health services to prisoners.

In any case a concise plan of action will be devised so that all issues regarding health care provisions in prisons are included in a framework agenda which will be agreed upon with the Ministry of Health and permanent cooperation is established in order to follow up the various demanding needs for the restructuring of the system of primary health care in correctional institutions.

**On paragraph 81:**

Concerning the issue of prisoners being involved in health-care tasks, we agree that this is not an approvable practice and that health care services in prisons should be managed and staffed by medical and nursing qualified practitioners. However, due to acute shortages in health-care personnel and as a matter of emergency, prisoners are exceptionally involved in health-care tasks. In any case, every effort is made that they have not access to medical records, that they perform purely auxiliary tasks necessary for the operation of the service and that they are constantly monitored and supervised by medical and prison staff. Our services have provided instructions about the observance of medical confidentiality in these cases. To date, no case of medical confidentiality breach has come to the attention of our services.

**On paragraph 83:**

Regarding the issue of medical examination (screening) of every newly arrived prisoner, every effort is made at all prison establishments to conduct a full examination shortly after arrival.

We note that there is a developing collaboration between our Ministry and the Ministry of Health, involving the National School of Public Health (ESDY), for the early detection of particularly dangerous transmittable diseases (HIV, Hepatitis B and C & Tuberculosis). The pilot implementation of this programme will begin in the Detention Establishment of Korydallos.

**On paragraph 85:**

Medical confidentiality is sufficiently guaranteed in our legislation. Namely, even if a guard is present during medical consultation, s/he is bound by medical confidentiality, as much as doctors and nurses. Nevertheless, additional instructions have already been given to the directors of Nafplio and Corinth prison to ensure that whenever a medical examination takes place it is conducted in a way that guarantees confidentiality. Reinforcing medical confidentiality and ensuring the protection of sensitive personal data for detainees across the country will be included for consideration in the framework of the restructuring of health care services in prisons.

**On paragraph 86:**

In line with your report, we are of the opinion that the HIV-positive inmates do not constitute a distinctive group with regard to the health status and should not be detained to a special establishment confined by the rest prisoners. Nevertheless, as you also point out in your report, it is more realistic that HIV positive inmates are accommodated in the third wing of Korydallos Women's prison. However, we are examining the possibility that drug addict HIV-positive inmates are admitted for drug treatment at the Centre for the Detoxification of Detainees of Thebes. By doing so, not only are we aiming at reducing the occupancy levels of the Korydallos Prison Hospital but we also hope that the time served at the Centre for the Detoxification of Detainees will be a period that shall contribute to the smooth rehabilitation of the detainee.

Regarding the organized activities and support provided to the HIV-positive prisoners of the third Wing of the Korydallos Women's Prison we would like to inform you the following:

Programmes for the psychosocial support, legal counseling and mutual aid of addicts are implemented by the NGO's PRAKSIS (once a week), "Positive Voice" (once a week) and Anonymous Addicts (once every two weeks). Also, the Ministry of Education's youth institution and lifelong learning implements once a week a programme of consultation and psychological support. Moreover, the NGO "Technodromo" has the responsibility for the operation of a Theatrical Group. Finally, we would like to inform you that a School of Second Opportunity is about to operate very soon.

Although we believe that a lot more could be done – and we will cooperate with the social service of the Korydallos Prison Hospital to create a much more interesting and meaningful environment for the prisoners, we believe that the situation at the Prison Hospital has been considerably improved.

**On paragraph 87:**

Concerning the case of the two HIV-positive prisoners in Alikarnassos prison, we were informed by the prison director that they were accommodated in a special cell separated from other inmates on their own initiative, since they did not wish to enter the main wing. One of these two detainees has already been transferred to Thessaloniki prison, while the other did not wish to be transferred but has insisted in remaining at Alikarnassos prison. Accordingly he has been placed in a protection cell where he is detained alone during the night, while during the day he participates in all activities and has the same programme (timetable) with the rest of detainees.

As regards HIV-positive detainees, the general practice so far is that the Central Transfers' Committee (KEM) arranges that they are transferred to Korydallos Prison Hospital (third wing of Korydallos Women's prison), where there are special premises for them. Furthermore, we are considering the possibility of carrying out advisory and awareness raising programmes for both employees and prisoners.

**On paragraph 88:**

In case of death of a detainee in the prison facilities, the competent public prosecutor is requested to conduct a preliminary disciplinary examination for the causes of death and possible disciplinary responsibility of prison staff.

Through the document of the Deputy Minister of Justice, Transparency and Human Rights with reference no. EP 499/10-4-2013, Nafplio Public Prosecutor was requested to carry out a disciplinary preliminary investigation regarding the death of the prisoner named A Y held in Nafplio prison. The relevant prosecutor's findings did not attribute responsibilities to prison officers.

Regarding the death of the Korydallos Prison heroin user CC, we would like to inform you that the investigation currently conducted by the Korydallos' Supervising Prosecutor has not yet come into conclusion. More specifically the prosecutor has requested by the competent medical forensic service that a full investigation into the cause of death is conducted. Today, the forensic examination has been completed and the relevant documentation has already been forwarded to the competent police authority in order to take all necessary action, among which informing the public prosecutor. Moreover, as was mentioned at the preliminary response (p. 6), the Secretary General for Crime Policy has asked the Minister of Health to initiate all proper disciplinary investigation to the local public hospital where the prisoner was admitted for a short while and to the Substitution Unit of OKANA in Korydallos prison where the prisoner was attending opiate substitution treatment. In any case, needless is to say that there seems to be challenges to be addressed regarding the information exchange between local hospitals and Korydallos Prison Hospital (see below on paragraphs 89-91).

On the other hand, we would like to stress that although phrases like "prisoners...are being allowed to die" (p. 6 of your report) seem like an exaggeration of the overall situation, this does not lessen our serious concerns about the disappointing situation at Korydallos Prison Hospital. [see also preliminary response p.5-6 (b)]

Finally, in the context of our cooperation with the services of the Ministry of Health it is our intention that all efforts are made in order to optimize and coordinate the above referenced processes and improve procedures for effective investigation of cases.

**On paragraphs 89-91:**



The issue of the reorganization of Korydallos Prison Hospital is also one of the priorities of our policy and we acknowledge the serious shortcomings in its operation due mainly to the shortage of medical and nursing staff and secondarily to poor material conditions. According to plans, all efforts will be made for the smooth promotion of the full integration of Korydallos Prison Hospital to the National Health System, along the lines of the draft proposal that has already been devised for the integration of the Psychiatric Prison Hospital to the National Health System notwithstanding acute financial constraints which constitute at the moment serious barriers to full implementation of this project. Until this procedure is completed, it is expected that the arrival of four (4) specialized medical practitioners following their recruitment by the Ministry of Justice (see above on paragraph 79) will considerably improve the level of health care provided.

In relation to the issue of information exchange between the visiting and permanent doctors employed by the Hospital we would like to assure you that there is a well adhered to procedure of information exchange which is regarded as adequate by the medical personnel. More specifically every visiting doctor keeps a personal book with information on the medical condition, examinations etc of each patient. These books are easily accessible to the permanent doctors of Korydallos Prison Hospital, so they can be informed about each prisoner's health status any time it is considered necessary. However it seems that more serious problems are encountered in the information exchange between medical practitioners at the Prison Hospital as well as at prison facilities with the medical personnel responsible for treating prisoners at local hospitals following transfer for medical reasons.

In order to improve liaising among the respective medical services of prison establishments with regular hospitals more efforts need to be made in close cooperation with the Ministry of Health.

**On paragraph 92:**

On the administrative staff and the guards it is noted that the increase of existing permanent posts in Detention Establishments by 20 employees (of which 10 specialised in Social Work and 10 in Health and Welfare), 340 Guards, 160 External Guards and 20 specialised in Management Accounting has been provided by legislation (article 16 law 4322/2015).

Furthermore, it is noted that, with the decisions of the Minister of Justice, Transparency and Human Rights with ref. no. 5158/02.02.2015 and 5159/02.02.2015, five hundred eighty three (583) former municipal police officers were transferred to the Detention Establishments across the country and are already offering their services.

Besides the above, the Ministry of Justice, Transparency and Human Rights constantly takes actions for the optimum operation of the Detention Establishments of the country and to this end intervenes by taking the necessary administrative steps (postings and transfers of employees) to strengthen those prisons facing serious operational problems due to lack of staff (see also above p. 2-3).

**On paragraph 93: staff training (see above p. 3)**

**On paragraph 94:**

Currently, prisoners who are visited by relatives traveling from afar are able to accumulate visiting time in one week, upon request to the Prison Board. For the implementation of the other recommendations regarding visits to detainees, legislative amendments are required. To this end, the issues raised will be brought to the attention

of the competent legislative committee for the elaboration of the new draft of the Correctional Code.

**On paragraph 95:**

Regarding the possibility of detainees to submit complaints, we note the following:

Detainees have the right to a hearing before the Prosecutor supervising the Detention Establishment on any issue that concerns them, upon request. They also have the same right to a hearing upon request before the prison director and the heads of all departments operating in prison (administrative, social service, security). Moreover, within the context of the elaboration of the new draft Correctional Code, the possibility of detainees to express collectively, through memoranda, opinion on the operation of the detention facility is discussed. Additionally, prisoners may refer in writing to the Prison Board as well as to the supervising Ministry of Justice in formal or plain letter. Moreover, all prisoners as every citizen have the constitutional right to represent themselves before every public authority in the country and file a report (art. 10 of the Constitution). They also have the right to report to the Ombudsman, the Body for the Inspection and Control of Prison Establishments and every European organization or other authority either via the prison administration or directly (via phone, mail etc). Finally, they may report to the public prosecutor any unlawful act against them like all citizens and ask that criminal proceedings are initiated.

The General Secretariat for Transparency and Human Rights of our Ministry is already considering the possibility of devising a protocol for complaints procedure in a manner that ensures anonymity. To better implement your recommendation on the establishment of a robust complaints system, we look forward to your help, through your own proposals or by suggesting best practices that have been tested elsewhere.

**On paragraphs 101-102:**

Concerning your comments about the upgrade of the material conditions and the provision of organized activities at the Corinth Detention Facility for juveniles, we would like to note the following:

According to information provided by the director of the Corinth prison it seems that the mattresses were delivered less than 6 months prior to your visit, on November 2014. In any case, an amount of 3.000 € has already been earmarked for the purchase and installation of doors at the sanitary annexes of the juveniles' cells following your recommendations. Further, additional funds will be earmarked and instructions will be given to the prison administration for the improvement of living conditions in the facility. The prison administration is also in the process of offers' collection for the purchase and setting up of a library for the needs of the school.

Regarding your proposal on the organization of vocational training programs, we would like to inform you that providing training to prepare inmates for social and vocation re-integration is one of our priorities, especially as regards minors and that every possible effort will be made taking into consideration the economic restraints.

Finally, we would like to note that the following programmes take place at the Corinth prison: handicrafts workshop, mental health promotion conducted by the NGO "Diolkos" and workshops of artistic expression run on a voluntary base by an experienced child psychiatrist-psychologist. Chess lessons are also planned to start soon for juvenile detainees. In any case, we will collaborate closely with the prison

social service in order to improve the level of age appropriate activities provided in the facility.

**On paragraph 103:**

According to information provided by the director of the Corinth Detention Facility for juveniles, it seems that the disciplined juvenile was subjected to the same programme (timetable) that applied to the rest of the detainees during the 10 days period that he remained in isolated environment and that he had full access to outside space. Following the 10 day disciplinary sentence, he was put under "special regime" on the decision of the Disciplinary Board, in order to protect him and prevent any incidents against him. Therefore, for the rest 30 days the juvenile remained in his cell while prison cells were closed and was put in the disciplinary area during the time the prison was open.

Given your recommendations, we will examine all possibilities for putting forward an alternative regime for the physical and mental stimulation of juvenile detainees for as long as they remain in isolated environment.

However we would like to note that we are seriously considering revising the policy of placing juveniles in solitary confinement and in this respect your recommendations will be forwarded to the competent Committee which is preparing the Draft of the new Correctional Code for further consideration.

## ANNEX

### **Educational, vocational, therapeutic and other programmes in the Greek Detention Establishments**

#### **Programmes of the Greek Detention Facilities (2015)**

- **Detention Facility of Patras:** educational - vocational training programme / a) "English at Work" and b) "Greek Alphabetical System".
- **Detention Facility of Korinthos:** athletic fitness program.
- **Center of Rehabilitation of Drug Addicted Detainees of Eleonas Thiva:** educational-vocational training program/ "Prisoners-Contact in everyday life".
- **Special Facility of Young Persons' Detention at Avlona:** cultural programme / "The smiles of angels -The celebration of children".
- **Agricultural Prison of Cassandra:** advisory programme / "computer skills".
- **Center of Rehabilitation of Drug Addicted Detainees of Eleonas Thiva:** cultural program/ "Theatrical workshop".
- **Women Detention Facility of Eleonas Thiva:** therapeutic – advisory programme/ "Therapy through Art".
- **Detention Facility of Amfissa:** cultural programme / "Prisoners-Support of prisoners".
- **Detention Facility of Patras:** cultural programme / "17th Thessaloniki Documentary Festival".
- **Detention Facility of Patras:** educational-vocational training / "Basic English A1".
- **Detention Facility of Korinthos:** advisory programme/"Discussion of ethical dilemmas".
- **Detention Facility of Komotini:** therapeutic-advisory programme / "KETHEA".
- **Detention Facility of Ioannina:** advisory-counselling programme/ "theatrical workshop".
- **Detention Facility of Korinthos:** advisory programme/ "Implementation workshops".
- **Detention Facility of Amfissa:** cultural programme/ "Parents Faculty".
- **Agricultural Prison of Agia:** advisory programme/" presentation of table games" kaloumba "
- **Women Detention Facility of Eleonas Thiva:** "sewing workshop" and "H/Y workshop".

#### **Second chance schools**

1. Detention Facility of Korydallos (2005-2006)
2. Detention facility of Larissa (2004-2005)

3. Detention Facility of Thessaloniki (2007-2007)
4. Detention Facility of Domokos (2008-2009)
5. Detention Facility of Trikala (2009-2009)
6. Women Detention Facility of Eleonas Thiva (2008-2009)
7. Detention Facility of Patras (2009-2010)
8. Detention Facility of Grevena (2012-2013)
9. Detention Facility of Agia 2015-2016)

#### **Special Primary Schools**

1. Special Facility of Young Persons ' Detention at Volos
2. Special Facility of Young Persons ' Detention at Avlona
3. Special Agricultural Detention Facility of Kassavetia
4. Women Detention facility of Eleonas Thiva
5. Special Facility of Young Persons' Detention at Korinthos (2014-2015)

#### **Special High Schools**

1. Special Facility of Young Persons ' Detention at Volos
2. Special Facility of Young Persons ' Detention at Avlona
3. Special Agricultural Detention Facility of Kassavetia (2013-2014)
4. Special Facility of Young Persons' Detention at Korinthos (2014-2015)

#### **Special Secondary Schools**

1. Special Facility of Young Persons ' Detention at Avlona

### **KETHEA**

#### **A. ADVISORY AND THERAPEUTIC UNIT FOR DRUG ADDICTED DETAINEES**

##### **GROUPS OF SHELF-HELP "IN ACTION"**

1. Detention Facility of Korydallos
2. Women Detention Facility of Korydallos
3. Hospital of Korydallos' Detainees
4. Women Detention Facility of Eleonas Thiva
5. Detention Facility of Thessaloniki
6. Detention Facility of Grevena
7. Agricultural Prison of Kassandra
8. Detention Facility of Central Macedonia III (Nigrita at Serres)

##### **"OXYGEN"**

1. Detention Facility of Patras

##### **"EXIT"**

1. Special Agricultural Detention Facility of Kassavetia
2. Detention Facility of Larissa
3. Detention Facility of Trikala

**ADVISORY UNIT OF DETAINEES**

1. Detention Facility of Thessaloniki
2. Agricultural Prison of Kassandra
3. Detention Facility of Grevena
4. Detention Facility of Central Macedonia III (Nigrita at Serres)

**“KIVOTOS”**

1. Detention Facility of Komotini

**“ARIADNI”**

1. Detention Facility of Alikarnassos
2. Detention Facility of Crete I (Chania)
3. Agricultural Prison of Agia
4. Detention Facility of Neapoli

**B. ADVISORY AND REHABILITATION UNIT FOR DRUG ADDICTED DETAINEES**

• **GROUPS OF SELF-HELP**

1. Detention Facility of Korydallos
2. Women Detention Facility of Korydallos
3. Women Detention Facility of Eleonas Thiva

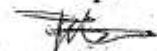
Ο ΓΕΝΙΚΟΣ ΓΡΑΜΜΑΤΕΑΣ  
ΑΝΤΙΓΚΛΗΜΑΤΙΚΗΣ ΠΟΛΙΤΙΚΗΣ

ΕΥΤΥΧΙΟΣ ΦΥΤΡΑΚΗΣ  
THE GENERAL SECRETARY OF ANTI CRIME  
POLICY  
EFTYCHIOS FYTRAKIS

Internal Distribution:

- 1) The Minister's Office
- 2) Office of the Director General of Anti-crime Policy

True copy  
The Head of the Department  
Pp.



