



## **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 13 to 17 March 2020**

The Greek Government has requested the publication of this response. The CPT's report on the March 2020 visit to Greece is set out in document CPT/Inf (2020) 35.

Strasbourg, 19 November 2020



HELLENIC REPUBLIC  
MINISTRY OF FOREIGN AFFAIRS

**RESPONSE TO THE REPORT OF THE EUROPEAN  
COMMITTEE FOR THE PREVENTION OF TORTURE AND  
INHUMAN AND DEGRATING TREATMENT OR PUNISHMENT  
(CPT)  
FOLLOWING ITS VISIT TO GREECE  
13 - 17.03.2020**

## **TABLE OF CONTENTS**

MINISTRY OF CITIZEN PROTECTION .....	4
Hellenic Police Headquarters – Aliens & Border Protection Branch – Migration Management Directorate .....	4
1. Ill-treatment .....	4
2. Answer to direct observations – recommendations/requests for information from the Committee: .....	4
3. Detaining minor immigrants .....	15
4. Healthcare services .....	17
MINISTRY OF MIGRATION AND ASYLUM.....	22
Special Directorate for the Protection of Unaccompanied Minors .....	22
MINISTRY OF MIGRATION AND ASYLUM.....	25
Asylum Service .....	25

**MINISTRY OF CITIZEN PROTECTION**  
**Hellenic Police Headquarters – Aliens & Border Protection Branch –**  
**Migration Management Directorate**

Findings during the visit and proposed action:

**1. Ill-treatment.**

Requests for information/investigation into reprehensible conduct – actions by police against illegal immigrants, detainees and suspects of criminal offences.

Paragraph 20 on complaints received by the Committee concerning ill-treatment of detainees – Request for information:

For the incidents described in the Committee Report on physical abuse – ill-treatment of aliens by police officers in the Evros and Samos areas, no information has been provided on alleged perpetrators – police officers, witnesses, victims – aliens, the exact location and timing of the incidents, and the facts which took place or any other evidence, capable of matching with them, without any room to question.

The Police Personnel Directorate/HPH, as the relevant competent authority, to date has not been aware of any complaint, submitted to any Authority, or to a subordinate police agency by the alleged victims or third persons.

In the police departments of the Evros and Samos areas, a large number of aliens of various nationalities were detained, which makes it difficult to identify the alleged victims and corroborate the said complaints. If the Committee makes more information available relating to the reported cases and sends it promptly to the Hellenic Police Headquarters, it will be possible to apportion the blame, as appropriate, to any police officer involved in any way in the incidents in question.

**2. Answer to direct observations – recommendations/requests for information**  
**from the Committee:**

Paragraph 19:

Recommendation – The CPT Committee recommends that the Greek authorities ensure that all prosecutors and criminal courts are fully aware of Greece's international legal obligations.

In addition, the CPT Committee wishes to be informed whether those persons who received a suspended prison sentence can apply for asylum after 31 March 2020. CPT would also like to know whether these criminal cases filed by prosecutors in the Region of Alexandroupolis and on the island of Lesbos have been tried. In addition, it wishes to receive details of the charges filed against minors from Afghanistan and to be informed of any future procedures affecting them.

During the period from 28.02.2020 to 14.03.2020 the Single/member Court of Misdemeanours in Orestiada sentenced to imprisonment and pecuniary penalty, one hundred and three (103) aliens .for violation of article 83 par. 1(a) of Law 3386/2005.

For nineteen (19) of them the prison sentence was suspended and the administrative procedure of deportation followed.

Eighty-four (84) aliens sentenced to imprisonment were taken to Detention Centres in the country. None of those who were taken to Detention Centres were under eighteen (18) years of age.

Regarding the criminal cases filed by prosecutors in the Region of Alexandroupolis and the island of Lesbos, concerning the illegal entry of aliens into the country, it is communicated that they have not yet been tried.

Also, it is communicated that persons who received a suspended sentence of imprisonment have the right to apply for asylum after March 31, 2020, in accordance with the provisions of Law 4636/2019.

a. – Legal guarantees against ill-treatment.