E. Kovani

Hellenic Republic  
Ministry of Interior and Administrative Reconstruction  
Hellenic police headquarters  
Sector: Foreign Nationals and Border Protection  
Directorate: Prosecution of Irregular Migration  
Department: Management of Detention Facilities and Returns  
4, P. Kanellopoulou St. - 101 77 - ATHENS  
Fax: 210 - 69.77.811  
Email: prosillimmigration.dir@astynomia.gr

Reference number: 6634/1 - 327 309  
cc: see table of recipients

To: the Ministry of Foreign Affairs  
Directorate: D3 - Organisation for Security and Cooperation in Europe (OSCE) - Council of State (CoS)  
3, Akadimias St.  
Zip code 106 71 - Athens  
Athens, October 23, 2015

**SUBJECT: "Report of the European Committee for the Prevention of Torture and Other Inhuman or Degrading Treatment or Punishment (CPT) of the Council of Europe, following their visit to Greece (14 - 23.4.2015)]."**

RE: a) Our order number 1604/15/649652 dated 11/4/2015 (DDPM).  
b) Letter from the Permanent Greek Delegation to the Council of Europe / Strasbourg under no. 6691/21 / AS 335 dated 2.4.2015  
c) Document from the Ministry of Foreign Affairs, Directorate: D3 OSCE - Council of State, under no. 6602.3 / AS 13724 dated 3.4.2015  
d) Email sent from your Directorate on 16-7-2015 (forwarding the report prepared by the CPT (European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment) of the Council of Europe, dated 15-7-2015, following their visit to Greece / 4 - 16.4.2013).

A. - In response to the above (d) relevant document, regarding the chapter of the text of the Report prepared by said Committee, concerning responsibilities of the Ministry of Interior and Administrative Reconstruction / Sector: Citizen Protection, please be advised of the following, per paragraph (recommendations / requests for information):

II.) - FACTS ESTABLISHED DURING THE VISIT AND PROPOSED ACTIONS:

CHAPTER I - Treatment of criminal suspects detained by the police.

2. - Ill-treatment.

**Paragraphs 7, 16, 18, 19, 48, 97 and 100:** Requests for information on complaints received by the Committee alleging ill-treatment of detainees.

The Sworn Administrative Inquiries (E.D.E.), ordered to investigate the above complaints, are still pending.

The Sworn Administrative Inquiries (E.D.E.), ordered to investigate the above complaints, are still pending.

Upon completion of the investigation and as soon as the competent decision-making bodies reach their verdict, we will inform you of the outcome.

Please be advised that, in response to the preliminary observations made by the Committee's President, the Report was forwarded to the Internal Affairs Division / Hellenic Police Headquarters (D.E.Y.), which submitted it to the Public Prosecutor, Athens First Instance Court, to issue the corresponding orders.

In particular (per paragraph), by reason of competence, please be advised of the following:

**Paragraph 7:** Request for information:

Reported attempt to deceive and block access of a Committee delegation to detention facilities located on the 11<sup>th</sup> and 12<sup>th</sup> floors of the premises of the Attica Police Headquarters.

A Preliminary Administrative Inquiry (PDE) was ordered to verify the complaints, commissioned to a senior police officer with no administrative dependency with any of the police officers involved, which has not been concluded until today.

Upon completion of the investigation and as soon as the competent decision-making bodies reach their verdict, we will inform you of the outcome.

**Paragraphs 16i and 18:** Request for information:

Complaints of ill-treatment of detainees by "DELTA" squad police officers.

By order of the Attica Police Headquarters (GADA) an Oral Administrative Inquiry (P.D.E.) was already conducted on a video material concerning the apprehension of a person by police officers, which was converted into a Sworn Administrative Inquiry (E.D.E.), to investigate the incident mentioned in said paragraph and was commissioned to the Sub-Division for Administrative Investigations of the Attica Police Headquarters (Y.D.E. / G.A.D.A.). Further, as paragraph 18 of the Report makes reference to the methods used by «DELTA» squad when they apprehend people and requests to investigate these and given that police officers of this squad are allegedly involved in the incident of this paragraph, the Sworn Administrative Inquiry will aim at investigating as well any blameworthy police actions both of the «DELTA» squad and the other two-wheeled motor squads of the Attica Police Headquarters, regarding the methods they use when apprehending people.

Upon completion of the investigation and as soon as the competent decision-making bodies reach their verdict, we will inform you of the outcome.

**Paragraphs 16ii 18:** Request for information:

Complaints for ill-treatment of a person in Thessaloniki by police motorcyclists.

A Sworn Administrative Inquiry was ordered, which was commissioned to the Sub-Division for Administrative Investigations / Thessaloniki Police Headquarters. Further, as paragraph 18 of the



Report makes reference to the methods used by «DELTA» squad when apprehending people and requests to investigate these and given that police officers of a two-wheeled motor squad are allegedly involved in the incident reported in that paragraph, the Sworn Administrative Inquiry will aim at investigating as well any blameworthy actions of police officers attributed to two-wheeled motor squads of the Thessaloniki Police Headquarters (G.A.D.TH.), regarding the methods they use when apprehending people.

Upon completion of the investigation and as soon as the competent decision-making bodies reach their verdict, we will inform you of the outcome.

**Paragraphs 16iii 18:** Request for information:

Complaints on ill-treatment of a person in Patras by police motorcyclists.

A Sworn Administrative Inquiry was ordered, commissioned to a senior police officer with no administrative dependency to any of the police officers involved, as he/she serves in another region. Further, as, paragraph 18 of the Report makes reference to the methods used by «DELTA» squad when apprehending people and requests to investigate these and given that police officers of a two-wheeled motor squad are allegedly involved in the incident reported in that paragraph, the Sworn Administrative Inquiry will aim at investigating as well any blameworthy actions of police officers belonging to two-wheeled motor squads of the West Greece Regional Police Headquarters (GE.P.A.D.D.E.), regarding the methods they use when apprehending people.

Upon completion of the investigation and as soon as the competent decision-making bodies reach their verdict, we will inform you of the outcome.

**Paragraph 19i:** Request for information:

Complaints of ill-treatment of detainees by police motorcyclists at the Agios Panteleimonas Police Department.

A Sworn Administrative Inquiry was ordered and commissioned to Sub-Division for Administrative Investigations / Attica Police Headquarters. Additionally, the subject of the Sworn Administrative Inquiry will be, apart from the investigation of the incident in question, the complaints received, in general, by the Committee on the abuse - ill-treatment of detainees and the methods used by police officers serving at the Security Police Department (T.A.) of Agios Panteleimonas, when detaining and interrogating suspects for criminal acts.

Upon completion of the investigation and as soon as the competent decision-making bodies reach their verdict, we will inform you of the outcome.

**Paragraph 19ii:** Request for information:

Complaints of ill-treatment of detainees at the Plateia Dimokratias Police Department, in Thessaloniki.

A Sworn Administrative Inquiry was ordered, commissioned to the Sub-Division for Administrative Investigations / Thessaloniki Police Headquarters. Additionally, the subject of the Sworn Administrative Inquiry will be to investigate as well the complaints received, in general, by the Committee on the abuse - ill-treatment of detainees and the methods used by police officers

serving at the Plateia Dimokratias Security Police Department (T.A.) in Thessaloniki, when detaining and interrogating suspects for criminal acts.

Upon completion of the investigation and as soon as the competent decision-making bodies reach their verdict, we will inform you of the outcome.

**Paragraph 48:** Request for information:

Complaints regarding the existence of a camera in the "lawyers' communication room" on the 11<sup>th</sup> floor of the Attica Police Headquarters.

A Sworn Administrative Inquiry was ordered, commissioned to the Sub-Division for Administrative Investigations / Attica Police Headquarters. In addition, according to Head of the Sub-Division for the Prosecution of Crimes against Life and Property (Y.D.E.Z.I.), this system was obsolete, due to wear and tear, as it was technically outdated and dysfunctional and has already been removed.

Upon completion of the investigation and as soon as the competent decision-making bodies reach their verdict, we will inform you of the outcome.

**Paragraph 97:** Request for information:

Complaints of ill-treatment of minors.

A Sworn Administrative Inquiry was ordered and commissioned to the Sub-Division for Administrative Investigations / Attica Police Headquarters. Additionally, the subject of the Sworn Administrative Inquiry will be to investigate as well the complaints received, in general, by the Committee on the abuse - ill-treatment of detainees and the methods used by police officers (serving at the Attica Police Headquarters) when detaining and interrogating suspects for criminal acts.

Upon completion of the investigation and as soon as the competent decision-making bodies reach their verdict, we will inform you of the outcome.

**Paragraph 100:** Request for information:

Complaints regarding the detention of a foreign woman and her three (3) minor children at the Plateia Dimokratias Police Department, in Thessaloniki.

A Sworn Administrative Inquiry is already pending by order of the Thessaloniki Police Headquarters, carried out by the Sub-Division for Administrative Investigations / Thessaloniki Police Headquarters and these complaints were associated with the pending one.

Upon completion of the investigation and as soon as the competent decision-making bodies reach their verdict, we will inform you of the outcome.

3. Investigations into ill-treatment complaints.

**Paragraph 24:** Committee update on the steps taken to safeguard the procedural obligations for effective action, whenever any information, indicative of possible ill-treatment, turns up.

Given the expressed will of the Political and Physical Leadership for zero tolerance in human rights violation issues, the Hellenic Police Headquarters, by means of related orders, has repeatedly pointed out to all its regional Services that, in every case any information, indicative of a possible ill-treatment of person, comes to light, effective measures should be taken, in accordance with the provisions of Presidential Decree 120/2008 entitled "Disciplinary Law for Law Enforcement Officers", combined with the relevant, on this issue, Circular Orders, for the immediate, in depth and in all directions investigation of such cases and, in case they are true, disciplinary sanctions, proportional to the severity of the action, should be imputed, to avoid any sense of impunity.

In addition, they noted the need, both for those acting, as well as for those providing an opinion and taking decisions during administrative inquiries, to ensure their formal and substantial completeness, proceeding to any lawful interrogatory action required for the thorough, reasoned and in depth investigation of the complaints in due time, to safely create a sense to all persons concerned that the administrative inquiry covered, impartially, all aspects of the subject under investigation, that all involved police officers who, during that the specific period performed service or were involved while off-duty, were thoroughly examined, along with any other witnesses and that any existing medical certificates or coroner reports and hospitalization of the victim and any other evidence were investigated, as well as any corresponding criminal dimension of the case and its development thereof.

Furthermore, they noted that, in cases where the "victim" belongs to vulnerable ethnic, religious or social groups or is a foreign national, the possible existence or not of a racial motive in the behaviour of police officers should be thoroughly investigated, having, at the same time, regard to the jurisprudence of the European Court of Human Rights (E.D.D.A.) that "when someone in good health is detained by the police and then found to bear bodily injuries on release, the Member State is obliged to provide reasonable explanation on the causes of the injuries, failing which an issue arises under Article 3 of the Convention (Legislative Decree 53/74, prohibition of torture or sentencing or inhuman or degrading treatment)". The competent investigators of the cases should make special mention on these facts, in a separate paragraph of their conclusive reports.

**Paragraph 28 (a)**: Committee Proposal to suspend police officers against whom there is prima facie evidence of ill-treatment, until investigation is completed.

The Disciplinary Law governing police officers (Presidential Decree 120/2008) provides, inter alia, in Article 15, the administrative measure of suspension against police officers.

According to the provisions of paragraph 2 of said Article, police officers may be suspended when criminal proceedings are initiated against them for a criminal offence for which incarceration or imprisonment for at least three (3) months is threatened or a Sworn Administrative Inquiry (E.D.E.) is ordered against them for a disciplinary offence for which severe disciplinary sanctions are threatened. The duration of suspension may not exceed eighteen (18) months, unless it is a disciplinary offence for which the penalty of dismissal is threatened, in which case it may last up to twenty-four (24) months. Suspension may be terminated before the completion of the above time limits, by an act of the body which decided it, unless a disciplinary sanction was imposed by a final administrative act, in which case it ends when the latter starts being executed.

Also, police officers are compulsorily suspended for the entire period they serve a custodial sentence or are under provisional detention. In case of replacement of their provisional detention with bail, suspension is not interrupted. The duration of the obligatory suspension is not added to the time of the potential one.

Suspension is an administrative measure, falling within the discretion of the competent administrative authority, and may be taken for the sake of the official and the general public interest.

As consistently acknowledged, suspension is not a disciplinary sanction, but an administrative measure of provisional and urgent nature, aimed at ensuring the proper internal functioning of the Service and the overall legitimacy of the operation of the Service, in view of the criminal or disciplinary punishable behaviour which was reportedly demonstrated by a police officer.

In cases where a police officer has committed a serious disciplinary offence, punishable by a severe disciplinary sanction and a Sworn Administrative Inquiry has been ordered or criminal proceedings have been initiated against him/her for a criminal offence threatening incarceration or imprisonment of at least three (3) months and the public interest is affected by his/her behaviour and is considered necessary to immediately remove him/her from the Service, the appropriate competent body may take against him/her the administrative measure of suspension provided by Article 15 of Presidential Decree 120/2008 entitled "Disciplinary Law for Law Enforcement Officers».

According to the above, the appropriate competent body, in case the above described conditions exist and provided there are public interest grounds (preventing new offences and influencing administrative criminal investigations, consolidating the sense of security of civilians and discipline to the Force, ensuring regularity in the internal functioning of the Service and the overall legitimacy of its actions) that necessitate the removal of the police officer under examination from active duty, imposes him/her the administrative measure of suspension, even for cases of abuse - ill-treatment of civilians by police officers.

Reference is made to the point that the Sworn Administrative Inquiry for a disciplinary offence, for which a severe disciplinary sanction, according to Article 26, is threatened, is ordered when, from the existing facts, there is clear evidence of its commission.

If, from the contents of the complaints, there is no clear evidence for the commission of disciplinary offences by police officers, Preliminary Administrative Inquiries (P.D.E.) are ordered, the conduct of which is commissioned to Hellenic Police officers. If, in the course of those, clear evidence of committing disciplinary offences, punishable by severe disciplinary sanctions, is established, then they are converted into Sworn Administrative Inquiries (E.D.E.) and conducted in accordance with the above.

**Paragraph 28 (b)**: Request for statistical data on disciplinary sanctions imposed to police officers.

During the meeting held at the Hellenic Police Headquarters on 14.4.2015, between a team of the Committee and Officers of the Force, statistics were given relating to incidents of complaints for abuse - ill-treatment of civilians investigated in the years 2011-2014. For these recorded incidents, to date, disciplinary sanctions have been imposed in seven (7) cases and thirteen (13) police officers have been sanctioned. More specifically, twelve (12) officers were sanctioned to a fine for improper conduct on a civilian, for violating the orders and Regulations of the Force relative to the behaviour due towards civilians and for failing to deter a subordinate from this offence and a penalty of suspension, along with dismissal, was imposed on one (1) police officer for cruelty to a civilian (relevant statistics are attached in the ANNEX hereof).