Paragraphs 21 and 22. Requests from the Committee to the Greek authorities to take the measures necessary to ensure that aliens who are deprived of their freedom by the Police, in accordance with the laws on aliens, are granted the rights to inform their next of kin in the event of detention, access to a lawyer and access to a doctor and that they are able to exercise those rights effectively from the start of their freedom deprivation.

Paragraph 21:

On the issues raised in paragraph 21 of the same Report, within the framework of the expressed will of the Political and Service Leadership of the HP for zero tolerance in respect of human rights violations, orders have been issued and forwarded to all the services involved in such cases, reminding the personnel of the Hellenic Police of the main provisions stating the obligation to protect life, respect human dignity, prohibit discrimination and torture as well as any inhuman or degrading treatment or punishment, protect citizen's rights and in general shaping police conduct towards the citizens, and highlighting that these fundamental principles are of the utmost importance to the HPH. In parallel, in cases where there is information about violation of these principles and values, the Administration takes effective action to investigate, by conducting an administrative examination, as provided for in the applicable disciplinary law and, in corresponding cases, severe disciplinary sanctions against those responsible are imposed, in order to avoid any feeling of impunity.

Paragraph 22:

As regards: “rights of detainees to inform a next of kin, etc.”, there is no obstruction of communication. On the contrary, the Authorities facilitate communication, in compliance with the provisions of the Code of Criminal Procedure, the Correctional Code and the confidentiality of conversations.

In particular, aliens administrative detainees are entitled to visits of their relatives in the second degree by blood or marriage. In the absence of the above persons, they may accept the visit of another relative or friend, whom they themselves declare in advance to the prison guard.

The communication of the visitors with the aliens administrative detainees takes place in the specially designed areas of a visiting room, which are designed to meet the stipulated terms and conditions of security, while at the same time the detainee's comfortable communication with the visitor is allowed. The days and hours of the visit are determined by order of the wardens of the detention facilities.

The right to legal aid has been institutionalised at every stage of criminal and administrative proceedings, in accordance with the provisions of national law.

Every alien detainee is entitled to the visit of their lawyer. The duration of communication between the lawyer and the alien detainee s/he represents shall not be subject to any time constraints other than those imposed to comply with the security measures and the rules on the proper functioning of the detention facilities.

Especially for aliens, the competent authorities for issuing return decisions are obliged to provide and they do provide information and assistance to the alien who requests legal advice, representation by a lawyer and language assistance, in order to exercise her/his rights. For this reason, an "Information Bulletin" is served in languages used and understood by third-country nationals.

In addition to the above, representatives of the Greek Council for Refugees (E.S.P.) have daily access to detention areas and communicate with illegal immigrants, aiming at providing legal assistance and representation to those who wish, in the asylum process. It is noted that this is also the case with representatives of other institutions dealing with immigration and human rights, such as the UNHCR, the International Committee of the Red Cross (ICRC), as well as other non-governmental organisations (NGOs).

Specifically, during the year 2019 our Service (MMD) granted (260) permissions for access – entry to administrative detention places for aliens , to International and European monitoring mechanisms, Non-governmental Organisations (NGOs), Associations and Bodies (some of the authorisations relate to multiple visits), while for the 9-month period of this year (2020) the number of the respective licenses is (184).

Aliens arrested at the border and remaining territory of our country are examined preventively by doctors, and in cases where there are health problems, with the care of local services, they are transported directly for first aid to the nearest Health Centre or hospital and then, if necessary, hospitalised in an appropriate hospital.

In addition, non-governmental organisations (NGOs), contribute to the provision of medical services to illegal immigrants, which have regular access to the administrative detention areas of aliens.

Paragraph 23: A request from the Committee to the Greek authorities for interpretation to be given to aliens who are deprived of their freedom, if necessary, and to provide them with information in the language they can understand:

Aliens in administrative detention receive systematic information on the Regulation applicable to detention facilities, as well as their rights and obligations. For this reason relevant forms have been posted in visible places and they are served with “Information Bulletins”, through which they are informed of their rights, both for detention and the asylum procedure, in a variety of languages.

As mentioned above, third-country nationals in administrative detention are allowed to contact legal representatives and family members.