**Paragraph 29:** Committee recommendation to conduct Preliminary Administrative Inquiries (P.D.E.) in cases involving complaints of ill-treatment by police officers serving in a different Department.

Regarding this proposal, please be advised that a Circular Order was issued by the Chief of the Hellenic Police to all regional Services of the Force, which determined that in every case any information comes to the attention of the Service on abuse - ill-treatment - extreme behaviour against civilians (whether detained or not) by police officers, whether in the performance of their duties or not, on the one hand to take effective action, in accordance with the provisions of Presidential Decree 120/2008, in conjunction with the relevant to this issue Circular Orders, for the immediate, in-depth and in every direction investigation of such cases and, on a per case basis, impose proportional to the severity of the act disciplinary sanctions, to avoid any sense of impunity and, on the other hand, where it is considered necessary to investigate these complaints by means of Preliminary Administrative Inquiries (P.D.E.), these are ordered in accordance with the provisions of paragraph 2, Article 24 of the aforementioned Presidential Decree and are commissioned to a police officer with whom the police officer involved (or the Police Service involved) has no administrative dependency, i.e. to a police officer serving in another Department.

**Paragraph 30:** Committee recommendation to establish a fully independent police body for complaints, which will be provided with adequate resources and would lead to effective investigations of complaints for ill-treatment on the part of police officers.

According to the provisions of Article 1 of Act 3938/2011 (Official Journal of the Hellenic Republic, volume A', issue no. 61), as amended by Article 18, paragraph 5 of Act 4058/2012 (Official Journal of the Hellenic Republic, volume A', issue no. 63) and, again, by Article 10 of Act 4249/2014 (Official Journal of the Hellenic Republic, volume A', issue no. 73), the Response to Incidents of Arbitrariness Office was established, reporting directly to the competent in matters of Public Order and Citizen Protection, Deputy Minister of Interior and Administrative Reconstruction, as an independent complaint handling mechanism against members of the Security Forces. The operating objective of the Response to Incidents of Arbitrariness Office, as enshrined in the preamble to Act 3938/2011, is to ensure the prompt and effective investigation of these complaints, as well as to eliminate any suspicion of concealing them under the misconceived solidarity among colleagues. The Response to Incidents of Arbitrariness Office is competent to collect, record, evaluate and further promote for investigation, by the competent services or authorities, complaints of torture and other offences against human dignity, within the meaning of Article 137A of the Penal Code, for unlawful intentional offences committed against the life or physical integrity or health or the personal or sexual freedom, for unlawful use of a firearm and any other insulting to personality attitude demonstrated against any person in the Greek territory, as well as the related acts, provided they were manifested by the same person, at the same place and time. Further, the provisions of Article 10 of Act 4249/2014 expand the competences of the Response to Incidents of Arbitrariness Office, by adding unlawful conducts for which there is evidence that they were racially motivated or involve other discrimination on grounds of ethnic or racial origin, religion or belief, disability, age, sexual orientation or gender identity. Therefore, our Service's powers compose a broad framework for action, as they include all cases of serious human rights violations, regardless of racial motivation.

An essential role in fulfilling the work of said Office is played by the Three-Member Committee, competent to assess the admissibility of every complaint and take decisions, whether to close the case as unfounded or not susceptible to assessment, or to forward it for investigation to the competent Services or, in cases of serious complaints, to submit - to the Deputy Minister - a

proposal by one of its members to investigate it. Therefore, the Committee has a key responsibility, as it is competent to judge the importance of each complaint, while asking the Deputy Minister to deal with the same, in substance, only in cases it considers to be particularly significant. This allows it to avoid the overhead of a large volume of complaints, which are likely to be minor ones. Further, the Three-Member Committee reviews cases for which a conviction has been issued by the European Court of Human Rights (E.D.D.A.) against Greece, for breach of the European Convention on Human Rights (ECHR), if it established deficiencies in the disciplinary proceedings or new information that was not evaluated during disciplinary investigation and may decide to re-examine the case. Also, the Committee prepares and submits to the Deputy Minister, in January every year, an annual report on the activities of our Service, for the immediately preceding year.

Please be advised that, to initiate the procedure for appointing the members of the Committee, preparatory actions are in progress concerning the process of increasing the posts provided and subsequently publish an open call of interest, in order to finally make possible the appointment of the members of the aforementioned Three-Member Committee.

**Paragraph 44:** Response (within 3 months) on the measures envisaged for implementing an integrated strategy to combat ill-treatment on the part of the police (and the Committee's request for a supplementary response to follow within 0 months)

Alleged incidents of racist violence.

1. - Racism and xenophobia are direct violations of the principles of liberty, democracy, respect for human rights and fundamental freedoms, as well as the rule of law, principles on which the European Union is founded. The need to combat racism and xenophobia arises from the general principle of non-discrimination on the basis of the specific natural and cultural features of groups or entities (such as race, colour, religion, descent, national or ethnic origin and disability) and is based on the rights of human freedom and dignity and the principles of fair and equal treatment enshrined in international instruments and conventions, such as the Universal Declaration of Human Rights of the United Nations (Articles 1 and 2), the International Covenant on Civil and Political Rights and its similar on Economic, Social and Cultural Rights (respectively Article 2), the International Convention "On the Elimination of All Forms of Racial Discrimination" of 7-3-1966 (Legislative Decree 494/1970), the European Convention for the Protection of Human Rights and Fundamental Freedoms (Article 14) and the Charter of Fundamental Rights of the European Union (Articles 21 and 22).

In addition to international and European safeguarding human rights protection in our domestic legal system, the Constitution of Greece includes rules regulating both the organization and exercise of State power and the relationships between the State and civilians. More specifically, it is explicitly provided for in Article 2, paragraph 1 of the Constitution that "Respect and protection of the value of the human being constitute the primary obligations of the State». Moreover, according to Article 5, paragraph 2 of the Constitution "All persons living within the Greek territory shall enjoy full protection of their life, honor and liberty irrespective of nationality, race or language and of religious or political beliefs...".

2. - The positions of the Hellenic Police on issues related to incidents of racist and xenophobic attitudes during police action, are explicitly reflected in the Circular Order issued by the Chief of the Hellenic Police under number 7100/25/14 – d' dated 8.11.2014, which was forwarded to all Police Services so that law enforcement officers are updated. This order was issued as a requirement of both the national and international bodies responsible for the protection of human

rights and in response to the enactment of Act 4285/2014 (Official Journal of the Hellenic Republic, volume A', issue no. 191), the provisions of which make now reference to punishment of any intentional public incitement, provocation, stimulation or incitement to acts or activities which may lead to discrimination, hatred or violence, directed against persons or groups of persons, identified on the basis of race, colour, religion, descent, national or ethnic origin, sexual orientation or disability. It should be noted that the abovementioned circular makes evident the general obligation of the State, and in particular its various bodies, firstly not to offend, in the exercise of State power, the value of man in general, regardless of any distinctive mark and, secondly, make positive steps to prevent insulting it. This effort seeks to ensure the highest guarantees of impartiality and objectivity for the respect and protection of human rights.

3. - Also, an earlier Circular Order issued by the Chief of the Hellenic Police (number 6004/1/128 dated 24-10-2012) ordered the Internal Affairs Division of the Hellenic Police Headquarters to deal, as a matter of absolute priority, with complaints for abuse, ill-treatment or personality insult of foreign nationals, committed by police officers in the performance of their duties and taking place in any case, especially when the complaint lodged by foreign nationals refers to incidents of racist violence. Specifically, the aforementioned Service must immediately investigate, pursuant to Article 1, paragraph 2, sub-paragraph a' of Act 2713/1999, crimes committed by or involving police officers of all ranks, border guards and special guards, which are provided for, inter alia, in Articles 137A - 137D of the Penal Code.

Alleged ill-treatment incidents of detainees in Police Services.

Regarding treatment of detainees, please note that, according to the Circular Order issued by the Public Prosecutor, Supreme Court (under number 1165 dated 23-3-2010), in cases of complaints lodged by detainees in Police Services, concerning their ill-treatment in the course of their preliminary investigation or apprehension, the competent Public Prosecutor, Court of First Instance, must be immediately be informed and complaints must not be investigated by officers of the same service, but by the prosecuting and judicial authorities, without limiting the competence of the Internal Affairs Division / Hellenic Police Headquarters.

Taking the necessary steps to effectively address the phenomenon of racist or xenophobic violence.

1. - The State Security Police Division / Hellenic Police Headquarters, within its powers, addresses racially motivated crimes and hate crimes committed against individuals or groups of individuals, in accordance with the provisions of Act 4285/2014 (Official Journal of the Hellenic Republic, volume A', issue no. 191) entitled "Amendment of Act 927/1979 (Official Journal of the Hellenic Republic, volume A', issue no. 139) and its adaptation to Framework Decision no. 2008/913 / AEY dated 28 November 2008, on combating certain forms and expressions of racism and xenophobia by means of the Penal Law (L328) and other provisions".

2. - To this end, two (2) Response to Racist Violence Departments (in the State Security Sub-Divisions of the Attica and Thessaloniki Security Police Divisions) and sixty - eight (68) Response to Racist Violence Offices (in the regional Security Police Services of the country) [Presidential Decree 132 / 2012 (Official Journal of the Hellenic Republic, volume A', issue no. 239)], are operating across the territory. A key responsibility of those Departments and Offices is to

investigate crimes involving the commission, preparation or in any way public incitement, provocation or stimulation in committing crimes or manifestation of acts or activities that may lead to discrimination, hatred or violence against persons or a group of persons identified on the basis of race, colour, religion, descent, national or ethnic origin, sexual orientation, gender identity or disability and their prosecution, ex officio or upon lodgement of a lawsuit or complaint.

3. - Specifically, each of the Departments or Offices is responsible to:

- Intervene, at their own initiative or following the lodgement of a relevant accusation, suit or complaint, in the investigation and prosecution of crimes related to the commission, preparation or in any way public incitement, provocation or stimulation to commit offences or manifest acts or activities that may cause discrimination, hatred or violence against persons or group of persons because of their race, colour, religion, descent and national or ethnic origin.
- Collect, process and utilize appropriate information and data relating to the commission or preparation of offences with racist characteristics.
- Coordinate and direct the Response to Racist Violence Offices of the Security Police Departments of the relevant Security Police Division in performing their mission.
- Develop partnerships with jointly competent government departments and bodies, as well as with other social bodies and organizations, in performing their mission and effectively managing racist violence incidents.
- Undertake initiatives or provide assistance to initiatives undertaken by other authorities, services and bodies, that are aimed at preventing and tackling racist violence.
- Monitor areas and zones where there is an increased risk of racist attacks.
- Collaborate with international organizations and bodies, as well as bodies and representatives of vulnerable social groups who have been or might be racially attacked, for the purpose of effectively managing the incident and improving protection of these groups.
- Keep a special log of incidents of racist violence it addresses.
- Inform victims or complainants of racist violence incidents about their rights.
- Keep up to date the competent Services in circumstances requiring the provision of medical or hospital care or psychological support to victims of a racist attack, as well as the presence of an interpreter, if requested or necessary.
- Immediately inform the competent Public Prosecutor, whenever dealing, in preliminary investigations, with cases of racist violence and, in severe incidents, the Foreign Ministry of our country and the consular authorities of the country of the victims of a racist attack.
- Prepare, in January each year, a report on racist violence cases dealt with during the previous year and submit it, hierarchically, to the Department of Social and Cultural Issues and Response to Racism of the State Security Police Division, Hellenic Police Headquarters.

4. - To protect the victims and strengthen their confidence in the Police, a telephone number (11414) is in operation from the outset of 2013 (local call charge throughout Greece), as well as a special posting on the website of the Hellenic Police ([www.astynomia.gr](http://www.astynomia.gr)), so that those concerned may, anonymously and ensuring the secrecy of communications, lodge complaints or disclose to the Hellenic Police, 24 hours a day, the commission of any wrongful act with racist characteristics or motives.

5. - Moreover, to enhance the effectiveness and awareness of law enforcement officers, the State Security Police Division / Hellenic Police Headquarters, as the materially competent Service, undertakes initiatives and proposes courses, training seminars and actively participates with its officers in similar actions with jointly competent services and bodies.



6. - The issue of protection of civil rights and the overall conduct of police officers towards all civilians, without discrimination, is of paramount importance and, in this direction, actions are manifested and relevant orders are issued not aiming at addressing a single incident, but rather at creating a climate of absolute respect for civilians and their rights. To this end, the reports and recommendations of international bodies, as well as the case law of the European Court of Human Rights and the Human Rights Committee of the United Nations are taken into account.

#### Training

1. - As regards the training of law enforcement officers, a constant training effort is paid, both at basic level and in terms of retraining, for the students of the Police Academy Schools, with regard to human rights and, especially, in addressing racism, intolerance and respect to the particularities of those belonging to minority or vulnerable groups and living in our country (paragraph 22 of the Report). Specifically:

#### I. Basic level:

(a) At the Hellenic Police Officers School.

Course: PSYCHOLOGY (Third Year of Study).

CURRICULUM: Police and crime (questioning suspects, witnesses, testimony analysis, cooperative suspects, technical cognitive interview, false claims for committing a crime, addressing crime, focused policing, addressing the requirements of the job, training wellness etc.).

Course: SCIENTIFIC POLICE - Investigation (Third Year of Study).

CURRICULUM:

#### INTRODUCTION.

The concept of forensics, principles and rules of forensics and the protection of human rights, Constitutional provisions guaranteeing rights in Greece, protection of human rights during investigation of crimes, international protection and the protection of defendant's rights in Europe, forensics as a branch of criminology etc.

#### METHODOLOGY OF INTERROGATION.

Interrogation, distinctions of interrogation, form of interrogation, preliminary investigation - preliminary examination, permissible aids - technical support, principles and rules that should govern the actions of the investigator, Schengen Agreement - Rights and obligations of European Union citizens, targets pursued by interrogation etc.

#### DETERMINING IDENTITY CHARACTERISTICS.

Witnesses as evidence, factors and conditions to evaluate a testimony, receiving and checking the identity of the testimony, forms and types of witnesses, witness examination methods, procedure and method of witness examination, questions to witnesses, witness examination skills and checking the accuracy of the testimony's contents, human communication during examination, examination techniques for witnesses with specific problems, legislative framework for witness protection measures under the Greek law etc.

## THE DEFENDANT - EXAMINATION METHODS.

Acquisition of the defendant's status - procedural implications of this status, procedural rights of the defendant - protection, defence statement of the defendant - problems, defendant examination method followed during interrogation, examination of the defendant using the questions and answers system, open - closed - directed questions, examination of the defendant's capacity for imputation, mental health of the defendant, the defendant's presumption during interrogation, persons bound by the presumption of innocence etc.

## APPLIED FORENSICS.

When interrogation is considered successful, initiating interrogation, investigator: capacities - way of thinking, interrogation rules, protection of the crime scene etc.

Course: PROCEDURAL PENAL LAW.

## CURRICULUM:

Preliminary proceedings - interrogation - general definitions (Articles 239-242 of the Criminal Procedure Code), preliminary investigation - definition - purpose - principles (in detail) (Articles 243-245 of the Criminal Procedure Code), main interrogation - purpose - rules (in general) (Articles 246 - 250 of the Criminal Procedure Code), duties and rights of investigators (Articles 251-252 of the Criminal Procedure Code).

In addition, please note that the modules "investigating skills" and "examination of suspects" are taught in the context of the course "Public Security Police" and "State Security Police" (second and third years of study, respectively).

(b) Police Academy.

Similarly, the above listed modules in the context of the courses "Criminology - Forensics" and "Procedural Penal Law - Practical Application of Criminal Cases", in semesters A' and B'.

## II. Postgraduate Level (School of Further Education and Re-Training of the Hellenic Police)

### (a) DEPARTMENT OF VOCATIONAL FURTHER TRAINING FOR OFFICERS - OFFICIALS.

The Department of Vocational Further Training for Officers - Officials (TEMES) provides for teaching the following modules:

## LEGAL ISSUES

- \* Applied Criminal Procedure - Forensics - Procedural and interrogatory issues in the administration of criminal justice.
- \* Practical Application.
- \* Free discussion on various issues of procedural nature - completeness of briefs etc. - Case studies.

COMMUNICATION, PUBLIC RELATIONS, PSYCHOLOGY AND STATE - CITIZEN RELATIONS ISSUES.

\* Psychology - Forensic Psychology.

\* Investigative interrogation of suspects - witnesses - minors. Hypothetical scenarios for handling drug addicts - mentally ill persons - suspected suicidal persons - sick colleague in service.

(b) DEPARTMENT OF VOCATIONAL FURTHER TRAINING FOR POLICE WARRANT OFFICERS.

Police Warrant Officers undergoing further training are taught the following courses:

CRIMINOLOGY / FORENSICS ISSUES – FORENSICS

\* The place of interrogation in criminal proceedings. Types of interrogation (preliminary examination, police preliminary examination, main interrogation). Preliminary examination.

\* Principles governing interrogation (principles of ex-officio collection of evidentiary material, principle of proceedings in writing, principle of external and public secrecy and internal publicity). The principles of necessity and proportionality as limits to interrogatory activity. Bodies conducting interrogation (the role of Police and its contribution to the work of the investigation).

\* Crime scene - interrogatory acts. Investigation and way of conducting it. Interrogatory acts on criminal organizations (Article 253A of the Criminal Procedure Code). Autopsy (as interrogatory act, as well as evidence).

\* Indications as evidence. Collection and significance in the criminal proceedings. Types of indications - procedural evaluation.

\* Expertise as evidence in criminal proceedings. Types of expertise. Especially handwriting expertise, taking genetic material by prosecuting authorities (Article 200A of the Criminal Procedure Code), psychiatric expertise. The technical advisor and his/her rights.

\* Witnesses as evidence in criminal proceedings. Obligation to testify, duty to say the truth. Examination of a witness under and without an oath, witness examination methods, examination of a minor witness - victim on an insult in his/her personal and sexual freedom (Article 226A of the Criminal Procedure Code). Hearsay witnesses. The actions of "agent provocateur" and the possibility to evidentially use them as witnesses. Police infiltration. The problem of witness credibility.

\* The suspect - defendant in criminal proceedings and his/her rights. Identification of the defendant - verification of his/her identity. Taking his/her defence statement. Right of the defendant to lie: - Presumption of innocence, right to non-self-incrimination. Seeking the substantial truth in criminal proceedings "at any price": - The role of the defence counsel.

Finally, in the course: "PUBLIC SECURITY ISSUES" the disciplines of witness examination (theory - practice) and interrogation of suspects (theory - practice) are taught.

2. - All courses in Police Academy Schools are taught by distinguished university professors, as well as by experienced officers of the Hellenic Police. The individual professor has the discretion, depending on the level and the general background of students, to analyse in more detail some disciplines of the curriculum.

3. - In any case, the above modules, taught to students of Police Academy Schools, may be supplemented or amended, depending on the resulting, in the performance of police work, needs, following relevant proposals submitted by the competent Hellenic Police Services.

#### 4. Guarantees against ill-treatment.

The Ministry of Interior and Administrative Reconstruction / Sector of Citizen Protection and the Hellenic Police Headquarters attach particular importance to ensuring the necessary standards of hygiene and safe accommodation for all persons held in detention facilities of the Hellenic Police [Immigration Detention Centres, other police detention facilities (for a few days' stay)].

To this end, instructions - orders have been issued to all Police Services, for full compliance with their obligations, as deriving from applicable regulations and international conventions, intervening, with specific instructions - directions, in cases deficiencies - malfunctions are detected, to immediately improve existing conditions. To that end, we make reference, inter alia, to the Circular Order under number 4803/22/44, where special emphasis was placed on the right to an interpreter to ensure the rights of detainees who have an insufficient knowledge of Greek, the right to communication of the detainees with their relatives or other persons of their choice, with their attorney, as well as with representatives of bodies active in human rights issues, as well as their right to healthcare.

**Paragraph 46:** Ensuring that every detainee has the right to inform a relative or third party of his/her choice.

1. - With regard to "the rights of detainees to inform someone from their relatives etc.", there is no contact prevention, on the contrary the authorities facilitate communication, in compliance with the provisions of the Criminal Procedure Code, the Penitentiary Code and the confidentiality of communications.

In particular, detained foreign nationals are entitled to be visited by relatives up to the second degree, by blood or marriage. In the absence of the above persons, they may be visited by other relatives or friends whom they name in advance to the guards of the detention facilities.

The communication of the visitors with provisionally detained migrants takes place in special rooms of the visiting areas, designed to meet the necessary security terms and conditions, while allowing a comfortable communication between the detainee and the visitor.

The visiting days and hours are determined by order of the commander of the detention facilities.

2. - Telephone communication.

Telephone communications of detained foreign nationals takes place by means of payphones mounted within the detention facilities. The number of payphones adequately serves the needs of detainees.

The usage time for payphones is such as to serve the needs of all detainees.

In cases of emergencies concerning relatives of the detainees (death, illness, etc.), after confirmation of the incident from the Service, the detainee concerned is facilitated to communicate, by telephone, at any time, with his/her relatives.

**Paragraph 47:** Ensuring that the right of access to a lawyer applies to any detainee from the outset of his/her deprivation of liberty.

The right for legal assistance has been established at all stages of the criminal and administrative proceedings, under the provisions of national law.

Every detained foreign national is entitled to visits from his/her lawyer. The duration of the communication between the lawyer and the detained foreign national whom he/she represents is not subject to time limitations other than those imposed for compliance with the security measures and operational rules of detention facilities.

Especially for foreign nationals, the Services competent for issuing refoulement orders are required to provide information and any possible assistance to the foreign national requesting legal advice, representation and linguistic assistance, in order to exercise his/her rights. For this reason, he/she is given a relevant information bulletin in common languages third country nationals use and understand.

A foreign national is entitled to free legal assistance and representation, upon request.

Funded by the Annual Programme of the European Return Fund (E.T.E.) for the year 2013, free legal assistance and interpreters were provided up to 30-6-2015 to foreign nationals detained in Immigration Pre-Departure Detention Centres (P.K.E.K.), in the context of the administrative return procedure to the country of their origin and, to this end, memoranda of understanding and delegation agreements had been signed with the Athens Bar Association and the Bar Associations of areas where Immigration Detention Centres are located.

This action has been included in our plans for the implementation of the National Programme of the Internal Affairs Sector for the years 2014 - 2020 (Multiannual Asylum, Migration and Integration Fund «AMIF») and, to this end, serious efforts are made to start, as soon as possible, the lengthy tendering procedures of the State and to meet the needs using funds from European funds and not requiring the allocation of national funds which, in the current economic situation our country is going through, is very difficult to find.

Notwithstanding the foregoing, designated representatives of the Greek Council for Refugees (ESP) have daily access to detention facilities and communication with irregular migrants, to provide legal assistance to ensure the access of detainees to the asylum procedure and enable them to be represented during the examination of their request.

Please be advised that the same happens with representatives of other bodies dealing with the migration issue, such as the High Commissioner of the United Nations and other non-governmental organizations.

**Paragraph 49:** Ensuring the right to a doctor.

1. - Primary health care is provided to everyone, including incoming refugees / irregular migrants. The necessary health care and psychosocial diagnosis and support is ensured for all detainees, by means of the medical, nursing and other professional staff of the State or non-governmental organizations or other organizations and bodies.

Incidents of detained foreign nationals which cannot be addressed by doctors of Immigration Detention Centres, are referred, for treatment or examination, escorted by police officers, to a hospital on duty or another appropriate medical institution.

If, during detention, a serious medical incident or a vulnerable group of foreign nationals not detected during the first admission procedures is detected, Detention Centres have a special stay area, where the necessary psychosocial support is provided or the foreign national is referred to appropriate medical facilities and, for humanitarian reasons, he/she is granted a refoulement postponement.

2. - The competent Health Services have given instructions to all Hellenic Police Services regarding hygiene, meeting the requirements of the Hellenic Centre for Disease Control and Prevention (KE.EL.P.NO.), Ministry of Health, while updated instructions were recently sent.

Additionally, seminars and lectures are systematically carried out by skilled health personnel, in order to fully update law enforcement officers, especially the ones responsible for guarding detained foreign nationals.

3. - In the context of the new funding period 2014-2020 (Multiannual Asylum, Migration and Integration Fund «AMIF»), an action has been included in our plans to provide medical support to Immigration Detention Centres, by means of medical, nursing and other professional staff of the State or non-governmental organisations or other organizations and bodies, following tender procedures.

Additionally, in the above context it is provided to repeat the periodic action of hiring psychologists and social workers, by concluding a project lease agreement for the psychosocial support of third-country nationals in refoulement status, so that they may be placed depending on the current staffing requirements (mainly in Services of the Attica Police Headquarters, the regions of Evros and the North Aegean Sea).

**Paragraphs 50 and 51:** The principle of medical confidentiality - Establishment of a system of regular visits to Police Departments by medical and nursing staff.

1. - The Health Services Division of the Hellenic Police Headquarters provides only urgent medical care to private patients detained or transferred from Hellenic Police Services (Article 1, paragraph 1, subparagraph d of Presidential Decree 584/1985) where possible.

However, beyond the lack of legal provisions for permanent health coverage, there is also a real weakness of the Health Service of the Hellenic Police, since police detention facilities are operating throughout the country, while a Health Service, with organized units, only works in two major cities (Athens and Thessaloniki), with medical staff marginally meeting the needs of the staff of the Hellenic Police.

2. - The presence of police officers during medical examinations is only allowed in cases where there is even a minimum risk of escape of the detainee, a fact which is objectively judged, where appropriate, by police officers - escorts, bound, at the same time, by the duty of confidentiality for the medical confidentiality of the detained patient. Furthermore, prescriptions concerning mainly psychiatric drugs or substitutes administered to drug addicts are kept with the guard of detention facilities (Officer on Duty Office) and these preparations are given in the presence of police officers in order to avoid any abuse and their use by other detained drug addicts.

3. - Following the above and given that the health care of detained irregular migrants, who constitute the majority of detainees, falls under the competence of the Ministry of Health, the response of the Ministry Health should be included in the overall response to the above paragraphs.

**Paragraph 52:** Systematic and without delay provision of information to persons detained for all their rights - Provision of interpretation.

1. - Detained foreign nationals systematically receive information on the regulations applicable to detention facilities and their rights and obligations. To this end, relevant forms have been posted in prominent places and they are given "Information Sheets", through which they are informed of their rights, both on detention and the asylum procedure.

As mentioned above, detained third country nationals may come into contact with their legal representatives and the members of their families.

The relevant and competent national, international and non-governmental organizations (NGOs) and bodies are allowed to visit detention facilities. These visits are subject to clearance by the responsible for guarding the facility police authority.

2. - The presence of an interpreter is also established and efforts are made to meet the interpretation needs in all Services involved, with interpreters appointed by the Hellenic State and interpreters from non-governmental organisations.

In the annual programmes 2009 - 2010 - 2011 - 2012 - 2013 of the European Return Fund (E.T.E.) actions were implemented related to hiring interpreters for informing detainees in a language they understand.

Under the new funding period 2014 - 2020 (Multiannual Asylum, Migration and Integration Fund «AMIF»), an action has been included in our plans to provide interpretation services at the Immigration Detention Centres, following tender procedures. In particular, in the above context the repetition of the periodic action to hire translators - interpreters is provided, by concluding a project lease agreement, for facilitating the communication of third-country nationals in refoulement status with the Greek authorities, so that they may be placed depending on the current staffing requirements (mainly in Services of the Attica Police Headquarters, the regions of Evros and the North Aegean Sea).

3. - Communication with representatives of diplomatic - consular Missions.

Detained foreign nationals may be visited by representatives of the diplomatic or consular Missions on the days of the week specified by the warden of the detention facility or, extraordinarily, at the request of the representative.

The communication of the representatives of the diplomatic or consular authority with the detained foreign nationals they represent takes place in the specially designed areas of the visiting room or, where there is a special reason, in another area of the facilities, determined as appropriate.

4. - Access of representatives of International Committees - National Control Authorities and bodies involved in protecting the rights of detained foreign nationals to detention facilities.

Access and communication of representatives of competent international or national control bodies to detention facilities, as well as bodies involved in protecting the rights of detainees to detained foreign nationals, is not subject to restrictions, beyond security control, according to international conventions and the applicable provisions.

**Paragraph 53:** Detainee files.

The personalized detention record (unique for each foreign national) is prepared upon entry of the detainee in the detention facilities of the Hellenic Police.

In particular, the following procedures are followed by Detention Services:

(a) they record detainee identity particulars, the reason for their detention, if they are suspect to escape, if they are dangerous to themselves or others, as well as any other information which should be taken into account in detention, and any related documents, in case they had undergone medical tests or were hospitalized before being detained in a detention facility, which show their status and any medication,

(b) they remove, for safety reasons, money, valuables and any other items carried by detainees and not allowed to be brought in the detention facilities, which are kept in a specially designed area or safe box and are recorded in the Detainees' Records, where the detainee signs both during removal and upon their return. Any items removed are returned to the detainees when they leave the detention centre,

(c) detainees submit an affidavit with the identity particulars of a relative or friend they wish to visit them during their detention, if they have no first or second degree relatives, by blood or marriage,

(d) all medical data concerning detained foreign nationals (e.g. transports to hospitals etc.) are recorded in the Detainees' Records.

For the proper completion and keeping of detainees' records, instructions - orders have been issued - and are constantly reminded, on a daily basis, in the context of daily controls / supervision - to all Police Services, to fully respect their obligations, as they arise from the provisions in force.

Notwithstanding the foregoing, our Services are at an advanced stage with regard to designing new information technology system for foreign national issues.

The criterion of the new design is to modernize procedures, so that all necessary administrative actions are made electronically, both while preparing forms (electronic forms, electronic signatures) and while integrating all existing information technology systems in an information technology system that allows exportability of the necessary statistics, both locally (numerous periodic Service reports, updates for the Ombudsman under the external evaluation system, etc.) and centrally (updates of the Leadership, data processing / risk analysis for launching actions), to monitor the irregular migration phenomenon.

In the above context of the new information technology system for foreign national issues (it is the main system and is a precondition for its further expansion with other subsystems) it has been provided to create additional regional information technology systems, as well as electronic detainee records.



## 5. Detention conditions.

**Paragraph 56:** Ensuring that Police Departments will be used for a few days' detention.

Our Ministry and the Hellenic Police Headquarters, as already acknowledged by the Committee, continue trying to avoid detaining third-country nationals undergoing return procedures in police detention facilities. In order to ensure proper application of Directive 2008/115 / EC "On returns", express instructions have been given to transfer them to Immigration Pre-Departure Detention Centres (P.KE.K.), after their identification and the issuance of the necessary decisions, for those foreign nationals considered necessary to be detained. Keeping irregular foreign nationals under refoulement in police detention facilities takes the absolutely necessary for completing the necessary procedures time, until they are transferred to Immigration Detention Centres, usually within five (5) days.

The legislation provides for a maximum period of detention which may not exceed six (6) months and may be extended to twelve (12) more months (in total 18 months), in cases where, despite the concerted efforts of the competent Services, the transfer process is likely to last longer, because the third-country national refuses to cooperate or delays in obtaining the necessary documentation from third countries.

In practice, irregular third-country nationals are detained, in principle, for up to six (6) months to implement refoulement orders and, if this is not achieved, they are released on bail (alternative detention measures).

When it appears evident that there is no longer a reasonable prospect of refoulement, for legal or other considerations or when the grounds for escape risk cease to exist etc., detention must be lifted and the detained third country national concerned must be released immediately. In this case, a refoulement postponement decision is granted to the foreign national, which is revoked if his/her refoulement becomes possible.

Theoretically, in case a third country national reaches the maximum length of (18) months, then he/she is released on bail.

It is not possible to detain again a third country national under refoulement, if he/she has been already released, except only to complete the procedures for his/her immediate refoulement.

**Paragraph 57:** Recommendation that the cells on the 11th and 12th floors of the Attica Police Headquarters become permanently inoperative.

As already acknowledged by the Committee, compared to its previous visit, a significant improvement in the areas of detention facilities on the 7th floor of the Athens Police Headquarters (A.M.A.) has been noticed. In particular, taking into account the Committee's comments, repairs and upgrades were made, so that the detention facilities meet the criteria set by the Committee and ensure satisfactory detention conditions, both at the security level and in terms of hygiene and decent living of the detainees. The whole area has been renovated, both the wings and the sanitation facilities have been replaced and repaired and the electrical installations (air conditioning - heating) have also been repaired.

The detention areas are fixed and are the detention facilities of the Attica Security Police Division, on the 7th floor of the Athens Police Headquarters (A.M.A.).

The detention areas (cells) referred to in the Report, which were visited by the Committee on the 11th floor, during their visit to the Sub-Division for the Prosecution of Crimes against Life and Property (Y.D.E.Z.I.), are used, for the last 5 years, as storage areas for testimonial evidence.

The Sub-Division for the Prosecution of Crimes against Life and Property (Y.D.E.Z.I.) does not have detention facilities where detainees are kept and, if required to detain persons, they use the detention facilities on the 7th floor of the Attica Security Police Division.

In particular, as an update to the Committee, please be advised that the area with the five (5) small rooms on the 11th floor, that was previously used for the provisional stay of detainees, at least for the last 5 years and especially since the Testimonial Evidence Department of the Public Prosecutor's Office, Athens Misdemeanours Court, has stopped receiving testimonial evidence, is exclusively used as a storage area for testimonial evidence. Besides, as noted by the Committee, the two (2) rooms were full of testimonial evidence (in one room dexion-type shelves have even been placed), while the remaining three (3) rooms just happened to be empty at that time, as a redistribution of testimonial evidence had recently taken place.

Please be advised that the Testimonial Evidence Department of the Public Prosecutor's Office, Athens Misdemeanours Court, from 2011 onwards, does not receive testimonial evidence. Exceptionally, and due to the importance of the cases they had received testimonial evidence in September 2014 and the same was to happen in the period of the Committee's visit. For this reason testimonial evidence had been transferred from the three (3) rooms, so that, after the last verification and registration, some are delivered and some are returned to the storage space.

Please be advised that, in an external vestibule, isolated from the storage areas, a fingerprinting area (bench and materials) existed, since it was used as an area of provisional stay for detainees, which remains unchanged, as it meets fixed and permanent needs not only of the Service above, but generally of the Attica Security Police Division, in cases of large numbers of apprehended persons.

As to the specific accommodation area on the 12th floor of Athens Police Headquarters (A.M.A.), please be advised that it accommodates persons (both locals and foreign nationals) detained for preliminary inquiry within the context of flagrante delicto, for the absolutely necessary time to submit their defence statements to the competent interrogator - if they are referred to by the competent Public Prosecutor for criminal prosecutions - and the competent judicial authorities decide to lift their detention, impose restrictive measures or detain them awaiting trial in a prison.

**Paragraph 58:** Recommendation to discontinue detentions in the two rooms on the 3rd floor of the Kypseli Police Department, as well as not use the cell on the 3rd floor of the Agios Panteleimonas Police Department until renovated, including lighting.

The space on the 3rd floor of the Kypseli Police Department, where the Athens Security Police Sub-Division is housed, as well as the space of the 3rd floor of the Agios Panteleimonas Police Department, which houses the Agios Panteleimonas Police Department, are places of provisional custody - stay, rather than detention facilities, where detainees are kept for the absolutely necessary time, until the completion of the preliminary investigation for flagrant offences, while, after the end of it, they are transferred to the detention areas provided for in the Attica Security Police Division (on the 7th floor of the Athens Police Headquarters).

Regarding detention conditions in the above provisional custody areas, we constantly take care to ensure a smooth and humane stay within them, with regard to hygiene, cleaning and boarding conditions, while cleaning crews are respectively provided, which attend to the cleanliness and disinfection of such areas.

**Paragraph 60:** Recommendation to the Greek authorities to take coordinated steps to ensure that in Police Departments:

- All detainees have immediate access to an appropriate toilet facility at all times, including at night.
- Each detainee is provided with a clean mattress, a clean blanket, a clean bed, and rest means, such as a bed or a bench.
- All detainees are provided with adequate and appropriate food, including at least one hot meal per day.
- All detainees staying longer than 24 hours are provided with a basic hygiene kit (including soap and adequate portions of soap, body powder shampoo, toilet paper, shampoo, shaving products, a toothpaste and a toothbrush), free of charge.
- All detainees are provided with adequate amounts of detergent to keep their cells clean.
- Detention facilities (including sanitary facilities) are kept in a satisfactory state of cleanliness and maintenance.
- All detainees have access to adequate lighting.
- All detainees staying longer than 24 hours are provided with access to hot water for cleaning purposes.
- All individuals held more than 24 hours are offered access to outdoor exercise, every day.

The Ministry of Interior and Administrative Reconstruction / Department of Citizen Protection and the Hellenic Police Headquarters attach particular importance to protecting and guaranteeing the rights of persons detained in Police Services, by ensuring the necessary hygiene and safe stay rules of all detainees (both women and men) in police detention facilities, as well as to respecting those by all Police Services, which, on a daily basis, deal with a large number of detainees, either during guarding - custody or during their transfers to and from the courts, detention facilities etc.

Compliance with all safety rules and conditions for detention facilities, as well as their construction according to the specifications, are essential to ensure detention conditions corresponding to human dignity and our culture, to eliminate the possibility of escapes, self-harm etc. and to ensure the protection of the Hellenic Police personnel responsible for guarding detainees.

To this end, the necessary actions have been implemented to address the problems associated with deficiencies in detention facilities at the premises of the Hellenic Police, while orders have also been issued to all our Regional Services, with instructions - orders to fully comply with the their obligations, as they arise from the applicable provisions and international treaties.

In light of the ongoing effort to safeguard human rights, improve building infrastructure and ensure the healthy stay and protection of detainees, a Technical Description of detention facilities has been prepared, under which detention areas in Police Services are constructed - reconstructed, taking into account, inter alia, the instructions issued by CPT (European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment). In this context, projects are implemented either through the Public Investment Programme (P.D.E.), or through public - private partnerships (SDIT), involving construction of new modern buildings, having, now, appropriate detention facilities to fully meet both the working needs of the personnel and the needs of incoming civilians, while providing humane detention conditions to detainees in these Services.

Furthermore, we monitor the whole issue, intervening with specific orders - instructions in case deficiencies - malfunctions are detected, to immediately improve existing conditions.

In particular, with a view to ensuring the improvement of detention conditions and protecting the health of detainees and the personnel of the Hellenic Police Services, specific orders and instructions have been given, inter alia, on the following:

- to ensure the necessary hygiene (both personal hygiene and cleanliness of detainees) and security conditions in detention facilities,
- to meticulously clean and tidy detention premises (regular oil-painting)
- to regularly disinfect the premises (particularly toilets and bedding), in accordance with the applicable hygiene provisions and rules of the Health Regulations,
- to immediately address any heating (hot water), air conditioning, ventilation and lighting problems in the detention facilities and to ensure open-air exercise for detainees (according to building capabilities)
- to provide health care to detainees, in co-operation with the jointly competent Health Services
- to ensure the periodic health inspection of detention facilities by the competent Health Services,
- to supply adequate food,
- to protect the individual and other prescribed rights of detainees.

All the above aim at safeguarding human rights, in the context of dignity and respect of diversities, non-marginalization and non-division of people into categories.

#### C. Children deprived of their liberty.

##### 1. - Minors under police detention.

**Paragraph 98:** Recommendation to the Greek authorities to take rigorous action to end ill-treatment of minors by the police (recommendations of paragraphs 21 and 22).

Please refer to the relevant paragraph 44.

**Paragraph 98:** Recommendation to Greek authorities to take the necessary steps to ensure that minors apprehended by the Police are entitled to a lawyer and a trusted person from the outset of deprivation of their liberty. Moreover, they should not be examined, state or sign documents about the offence for which they are accused, without the benefit or advantage of a lawyer and, in principle, without the presence of another trusted adult, attending and assisting the minor.

Please refer to relevant paragraph 47.

**Paragraph 98:** Recommendation to the Greek authorities to prepare a specific information sheet for minors which will make reference to their specific case and will include a reference to the presence of a lawyer or other trusted person and deliver it to all juvenile detainees. Special care should be taken to explain the information carefully and ensure it is understood.

The reported recommendation of the Committee will be considered by the Working Group set up to prepare the national strategy for the treatment of unaccompanied minor foreign nationals (please see paragraph 108, subparagraph a').

**Paragraph 99:** Recommendation to Greek authorities to take steps to ensure that minors are not kept in detention facilities of Police Departments for more than 24 hours. If, exceptionally, they have to be detained longer, this should take place in a specialized juvenile unit which offers counselling activities to minors (both recreational and physical) and access to outdoor exercise.

The Hellenic Police attaches special importance to respecting, guaranteeing, protecting and safeguarding the rights of minors upon detention and apprehension by the police authorities and, to this effect, has issued related orders and instructions for their treatment by law enforcement officers.

In particular, it is pointed out that, in any case, all manifested official actions must be lawful, be based on the premise that every minor has fundamental rights which correspond to his/her individual needs, should be aimed at his/her effective and efficient support, incorporate a spirit of sensitivity and humanity, out of respect for the dignity, individuality and specificity of the minor offender or victim and highlight the anthropocentric face of the Hellenic Police and, by extension, the Hellenic State.

In light of the above, the Public Security Police Division / Hellenic Police Headquarters has issued and sent to all Police Divisions of the country, their order dated 17-4-2015 on respecting the personality and treating minors during their detention and apprehension by police authorities, in particular pointing out that this is a permanent and lasting concern of the Hellenic Police Headquarters.

3. - Detention of unaccompanied minors - irregular migrants.

**Paragraph 105:** The Committee recommends that the Greek authorities make every effort to end detention of unaccompanied minors in police detention facilities. Moreover, if exceptionally deprived of their liberty as a last resort, they should be provided with opportunities for outdoor exercise (open-air exercise) and participation in targeted, outside the detention centres, activities. Additional interventions should take place by the staff, whenever a minor is detained alone.

**Paragraph 108, subparagraph a':** The Committee reiterates its recommendation that the Greek authorities take the measures required to ensure that unaccompanied minors, deprived of their liberty as a last resort, are detained only in centres designed to meet their specialized needs - staffed by sufficiently trained men and women - who offer a range of age-appropriate targeted activities.

1. - Please be advised that unaccompanied minors are, as a last resort, accommodated in facilities of the Hellenic Police, until appropriate facilities are found by the jointly competent bodies [National Social Solidarity Centre (EKKA)] to further accommodate them. During their stay in the Hellenic Police facilities, efforts are made to ensure appropriate living conditions.

In order to have an integrated planning, so that the required degree of protection is provided to this sensitive age target group, a Working Group has been established by all jointly competent Ministries (Labour / National Social Solidarity Centre (E.K.KA.), Migration Policy, Justice, Health, Citizen Protection), with the participation and co-operation of non-governmental organizations (expediting Ministry: Justice) to draft the national strategy for the treatment of unaccompanied minors - foreign nationals.

Inter alia, this Working Group is working on undertaking a legislative initiative, as soon as possible, concerning:

- (a) recording and evaluating the applicable institutional framework regarding unaccompanied minors (for a reliable system to establish minority)
- (b) reforming the institution of guardianship and
- (c) creating additional facilities to accommodate unaccompanied minors - foreign nationals to shorten the time for further transfer administrative procedures to suitable accommodation facilities.

Furthermore, in the context of integrating the National Action Plan (ESD) / Roadmap (OX) to address outstanding issues, procedures are in progress to operate open - structure facilities for the accommodation of vulnerable groups, in the Attica region and other areas of the country, as well as the operation of a Housing Request Management Service for Asylum Seekers and Unaccompanied Minors (Ministry of Labour, Social Security and Welfare - National Social Solidarity Centre).

2. - Following the above, in the overall response to the above paragraphs referring to the treatment of unaccompanied minors - foreign nationals, the relevant response from the Ministry of Justice should be included as well.

**Paragraph 107:** The Committee recommends that if, exceptionally, unaccompanied minors - foreign nationals are detained for a short time in the 24, Petrou Ralli St. facility, they should be provided with several hours of organized external exercises and daily recreational activities and be offered the necessary psychological support they need.

**Paragraph 108, subparagraph b’:** The Committee recommends, once again, not using the Immigration Designated Stay Area for Minors in Amygdaleza for the custody of unaccompanied minors. On the contrary, more appropriate facilities should be found, preferably open ones, satisfying the above requirements for such a facility. It is understood that the Petrou Ralli facility for irregular migrants is totally unsuitable for the custody of unaccompanied minors and they should not be held there.

The Services of the Attica Foreign Nationals Division transfer unaccompanied minors - foreign nationals in the Immigration Designated Stay Area for Minors (E.CH.P.A.A.) in Amygdaleza, which is the only juvenile facility in Attica (competence of the Hellenic Police), as a last resort, where they are accommodated until procedures are concluded and are transferred to a special accommodation area for minors - foreign nationals.

In the above context, the eight (8) small cells on the 3rd floor (at the former juvenile wing) of the Immigration Pre-Departure Detention Centre (P.KE.K.) in Tavros municipality (24, P. Ralli Str.), cited by the Committee, are not used for guarding detainees, but only in exceptional circumstances [such as the time of the visit]. We would also like to mention that due to the large number of unaccompanied minors - foreign nationals in December of 2014, the Third Sector of the Pre-Departure Detention Centre (P.KE.K.) in Amygdaleza was used as a provisional accommodation area for minors until, in co-operation with the First Reception Service, the National Centre for Health Operations (E.K.EP.Y.) and the National Social Solidarity Centre, they are gradually transferred to appropriate accommodation facilities).

In particular, regarding the stay of unaccompanied minors - foreign nationals in the Immigration Designated Stay Area for Minors in Amygdaleza, please be advised that:

- \* the existing facilities serve their basic needs (continuous efforts are paid to improve them)
- \* there is configured restaurant - creative occupation and entertainment area (this area includes tables and chairs for feeding detainees, as well as a TV with USB connector for viewing movies),
- \* there are also computers, a library and board games, to creatively occupy minors - foreign nationals,
- \* during the daily operational schedule of the Centre, minors are engaged in activity programmes, meetings with bodies and non-governmental organisations, psychosocial support, hygiene and health programmes and further training,
- \* for their workout, there is a fenced open-air exercise – sports area,
- \* there are three (3) specifically configured visiting areas, in which they are visited by relatives, lawyers and representatives of diplomatic or consular authorities,
- \* their telephone communications are carried out by means of five (5) public telephones (pay phones) and, when necessary, their communication is effected through their mobile phones,
- \* there is a private cleaning crew that cleans daily all public areas of the detention facilities and the cells. Disinfection - deworming is also carried out by a private crew, every Saturday, and they issue a certificate. Also, minors – detainees attend to their personal hygiene and cleanliness themselves,
- \* they are fed at the expense of the State. They are provided with breakfast (coffee or juice or milk and croissants), lunch and dinner,
- \* there is a dispensary used for the medical examinations of the minors, as well as for communication with collective bodies and representatives of non-governmental organizations
- \* daily visits are made by non-governmental organizations, during which constructive meetings take place with the minors, for their psychosomatic improvement,
- \* they are informed about their legal status (for example, how to submit asylum applications or the actions required for their voluntary return on the part of the International Organisation for Migration).
- \* continuous efforts are made so that minors undergo immediately the necessary medical examinations required as a prerequisite to transfer them to open accommodation facilities, which are not enough to meet the growing needs, as well to directly transfer minors to such facilities.

Please be advised that, according to the Committee's recommendations, efforts are underway to further improve the logistical infrastructure of the facilities and the constructive activities of accommodated unaccompanied minors - foreign nationals, as well as the engagement of psychologists and social workers for psychosocial support, and interpreters - translators to facilitate their communication with the Greek authorities.

D. Foreign nationals detained under the respective legislation.

I. - Preliminary comments.

**Paragraph 109:**

**1. - MIGRATION FLOWS - ANALYSIS OF THE PRESENT SITUATION:**

(a) The shifting of migration flows from the region of Evros to the eastern sea borders of our country is addressed with great difficulty in the North Aegean Sea, with the operation of the Immigration Pre-Departure Detention Centre (P.KE.K.) in Lesbos and the Immigration Citizenship Identification Centres (KE.T.Y.) in Samos, Lesbos and Chios (the KE.T.Y. in Lesbos is not yet operational), while the lack of adequate reception and detention facilities in the South Aegean region makes it difficult to manage incoming refugees / irregular migrants.

The number of apprehensions of refugees / irregular migrants for the first 9 months of this year (2015), at national level, presented a dramatic increase rate of 668,85% (422.113 apprehensions in the first 9 months of 2015 and 53.510 apprehensions in the first 9 months of 2014).

In an ANNEX hereof we show in detail the migration flows for the first 9 months of this year (2015), compared with the corresponding 9 months of 2014.

After studying these statistics, it is evident that the number of irregular migrants in the North Aegean islands showed a significant increase rate of 1559,29% in the current year's first 9 months (2015) (308.894 apprehensions in the first 9 months of 2015 and 18.616 apprehensions in the first 9 months of 2014).

Especially in the island of Lesbos, a significant increase was recorded in the number of apprehensions of irregular migrants by 2.335,85%, compared to the first 9 months of 2014 (203.101 apprehensions in the first 9 months of 2015 and 8.338 apprehensions in the first 9 months of 2014).

Furthermore, the islands of the South Aegean show, also, a significant increase rate in the number of apprehensions of irregular migrants, amounting to the spectacular rate of 635,61% in the current year's first 9 months (2015) (81.241 apprehensions in the first 9 months of 2015 and 11.044 apprehensions in the first 9 months of 2014).

By contrast, Greece has managed to control the influx of migrants along our land borders with Turkey, thanks to the effective co-operation with this country (Turkey).

(b) The State's mechanism, after the first, entirely justified and necessary adaptation period to the excessively increased migration flows, coped sufficiently with the management of the complex organizational and humanitarian problems urgently raised for immediate resolution (assisting in every way, by offering clothing, food etc. to refugees). Moreover, this fact is acknowledged by the competent international organizations (European Union, United Nations Committee on Human Rights (UNHCR) etc.) in their recent relevant announcements.



(c) In particular, approximately 80% of incoming irregular foreign nationals have a refugee profile. Specifically, the main nationalities of irregular migrants apprehended in the country in the first 9 months of 2015, which show an upward trend, compared to the same period of 2014, are the apprehended Syrian nationals (277.899), as well as the apprehended nationals of Afghanistan (76.620), Somalia (2.565), Palestine (2.239) and Eritrea (640).

The number of apprehensions of irregular migrants - Syrian nationals remains very high (277.899 apprehensions) in the period under review, compared to the first 9 months of 2014, a fact due both to the situation prevailing in Syria and the difficult living conditions in the refugee camps in neighbouring countries, which have already received a large number of Syrians (Lebanon, Jordan, etc.), and the policy of "open doors" still applied by Turkey, which has had received more than two million Syrian nationals.

It is emphasized that the Hellenic Coast Guard is responsible for guarding the maritime borders. However, the Hellenic Police assists with staff and technical means in this effort, under the principle of solidarity. At the same time, it ensures that any unlawful acts possibly caused by the massive influx of migratory flows are prevented.

It is estimated that the unstable political and economic situation in the countries of the Asian and the African continent will maintain the migratory pressure on our country for the coming months, more hectically for Syrian nationals who, seeing that the war in their country does not end, will turn to Europe.

This influx of irregular migrants, continued for the period under analysis, mainly through our sea borders with Turkey, further burdens the Hellenic Police Services in the East Aegean islands, responsible for the reception and treatment of migrants.

Respecting the rules of the European Union and the Schengen Regulation, despite the enormous pressure at entry points, Greece is making every effort to implement the provisions of the EURODAC Regulation (European system for the comparison of the dactyloscopic records of asylum seekers) for fingerprinting, recording and identifying incoming migrants.

It is pointed out that due to increased migration flows in the North (mainly in Lesvos) and South Aegean (mainly in Kos), the entire available staff deals with the identification and issuance of the necessary administrative documents, making the issue of managing incoming foreign nationals an explosive one.

The efforts to further improve the level of co-operation with Turkey at land borders, but mainly the continuation of efforts on the Turkish side to better control guarding the borders on their west coast, towards the Greek islands of the East Aegean, will decisively contribute to controlling migration flows, both towards Greece and, by expansion, towards the countries of central and northern Europe.

## 2. - LEGISLATIVE CHANGES – DETENTION OF IRREGULAR MIGRANTS.

(a) Recently (Act 4332/2015 entitled "Amendment of the Greek Citizenship Code provisions etc." (Official Journal of the Hellenic Republic, volume A', issue no. 76 / 9.7.2015) with changes made in the legislation in force for foreign nationals, in case the conditions of the principle of non-refoulement are met, as provided for in Article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (as in the case of Syrian nationals), these shall be recorded in the database and be provided with a certificate of non-refoulement for humanitarian reasons (i.e. a refoulement order is not issued).

Please be advised that, given that a large number of foreign nationals of this category - target group enter the country every day, especially from the east sea borders of our country, in addition to recording in measurable indicators refoulement orders issued, of particular significance for our Service is the reduction of the paperwork required (indicatively, as mentioned above, for the first 9 months of 2015, the number of incoming Syrian nationals amounts to: 277.375, out of a total number of 422.113 foreign nationals).

(b) As mentioned above (please see paragraph 56) in the context of proper application of Directive 2008/115 / EC, all cases of foreign nationals detained in existing Immigration Pre-Departure Detention Centres (P.KE.K.) were individually reassessed, in particular the cases of foreign nationals detained for more than six (6) months, only for illegal staying in our country, and not showing an intense and systematic unlawful behaviour, for which refoulement postponement orders have been issued, imposing alternative to detention measures.

Currently Greece is implementing the following types of alternative detention:

- \* regular reporting to the authorities,
- \* the obligation to stay in a particular place (without limitation of freedom) which may be accompanied by assistance in voluntary return and relocation programmes of the International Organization for Migration (IOM), assisted by the Hellenic Police Services, while considering to apply other ways as well, meant to have less human cost (avoiding the difficulties associated to detention).

In the above context, we continue the efforts not to detain in police detention facilities third country nationals subject to refoulement procedures, but, as soon as possible, forward them to Immigration Pre-Departure Detention Centres (P.KE.K.), after their identification and the issuance of the necessary orders.

In practice, irregular third-country nationals are detained, in principle, for up to six (6) months to implement refoulement orders and, if this is not achieved, they are released on bail [indicatively please be advised that, on 2.10.2015, the number of detained foreign nationals in the existing Pre-Departure Detention Centres amounted to 846 detainees, out of a total capacity of 5.459 persons].

### 2. - Immigration Pre-Departure Detention Centre of Corinth

**Paragraphs 111-113:** Committee recommendation that the Greek authorities take the necessary steps to ensure that irregular migrants deprived of their freedom stay in centres specifically designed for that purpose, offering material conditions and a regime appropriate to their legal status, staffed by appropriately trained personnel.

Further, as regards the Pre-Departure Detention Centre of Corinth, steps must be taken to ensure that:

- no more than 4 individuals will be staying in the dorms and that they will be equipped with tables and chairs,
- a programme of activities will be developed (educational, recreational and occupational)
- at least one common interaction room will be created, equipped with TV and games,
- the Centre will have a multi - religious area,
- detainees will be provided with sufficient quantities of personal hygiene and cleaning products (including detergents).

In addition, urgent action must be taken to ensure that at least one doctor and a nurse are present at the Centre, every day, including weekends.

The number of detained foreign nationals in the Immigration Pre-Departure Detention Centre (P.KE.K.) of Corinth has significantly decreased compared to the day of the Committee's visit (indicatively, 101 detainees on 2.10.2015), their allocation in dormitories does not exceed 4-5 people, while two (2) buildings are used, although they could be reduced to one (1) building, which can accommodate up to 192 detainees.

Individual toiletry is given whenever detainees arrive and a tender to procure new toiletry, to ensure sufficient stock, is already in the final stage.

There is sufficient hot water, as a problem in the boilers providing water to a large number of detainees was of a temporary nature and was successfully faced.

For the recreational activities of detainees, we are constantly striving to meet the needs through the supply of items (e.g. balls) from non-governmental organizations (NGOs) and donations from foundations (there is an ongoing donation process for different items: balls, baskets, rackets, cards, volleyball net, board games in foreign languages, etc.).

For the healthcare of detainees, the 6th Regional Health Service of Peloponnese has made available one (1) general medical practitioner from the Kiato Health Centre, who is coming to the Centre once a week to meet basic medical needs, while actions have been taken to meet the needs of the Centre with doctors of the Hellenic Centre for Disease Control & Prevention. In addition to the above, detainees requesting medical examination are immediately transferred to the Corinth General Hospital or to hospitals in Attica (when shortages in various specialties emerge e.g. for a dermatologist). Please be advised that efforts were made to make doctors available from non-governmental organisations, but this did not, eventually, take place due to the increased migration flows to the islands of East Aegean.

Additionally, as noted above (please see paragraph 49, subparagraph 3) in the context of the new funding period 2014-2020 (Multiannual Asylum, Migration and Integration Fund «AMIF») we have incorporated in our plans, inter alia, an action to provide medical support to Immigration Detention Centres, using medical, nursing and other professional staff of the State or non-governmental organizations or other organizations and bodies, following tender procedures, as well as to employ psychologists and social workers for the psychosocial support of third-country nationals in refolement status.

### 3. - Petrou Ralli detention facilities

**Paragraphs 114-117:** Committee recommendation that the Greek authorities take the necessary steps to ensure that:

- full information is provided to all detainees in a language they understand, on their legal status,
- all detainees are provided with clean mattresses, blankets and bedding,
- all detainees have immediate access to toilets, including at night,
- all detainees are offered outdoor exercise, for at least two hours, including weekends,
- each wing has a common socializing room, with TV and games and a prayer room,
- regular maintenance and disinfection are performed and adequate funding is provided for this purpose,
- sufficient quantities of detergents and toiletry are always offered to detainees.
- the 8 small cells, with almost no access to natural light, in the isolation ward on the 3rd floor, will not be used to detain people for prolonged periods.

As regards health care, the CPT proposes that the Greek authorities ensure an integrated approach to health services and ensure that:

- access to doctors will improve, guaranteeing that a doctor and a nurse will be present every day, including weekends,
- there will be strict medical confidentiality,
- if a decision is taken to separate a detainee on health grounds, he/she shall be placed under suitable conditions, corresponding to his/her needs.

Moreover, understandable procedures and training should be drafted to monitor and prevent self-harm and attempted suicide actions.

The number of detained foreign nationals at the Immigration Pre-Departure Detention Centre (P.KE.K.) of Tavros (24, P. Ralli St.) has significantly decreased, compared to the day of the Committee's visit (indicatively, 108 detainees on 2.10.2015).

Regarding the provision of information to detainees on the grounds of their detention, where a detainee wishes to have an oral update on his/her case, his/her request is submitted and a competent police officer undertakes to update him/her.

In order to immediately serve the needs of detainees without delays, there is an equal number of toilets and showers with hot water supply and access at predetermined intervals (every hour) or extraordinarily, whenever required throughout the day and overnight.

There is a private cleaning crew that cleans and disinfects on a daily basis all public areas of detention facilities and cells. Also, the detainees themselves may be able to attend to their personal hygiene and cleanliness. Alongside, maintenance and control of all detention facilities of the Centre is conducted by the maintenance staff of the Attica Foreign Nationals Division, from crews of the Technical Applications Division / Hellenic Police Headquarters, as well as private crews, upon request and expense approval.

In the Centre's facilities a washer and dryer operates, where bedding is regularly washed, mattresses are replaced when they become non-functional, while toiletry is provided on a regular basis (shampoo, soap, toothpaste, toothbrush, toilet paper, etc.), as well as detergents for washing clothes.

For the healthcare of detainees, a doctor and a nurse from the Hellenic Centre for Disease Control and Prevention is available on weekdays (Monday - Friday), while a psychiatrist is present twice a week (Tuesday - Thursday), who keep medical records and the medical confidentiality of detainees.

All detainees are examined proactively by doctors from the Hellenic Centre for Disease Control and Prevention for any infectious diseases, dangerous to public health and safety of both themselves and other detainees, as well as the guards of detention facilities. During their detention, detainees are examined on a daily basis by medical staff, while those cases which, because of the seriousness of the situation, cannot be treated by doctors serving in the dispensary of the detention facilities, are immediately transferred to a State Hospital.

Detainees exercise in open-air in the morning (09:00 - 13:00), from Monday to Saturday, and during evening hours (18:00 - 20:00) from Monday to Friday, with staff allocated for this purpose and have access to group games and activities (football, basketball, ping - pong, chess etc.).

As far as procedures and training is concerned to monitor and prevent self-harm and attempted suicide actions, please refer to our response in paragraph 60.

Finally, as regards the issue of police behaviour, it should be pointed out that our Ministry and the Hellenic Police Headquarters show particular sensitivity in this matter, in their official engagements with civilians, both locals and foreign nationals, as well as on the issues of faithful performance of their duties, insisting on absolute respect of the individual rights, diversity and dignity of civilians, as provided by applicable legislation. For this reason, specific orders and instructions have been given to the staff, while our severity is exhausted on those who are forgetful of their obligations.

#### B. - ADDITIONAL (OTHER ACTIONS – FUNDING):

(a) Major efforts are made to begin implementation of the 2014 - 2020 National Programme of the Internal Affairs Sector (Multiannual Asylum, Migration and Integration «AMIF» and Internal Security «ISF» Funds), by conducting the requisite tender procedures, in order to make available the required funds in early 2016, hence decisively contributing to the efforts we make on a daily basis in tackling irregular migration.

In particular, in our plans to implement the 2014 - 2020 National Programme of the Internal Affairs Sector (Multiannual Asylum, Migration and Integration Fund «AMIF»), we have included a range of measures<sup>1</sup> relating to Immigration Detention Centres, the implementation of which will contribute, as a priority, to ensuring conditions of stay with a decent standard of living and, to this end, serious efforts are made to start, as soon as possible, the long-term tendering State procedures and meet the corresponding needs with allocations from European funds, not requiring the allocation of national funds which, in the current economic situation that our country is going through, are very difficult to find.

---

<sup>1</sup> They indicatively concern: feeding, cleaning, operational costs (infrastructure improvements), psychologists, social workers, interpreters, lawyers (legal protection), health care, other issues such as possible custody etc., tickets for third-country nationals to return to their home countries, charter flights etc.

(b) Under the principle of solidarity and shared responsibility in a common European area, based on the clear obligation stipulated in Articles 7 and 8 of Council Decision (14-9-2015), the National Road Map was submitted to the European Commission, aimed at presenting an integrated system for managing migration flows entering the Greek east sea borders, by taking appropriate measures on asylum, first reception and returns.

The National Roadmap was incorporated into the National Plan for returns, including, at the same time, the Operational Plan for the registration and identification procedures of all new arrivals of foreign nationals and return procedures, to the extent it concerns the management of the economic profiles of migrants ("Hot Spot" mechanism).

We are already in advanced consultations with the European Commission and the relevant organizations, so that, as soon as possible, we put into operation the «Hot Spot» mechanism, by creating five (5) operational units in the islands of Lesbos, Kos, Samos, Chios and Leros, to streamline the registration and fingerprinting process.

A prerequisite for achieving the above is to fund the action through the European Union, which does not provide the required appropriations from European funds, thus requiring the allocation of national funds, which, in the current economic situation that our country is going through, are very difficult to find at the highest level.

For this purpose, the overly bureaucratic procedures with the European Commission should be completed as soon as possible, for emergency funding under the European Asylum, Immigration and Integration («AMIF») and Internal Security («ISF») Funds, to cover the financing gap and meet our needs arising from the intensely observed mixed migratory flows.

The Hellenic Police has already submitted proposals for emergency funding of a total budget of 4,88 million euros, involving 2,35 million euros for the ISF Fund and the other proposal, of 2,53 million euros, for the AMIF Fund. The first proposal (submission of a revised proposal) requested the amount of 2,35 million euros, of which 1,91 million euros will be allocated to cover the costs of the supporting Hellenic Police force for the East Aegean islands and the amount of 442.000,00 euros for the supply of equipment. The second proposal (submission of a revised proposal) requested 1 million euros to carry out forced returns on the part of the Hellenic Police and 1,53 million euros to carry out voluntary returns on the part of the International Organization for Migration (IOM).

For the Hellenic Police, these requests meet some of the immediate needs in the near future, while direct funding from the Multiannual Programmes of the Asylum, Migration and Integration «AMIF» and Internal Security «ISF» Funds is considered necessary, for which special actions have been provided.

(c) In order to effectively protect our external borders, Frontex (the European Agency for the Management of Operational Cooperation at the External Borders of the European Union members), EASO (the European Support Office on Asylum) and EUROPOL (the European Police Office) must be significantly strengthened, by increasing the contribution of each Member - State in terms of technical equipment and staff. Significant efforts have been made in this area, by tripling the budget of Frontex operations while conducting the "Neptune - Maritime Borders 2015" Joint Operation. Greece has already applied to Frontex for further assistance in terms of equipment and staff.

(d) In addition to the above, continuous efforts are made to increase the number of law enforcement officers to manage migratory flows in the following Police Divisions: Lesvos, Chios, Samos, Dodecanese A' and B', through Hellenic Police forces and a supporting force of Frontex.

(e) We are in advanced discussions to adopt the "EURINT" (European Return Fund) mechanism, to implement, at a small scale, a pilot on site Programme to create a rapid response mechanism to assist in the process of identifying and issuing provisional travel documents to migrants under a refoulement order, detained in Immigration Detention Centres (consultations for an Immigration Pre-Departure Detention Centre (P.KE.K.) in Amygdaleza, Attica) and implementing returns with the contribution of Frontex (it will be complementary to that of a "Hot Spot» mechanism for returns). This "EURINT" mechanism will be fully implemented in early November this year (2015) (actions are underway so that five (5) teams consisting of 2-3 officials from the consular authorities of the third country arrive to assist in the issuance of travel documents).

(f) Our will is to fully restore the activation of Greece in return operations and base our hopes on the upgraded role the European Commission attaches to Frontex, which will actively and immediately participate in returns (Frontex made known to us that charter flights will pass through our country –“Stop Over”).

(g) Following the above, it emerges that, if arrivals continue at the same pace, Greece should attend, even for a transitional period (since the vast majority of those registered in our country wishes to move on to other European countries, where employment opportunities exist), to over two million people. This is impossible, unless both the overall funding of the Union to its Member - States and the Greek share in this funding increase drastically, because the State budget, amid a dire economic crisis and unprecedented austerity, is apparently not sufficient.

C. - Please proceed to your own further actions.

D. - The Physical and Political Leadership Offices, hereby notified, to which this document is submitted, are kindly requested to be updated.

E. - Other recipients, also notified of this document, are kindly requested to be updated and associate it with the other correspondence.

Encl.: a) Statistics on complaints for abuse - ill-treatment incidents on civilians, investigated during the years 2011-2014.

b) Annex showing, in detail, the migratory flows for the first 9 months of this year (2015), compared with the corresponding period of the first 9 months of 2014.

The Chief of Staff  
Mr. Emmanuel Katriadakis  
Police Lieutenant General

## TABLE OF RECIPIENTS

### RECIPIENTS FOR NOTIFICATION

#### 1) a. MINISTRY OF INTERIOR AND ADMINISTRATIVE RECONSTRUCTION

- Office of the Deputy Minister
- Office of the Deputy Secretary General of Interior and Administrative Reconstruction
- Office of the Secretary General of Public Order

#### b. HELLENIC POLICE HEADQUARTERS

- Office of the Chief
  - Office of the Deputy Chief
  - Office of the Chief of Staff
  - Offices of Hellenic Police Inspectors for the North and South Greece
  - Office of the Head for the Foreign Nationals and Border Protection Sector
  - Office of the Chief of Security
  - Office of the Head for the Order Sector
  - Office of the Head for the Financial & Technical Support and Information Technology Sector
  - Office of the Head of the Logistics and Human Resources Sector
  - Press Office
  - Divisions:
    - > Police Personnel
    - > Organization and Legal Support
    - > General Policing
    - > State Security
    - > Public Security
    - > Training and Development of Human Resources
    - > Healthcare
    - > International Police Cooperation / 1st Department: European Union, International Relations and Missions
    - > Technical Support
    - > Finance
- In Town

#### 2. MINISTRY OF FOREIGN AFFAIRS

- > Directorate C4 - Justice, Internal Affairs and Schengen
- > Directorate D4 - Human Rights

3 Akadimias St.

Zip code: 106 71 – Athens



Hellenic Police Headquarters.  
Sector: Logistics and Human Resources  
Division: Law Enforcement Officers

Athens, April 14, 2015

Subject: Visit of the European Committee for the Prevention of Torture and Other Inhuman or Degrading Treatment or Punishment (CPT) in Greece, 14 - 23.4.2015.

CASES OF COMPLAINTS FOR ABUSE – ILL-TREATMENT OF CIVILIANS (detainees or not) INVESTIGATED DURING THE YEARS 2011-2014.

◆ In the 2011-2014 period, a total of 202 cases of complaints against police officers for abuse - ill-treatment of civilians (detained or not) were investigated [by means of Preliminary Administrative Inquiries and Sworn Administrative Inquiries]. Specifically:

From a disciplinary point of view:

> Disciplinary sanctions were imposed in (7) cases.

Specifically, (13) police officers were sanctioned with the following disciplinary sanctions:

a. Severe disciplinary sanctions:

Suspension with dismissal: 1

b. Mild disciplinary sanctions:

Fine: 12

> (101) cases were closed.

> (91) cases pending investigation, mainly concerning the years 2013 and 2014.

> (1) case pending for judgement pronouncement before the competent judicial body (Disciplinary Board).

> The decision to impose a disciplinary sanction or not or refer the offender to the appropriate Disciplinary Board was suspended by a judgement of the criminal court for the corresponding criminal case, in (2) cases.

From a criminal point of view

> (93) cases had no criminal dimension.

> For (4) cases the complaints were forwarded to the competent prosecuting authorities, of which (1) was closed and for (3) our Service has not been informed of any developments (with respect to initiating criminal proceedings or not).

> Indictments were submitted for (42) cases, of which for (27) our Service has not been informed by the competent prosecuting authorities of any developments (with respect to initiating criminal proceedings or not), for (8) a preliminary investigation was ordered under Article 31 of the Criminal Procedure Code, in order to determine whether there is a criminal prosecution case and for (7) an order to close the case or reject the complaint was issued.

> Corresponding criminal briefs were prepared ex officio by Police Services for (52) cases, of which for (20) our Service has not been informed by the competent prosecuting authorities of any developments (with respect to initiating criminal proceedings or not), for (27) a preliminary examination under Article 31 of the Criminal Procedure Code was ordered, to determine whether there is a criminal prosecution case and for (5) an order to close the case or reject the complaint was issued.

> Criminal proceedings were initiated for (11) cases, of which for (1) an acquittal was pronounced, for (1) a judgement not to refer the case for trial, for (2) a first instance conviction (for which an appeal was lodged that has not been heard yet), while the remaining (7) are pending before the judicial authorities.

- The abuse - ill-treatment complaints investigated for the period 2011 - 2014, although it seems to correspond to a large number of cases, show transparency of action and are incidents which our Office, considering that protection of individual rights is of paramount importance, has thoroughly investigated. Whenever complaints were confirmed, it has imposed the disciplinary sanctions provided by the Disciplinary Law for Law Enforcement Officers.

Please be advised that the rules and principles of the European legal culture, which have been incorporated into our domestic law (both substantive and procedural penal laws), in particular those relating to the grounds for lifting the unjust nature of the act and excluding imputability, the presumption of innocence and leniency in favour of the defendant, shall apply accordingly in Disciplinary Law.

- Given these facts, for the period 2011-2014, taking into account that:

- \* for (93) out of a total of (202) cases there is no corresponding criminal dimension, either because the persons concerned have not lodged a complaint against police officers, or because, from their administrative examination, no commitment of criminal offences, ex-officio prosecuted, has been established, so that, by applying Article 37 of the Criminal Procedure Code, copies of the relevant correspondence be forwarded to the competent prosecuting authorities to investigate these cases on the criminal side,

- \* for (42) cases for which criminal complaints - indictments were lodged by the alleged victims, (7) were closed by order of the Public Prosecutor and for the remaining (35) our Service has not yet been advised by the competent prosecuting authorities on the initiation of criminal proceedings or not,

- \* for (52) cases, where a brief was ex-officio prepared by the Police Services, without a relevant complaint - indictment on the part of the alleged victim, (5) were closed by order of the Public Prosecutor and for the remaining (47) our Service has not yet been advised by the competent prosecuting authorities on the initiation of criminal proceedings or not,

- \* for (11) cases where criminal proceedings were initiated against police officers, for (2) an acquittal and a judgement not to refer the case for trial were respectively pronounced, (7) are pending and only for (2) a first instance conviction has been pronounced against serving police officers, for which an appeal was lodged and, to date, our Service has not been advised on their hearing date.

\* for (7) cases disciplinary sanctions were imposed, while (91) cases are pending or are in the process of conducting investigation or issuing a decision

\* in any case criminal proceedings are initiated against a police officer for any offence, this is notified by the competent prosecuting authority to our Service and, given the intention of the Hellenic Police Headquarters to investigate any information for a police officer's misconduct towards a civilian, it is presumed that the number of cases closed from a disciplinary point of view, to date, although it looks high [(101) out of (202)], leaves, however, no room for doubt on police impunity and suppressing any disciplinary offences and blameworthy behaviours.

Please be advised that any delays in the hearing of disciplinary cases are related with the strict observance of the procedural rules that ensure both the rights of the defendant police officer (presumption of innocence), the thorough investigation of the cases and the proper administration of justice, which are the outcome of the European legal culture. In any event, disciplinary sanctions are imposed if evidence arises that may establish accountability.

- Our Service is monitoring the progress of criminal cases related to serving police officers, in order to initiate the procedures under Article 49, paragraph 1 of the Presidential Decree 120/2008, according to which, in case after a disciplinary decision acquitting a police officer or imposing on him a more lenient disciplinary or suspension sanction with provisional dismissal, the criminal court pronounces a final judgment, by which facts are established comprising the constituent elements of a disciplinary offence punishable by dismissal or suspension with dismissal, disciplinary proceedings are repeated to possibly impose such penalties. However, if a suspension with dismissal sanction has been imposed, but the final conviction of the criminal court establishes facts comprising the constituent elements of the disciplinary offence being punishable by dismissal, disciplinary proceedings are repeated to possibly impose such a sanction.

- It is emphasized that the above statistics, considered only in terms of absolute figures, possibly lead to incorrect conclusions. The number of cases investigated demonstrates, as mentioned above, the intention of the Hellenic Police Headquarters to investigate every incident and not allow the development of a xenophobic atmosphere or the manifestation of racist phenomena within the Hellenic Police Force and punish any illegal, irregular or improper behaviour of police officers.

Specifically:

In 2011 (35) cases of complaints for abuse - ill-treatment of civilians (detained or not) were investigated, which resulted in:

From a disciplinary point of view

> Disciplinary sanctions were imposed in (3) cases.

Specifically (5) police officers were sanctioned with the more lenient disciplinary sanction of a fine.

> (31) cases were closed.

> One (1) case is pending at the investigation stage, and although originally a decision had been taken by the competent body to postpone decision-making, later developments in the criminal dimension of the case led to initiation of criminal proceedings against a police officer and was considered necessary to conclude it.

From a criminal point of view

> (15) cases had no criminal dimension.

> Indictments were lodged for (10) cases, of which for (6) our Service has not been updated by the competent prosecuting authorities on the relevant developments (with respect to initiating criminal proceedings or not), for (3) cases a preliminary investigation under Article 31 of the Criminal Procedure Code was ordered, to determine whether there is case of initiating criminal proceedings and for (1) the Public Prosecutor ordered to close the case.

> Corresponding criminal briefs were prepared for (6) cases, for (1) our Service has not been updated by the competent prosecuting authorities on the relevant developments (with respect to initiating criminal proceedings or not), for (4) cases a preliminary investigation under Article 31 of the Criminal Procedure Code was ordered, to determine whether there is case of initiating criminal proceedings and for (1) the Public Prosecutor ordered to close the case.

> Criminal proceedings were initiated for (4) cases, of which for (1) a first instance judgment was pronounced (for which an appeal was lodged that has not been heard yet), for (1) a judgement not to refer the case for trial was issued, and (2) are pending before the judicial authorities.

For the year 2012 (53) cases of complaints for abuse - ill-treatment of civilians (detained or not) were recorded, which resulted in:

From a disciplinary point of view

> Disciplinary sanctions were imposed in (4) cases.

Specifically (8) police officers were sanctioned, of whom:

One (1) with the highest disciplinary sanction of dismissal and

Seven (7) with the more lenient disciplinary sanction of a fine.

> (38) cases were closed.

> (10) cases are pending for investigation.

> For (1) case the decision to impose or not a disciplinary sanction or refer the offender to the competent Disciplinary Board was suspended, until a judgement of the criminal court for the same criminal case is pronounced.

From a criminal point of view

> (28) cases had no criminal dimension.

> For (2) cases the complaint was forwarded to the competent prosecuting authority, of which for (1) our Service has not been updated on the relevant developments (with respect to initiating criminal proceedings or not) and for (1) the Public Prosecutor ordered to close the case.

> Indictments were lodged for (11) cases, of which for (6) our Service has not been updated by the competent prosecuting authorities on the relevant developments (with respect to initiating criminal proceedings or not), for (2) cases a preliminary investigation under Article 31 of the Criminal Procedure Code was ordered, to determine whether there is case of initiating criminal proceedings and for (1) the Public Prosecutor ordered to close the case.

> Corresponding criminal briefs were prepared for (10) cases, out of which for (4) our Service has not been updated by the competent prosecuting authorities on the relevant developments (with respect to initiating criminal proceedings or not), for (5) cases a preliminary investigation under Article 31 of the Criminal Procedure Code was ordered, to determine whether there is case of initiating criminal proceedings and for (1) the Public Prosecutor ordered to close the case.

> Criminal proceedings were initiated for (2) cases, which are pending before the judicial authorities.

◆ For the year 2013, (59) cases of complaints for abuse - ill-treatment of civilians (detained or not), were recorded, which resulted in:

From a disciplinary point of view

> (31) cases were closed.

> (26) cases are pending for investigation.

> For (1) case the decision to impose or not a disciplinary sanction or refer the offender to the competent Disciplinary Board was suspended, until a judgement of the criminal court for the same criminal case is pronounced.

> (1) case is pending for decision taking before the competent judicial body (Disciplinary Board).

From a criminal point of view

> (23) cases had no criminal dimension.

> Indictments were lodged for (11) cases, of which for (6) our Service has not been updated by the competent prosecuting authorities on the relevant developments (with respect to initiating criminal proceedings or not), for (2) cases a preliminary investigation under Article 31 of the Criminal Procedure Code was ordered, to determine whether there is case of initiating criminal proceedings and for (3) the Public Prosecutor ordered to close the case.

> Corresponding criminal briefs were prepared for (22) cases, out of which for (4) our Service has not been updated by the competent prosecuting authorities on the relevant developments (with respect to initiating criminal proceedings or not), for (15) cases a preliminary investigation under Article 31 of the Criminal Procedure Code was ordered, to determine whether there is case of initiating criminal proceedings and for (3) the Public Prosecutor ordered to close the case.

> Criminal proceedings were initiated for (3) cases, of which for (1) an acquittal was pronounced, for (1) a conviction was pronounced (for which an appeal was lodged that has not been heard yet) and (1) is pending before the judicial authorities.

◆ For the year 2014 (55) cases of complaints for abuse - ill-treatment of civilians (detained or not) were recorded, which resulted in:

From a disciplinary point of view

> (1) case was closed, while all other are pending for investigation.

From a criminal point of view

> (27) cases had no criminal dimension.

> For (2) cases the complaints were forwarded to the competent prosecuting authorities, which have not updated our Service on the relevant developments (with respect to initiating criminal proceedings or not).

> Indictments were lodged for (10) cases, of which for (9) our Service has not been updated by the competent prosecuting authorities on the relevant developments (with respect to initiating criminal proceedings or not) and for (1) case a preliminary investigation under Article 31 of the Criminal Procedure Code was ordered, to determine whether there is case of initiating criminal proceedings.

> Corresponding criminal briefs were prepared for (14) cases, out of which for (11) our Service has not been updated by the competent prosecuting authorities on the relevant developments (with respect to initiating criminal proceedings or not) and for (3) cases a preliminary investigation under Article 31 of the Criminal Procedure Code was ordered to determine whether there is a case of initiating criminal proceedings.

> Criminal proceedings were initiated for (2) cases, which are pending before the judicial authorities.

**HELLENIC POLICE HEADQUARTERS / SECTOR:  
FOREIGN NATIONALS AND BORDER PROTECTION**

**TABLE OF IRREGULAR MIGRANTS APPREHENDED FOR ILLEGAL ENTRY AND  
STAY BY POLICE AND COAST GUARD AUTHORITIES**

	<i>FIRST 9 MONTHS OF 2014</i>	<i>FIRST 9 MONTHS OF 2015</i>	<i>PERCENTAGE CHANGE</i>
GREEK - ALBANIAN BORDERS	6.000	6.733	12,22%
GREEK – FYROM BORDERS	953	1.232	29,28%
GREEK – BULGARIAN BORDERS	551	808	46,64%
GREEK – TURKISH LAND BORDERS	1.756	3.283	86,96%
POLICE HEADQUARTERS OF LESVOS	8.338	203.101	2.335,85%
POLICE HEADQUARTERS OF SAMOS	5.726	58.349	919,02%
POLICE HEADQUARTERS OF CHIOS	4.552	47.444	942,27%
A'POLICE HEADQUARTERS OF DODECANESE	4.781	14.265	198,37%
B'POLICE HEADQUARTERS OF DODECANESE	6.044	66.216	995,57%
POLICE HEADQUARTERS OF CYCLADES	219	760	247,03%
POLICE HEADQUARTERS OF CRETE	2.047	2.875	40,45%
REST OF THE COUNTRY	12.543	17.047	35,91%
<b>TOTAL</b>	<b>53.510</b>	<b>422.113</b>	<b>688,85%</b>

**APPREHENDED IRREGULAR MIGRANTS COMING FROM THE GREEK -  
TURKISH MARITIME BORDERS**

	<i>BY THE HELLENIC POLICE</i>	<i>BY THE HELLENIC COAST GUARD</i>	<i>TOTAL</i>
FIRST 9 MONTHS OF 2014	6.561	23.276	29.837
FIRST 9 MONTHS OF 2015	16.790	375.777	392.567
PERCENTAGE CHANGE	155,91%	1.514,44%	1.215,71%

The study of statistics indicates that the number of irregular migrants in the North Aegean islands showed a significant increase rate of 1.559,29% in the first 9 months of the current year (2015) (308.894 apprehensions in the first 9 months of 2015 and 18.616 apprehensions in the first 9 months of 2014).

Especially for the island of Lesbos, a significant increase in the number of apprehensions of irregular migrants, by 2.335,85%, was recorded, compared to the first 9 months of 2014.

Furthermore, the islands of South Aegean also present a significant increase rate in the number of

apprehensions of irregular migrants, by a spectacular rate of 635,61% for the first 9 months of the current year (2015) (81.241 apprehensions in the first 9 months of 2015 and 11.044 apprehensions in the first 9 months of 2014).

<b>APPREHENDED FOREIGN NATIONALS</b>		
<b><i>FIRST 9 MONTHS OF 2015</i></b>		
<b><i>Main nationalities</i></b>		
1.	Syria	277.899
2.	Afghanistan	76.620
3.	Iraq	21.552
4.	Pakistan	14.323
5.	Albania	12.637
6.	Iran	2.983
7.	Somalia	2.565
8.	Bangladesh	2.388
Grand total		422.113

True translation of the Greek original document.

Athens, 19/11/2015 The translator, Stefanos Tefos



HELLENIC REPUBLIC  
MINISTRY OF JUSTICE,  
TRANSPARENCY & HUMAN RIGHTS  
GENERAL DIRECTION FOR ANTICRIMINAL  
AND CORRECTIONAL POLICY  
DIRECTION FOR ORGANIZATION AND  
OPERATION OF PRISON ESTABLISHMENTS  
DEPARTMENT OF GENERAL AND RURAL  
PRISON ESTABLISHMENTS-  
CENTRAL WAREHOUSE OF PRISON MATERIAL (KAYF)  
Mailing address: 96, Mesogionave.  
P.C.: 115 27  
Tel.: 210 7767243  
Telefax: 210 7767457

**EXTREMELY URGENT**

Athens, 15/1/2016  
Ref.No.: 5024 oik.

**TO:** Ministry of Foreign Affairs  
D3 Direction

**Subject:«Second part of the reply regarding the CPT Report and acceptance of publication thereof»**

Re: Letter of the President of the CPT under ref.no. CPT/MG/2015/46 dated 15-7-2015 and Report of the CPT adopted on 1-7-2015

Please find below the reply of the Minister of Justice, Transparency & Human Rights on paragraphs 63, 79, 80, 81 and 82 of the Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), after visiting Greece on April 14th to April 23rd 2015, and you are kindly requested to do the necessary acts so that the Committee (CPT) will be notified accordingly.

You are also kindly requested to notify said Committee that our Ministry has no objection to publishing the above Report.

**On paragraph 63:**

The main priority of the Ministry of J.T.H.R. is to de-escalate the problem of the country's Prison Establishments overcrowding so that targeted interventions may apply for the system upgrading. As a result of the legislative intervention of April 2015 (law 4322/2015 GG A' 42) and the supplementary one of December 2015 (law 4356/2015 GG A' 181), the number of prisoners fell significantly (from 12,808 on 16/12/2013 to 9,632 on 16/12/2015) by 24.8%, which seems to have stabilized ten months later. Such stabilization is considered particularly significant so that the interventions may continue to improve the prison conditions (such as, in the Prison Establishment of Ioannina where the great problem of overcrowding was dealt with effectively whilst at the same time, there have been significant improvements so much in the infrastructures as in the activities programme of the prisoners as well as in the HIV-positive prisoners Establishment of the Korydallos Prisoners Hospital that operates now in the Women's Department of the Korydallos Prison Establishment). Furthermore, the fall in the total number of prisoners is necessary in order to achieve the main targets of our correctional policy that is based on the following axes: creating structures to support the reintegration and the decrease of relapse, respecting human rights, supporting the personnel by upgrading its role and by improving the work conditions, displaying justice and transparency in the prisons, opening to the society, promoting the non-guarding measures.

*Special targets* for the next three years:

- Improving the primary healthcare services in prison establishments and reformatting the Psychiatric Clinic and the Prisoners Hospital.
- Consolidating educational institutions in prisons, such as the second chance schools and the distant learning, and assisting actions of work, family, social and psychological support for the preparation of release from prison and the smooth reintegration.
- Including in the structures of the correctional system services of detoxification and expanding the existing ones (law 4139/2013).
- Restructuring the rural prison establishment and productive plants with the purpose of assisting the reintegration and the self-financing of the structures.
- Administrative restructuring of the correctional administration and reasonable utilization of the personnel by assigning duties of relevant qualifications.
- Improving infrastructures and therefore, the prison living conditions.
- Training (initial and ongoing) of the prison establishment's personnel and the employees that are responsible for the supervision of the measures that are served in the community.
- Developing services for juveniles and young people displaying unlawful conduct (Units of care for young people, education services, supporting extra-institutional treatment).
- Final configuration and voting of the new Correctional Code.
- Expanding the use of alternative imprisonment measures (e.g. electronic surveillance) to decrease the population in prisons and the total cost.
- Rationalizing and planning the impediments to the employment or to the issue of a work permit for prisoners.
- 

In such framework, the following workgroups have already been established in order to reflect the current situation, to assess the needs and to lay down specific proposals and action plans.

- Workgroup that calculates the average public expenditure for the detention in the Prison Establishments of the country, which has completed its task.

- Workgroup that will upgrade the health and detoxification services, which has already processed the Presidential Decree on the integration of the Prisoners Psychiatric Clinic into the National Health System (EHS) in association with the Ministry of Health. At the same time, the group is in the final stage of laying down the necessary ministerial decisions on the operation of detoxification programmes in application of Law 4139/2013.

- Workgroup that will modernize and upgrade the agricultural-industrial operations in the Prison Establishments in association with the Ministry of Agricultural Development.

- Workgroup that will support and develop the prisoners' education and training structures in association with the Ministry of Education.

- Workgroup that will further train the personnel of the prison establishments and the testing services.

Furthermore, the capacity of the prison establishments has been examined and reflected by the proper service (Building Infrastructures-KT.YP S.A.).

At the same time, our Ministry confirms again its commitment to reflect the foregoing with the necessary supplementary notes, in an integrated strategic plan that will also include financial indices and the administrative restructuring of the services with the necessary interventions for the more reasonable management of human resources. To this end, a workgroup has already been established, which will soon hand in a plan that may then be in public deliberation and to be adopted so that it will be a guide for the application of a cohesive correctional policy in the long run.

**On paragraph 79:**

Our Ministry works closely with the Ministry of Health and processes a plan of overall interventions towards the rationalization of the health services provision system to the prisoners on both primary and secondary level. The main target of the interventions on a primary level is the redistribution of roles and powers among the proper structures for the substantial implementation of the welfare of the Correctional Code regarding the obligation of correctional administration to provide health services to the prisoners, a level similar to the one of the general population. In particular, the services of the Ministries of Justice and Health work so as the administration of the overall working cycle related to the health services of primary level will pass to the supervision of the Ministry of Health services.

In order to implement the above guidance, our services have already completed the phase of capturing the existing situation and the phase of planning has been launched to upgrade the system. The action plan is in the stage of co-configuration with the Ministry of Health whilst at the same time, the necessary additional resources are sought.

Besides, already since 2010, the establishment and operation of Special Regional Consultation Rooms integrated in the primary healthcare system of the National Health System (NHS) in the Prison Establishments of the Country (joint Ministerial Decision Y3a/G.P. 44996/2010 GG B' 2016). In particular, there are currently twenty four (24) Special Regional Consultation Rooms (EPI) and one (1) Special Health Centre (EKY) that operate as units of the proper Sanitation Regions within the respective Prison Establishments of the country. In said structures, twelve (12) doctors of general medical specialization and ten (10) doctors of community clinics work and fall under the authority of the Ministry of Health.

Furthermore, as regards the services of detoxification, a list has already been filed (comp. our document under ref.no. 75814/14-10-2015, first part of our reply, page 9-11) with the counselling and treatment programmes with or without substitutes operating throughout the country, whilst in November 2015, the first unit of detoxification was established in a correctional establishment that is housed in an independent wing of the Prison Establishment of Thessaloniki (PROMITHEAS KETHEA). The commitment of the Ministry towards the assurance of the entitlement to therapy of the addicted prisoners and the greatest possible application of all the potential of the legislation (Law 4139/2013) is clear and ongoing for the beneficial treatment of prisoners that attend the counselling and treatment programmes.

As regards the healthcare services provided on a secondary level, our services work in association with the Ministry of Health on the possibility of creating special wards to hospitalize patients in cooperation with Hospitals in Attica and Thessaloniki in order to discontinue the practice of their evacuations the case may be to all the Hospitals of said cities. We deem that said measure will substantially contribute not only to the money and human resource saving but also to the more effective healthcare services provision to the prisoners. The foregoing rationalization is expected to conclude with the integration of the Korydallos Prisoners Hospital into the National Health System (NHS).

Also, a commission of our Ministry has already prepared a draft of Presidential Decree for the completion of the integration of the Psychiatric Clinic of the Korydallos Prisoners in the NHS, which is in the final processing stage in association with the Ministry of Health. The philosophy of the above plan is governed by the above described principle according to which the healthcare services pass to the authority of the Ministry of Health with the Ministry of J.T.H.M. to be now focusing on issues of sentence enforcement.

Finally, the contagious infections screening programmes are in the phase of planning and are going to be implemented in cooperation with the National School of Public Health and the Region of Attica in the Korydallos Prison Establishment. Besides the obvious benefits for the public health, our Ministry aims at drawing experience from the implementation of the said programmes in order to make the conducting of such type of examinations an integral part of the procedure of new inmates admission in all Prison Establishments of the country.

**On paragraph 80-81:**

As to the matter of supporting the medical and nursing staff of the prison establishments of Alikarnassos, Korinthos, Korydallos, Naflio and Diavata, we note that our Ministry has discussed in a special procedure and by way of derogation of the effective provisions on appointment suspension (the letter under ref.no. 681 dated 5/11/2015 of the Minister of J.T.H.R.), the approval of appointments to cover the joint permanent job posts so as to deal with the existing needs. It regards ten (10) internal medicine doctors, four (4) psychiatrists and thirty (30) nurses in the Prison Establishments of the country.

However, as it has been noted in the past, there is a difficulty over time in the matter of covering medical job posts through the Ministry of Justice. Including but not limited to, following the last challenge to appoint thirty (38) medical doctors in the Prison Establishments, the number of the appointees is not expected to exceed ten (10). By fully integrating the consulting rooms of the prison establishments in the National Health System and by appointing scientific personnel through the Ministry of Health, such matter is expected to be dealt with. Furthermore, the Ministry of Health is planning to cover part of the needs in medical and nursing personnel by transferring personnel from the public and the broader public sector.

As regards the number of the employed nursing personnel, it should be noted that currently the permanent posts of nurses in the prison establishments of the country are at relatively low levels (total permanent posts for 33 prison establishments fifty one (51) of the eighty eight (88) posts are filled)). The standards of staffing the consulting rooms of the prison establishments with nursing personnel will be reviewed in cooperation with the Ministry of Health, based on a realistic plan that will consent with the levels of staffing and the operation of the National Health System.

Finally, it is expected that provided the operation of the consulting rooms in the Prison Establishments is upgraded, the participation of inmates and non-specialized members of personnel therein will be reduced. As to the rest, the content of our reply document no. 75814/14-10-2015 (page 12) remain in force.

**On paragraph 82:**

As regards the matter of coordination and rational administration of consulting rooms operating outside the prison establishments, special care has been taken in the draft of the Presidential Decree to integrate the Psychiatric Clinic of Prisoners in the N.H.S. (with the operation of a Scientific Council under the presidency and the scientific responsibility of the Scientific Director of the proper department). In addition, the preparation of the by-laws of the prison's consulting room is one of the issues that will be laid down for consultation with the Ministry of Health in order to organize the overall work flow of the consulting rooms according to the internationally accepted work protocols. Finally, the matter of ensuring the institutions to inspect and supervise the operation of the healthcare structures in the prison establishments is a matter of priority that has been included in the matters to be consulted with the Minister of Health.

EFTYCHIOS FYTRAKIS  
SECRETARY GENERAL FOR ANTICRIMINAL POLICY

Cc:

- 1)Minister's Office
- 2)Anticriminal Policy Secretary General's Office

**True copy**

**Georgios Thrapsaniotis (signed & sealed)**

**Head of Department**