The competent national, international and non-governmental organisations (NGOs) and institutions have the opportunity to visit the detention facilities. Such visits shall be subject to authorisation by the police authority responsible for the guarding and operation of the facility.

In addition to the constant effort for interpreters in the administrative detention areas of the Hellenic Police, in order to further strengthen the rights of detainees, police authorities hand out, inter alia:

(a) ‘Information Bulletins’ on ‘the rights of aliens arrested to be deported’ [Model KA 141 (a)] and ‘the rights of aliens arrested to be returned’ [Model KA 141 (1)] in a variety of languages, in order to ensure knowledge of their rights and facilitate their exercise in practice, with a view to the formal strengthening of legality, impartiality and objectivity in police action, as well as transparency in treating detainees.

(b) In addition, articles 21 and 22 of the Rules of Procedure of the Pre-Removal Aliens Detention Centres (Government Gazette B/118-21.01.2015) were translated, entitled “Rights” and “Obligations” of detainees respectively, and are posted in the existing pre-removal Aliens Detention Centres (Pre.K.K.A.) in ten (10) languages:

French, English, Arabic, Pakistani (Urdu), Afghan (Pashto), Iranian (Farsi), Bengali, Dari, Sorani and Swahili.

Paragraphs 24 and 25: Committee recommendation on proper keeping of detention records.

The personalised detention file (unique for each alien) is recorded during the process of the detainee’s entering in the areas of responsibility of the Hellenic Police for administrative detention.

In particular, the detention services shall comply with the following procedures:

Record the identity details, the reason for detention, if s/he is suspect for escape, if s/he is dangerous to himself/herself or others, as well as any other information to be taken into account at the time of detention, including any relevant documents, if s/he had undergone medical examinations or hospitalisation prior to being in detention, indicating his/her state of health, as well as any medication that s/he has been given and must follow;

For security reasons, money, valuables and other items carried by the detainees, which may not be held in detention areas are removed and kept in a specially designed space or safe and are entered in the Book of Detainees, to which the detainee signs, both at the time of removal and at the time of their return. The removed items shall be returned to the detainees upon leaving the detention area.

Detainees shall make a solemn declaration with the details of a next of kin or friend wishing to visit them during their detention, if they are deprived of first or second-degree relatives by blood or marriage;

All medical data concerning detainees (e.g. hospital transfers, etc.) are entered in the Book of Detainees.

Instructions for the proper completion and maintenance of the detention records have been issued and are constantly reminded in the context of daily checks/supervisions – to all police authorities through instructions – orders for the full fulfilment of their obligations, as deriving from the applicable provisions.

Within the framework of the new computerisation system for aliens, additional regional electronic systems, as well as the electronic archive of detainees, have been set up. In particular, please be advised that the consultations have been concluded with FRONTEX – European Border and Coast Guard Agency and the European Commission, in order to implement an action to create an IT Return Case Management System (RECAMAS), which focuses on the functions that ideally should include the appropriate system of a detention centre in order to be able to manage cases of illegal aliens effectively. The aim of this action is to improve our country's capacity for effective monitoring of all stages of administrative management of illegal aliens in the pre-removal Aliens Detention Centres (Pre.K.K.A.) and other detention areas (police Stations, Security Police Departments, Departments of Migrants Managements, etc.).

On 17.09.2020, this action, of a budget of (2.810, 000, 00) EUR, was incorporated into the Public Investment Program (PIP) under the Asylum, Migration and Integration Fund (AMIF) and the required implementation procedures will follow.

Conditions of detention.

Paragraphs 27, 28 and 30: Request for information on detention conditions at the temporary detention area near the Port Authority of Samos and the Samos Police Department.

On 16.03.2020, a delegation from the European Committee for the prevention of torture and any other inhuman or degrading behaviour or punishment of the Council of Europe (C.P.T.) visited: (a) a temporary, rapidly created area, used by the Port Authority of Samos, where ninety-three (93) illegal incoming aliens were detained, who entered the Greek territory after 01.03.2020 pursuant to the Legislative Act A-45/02.03.2020 according to which the submission of Asylum requests and was suspended and (b) the detention area of the Samos Police Station where thirty-seven (37) criminal-administrative detainees were held.

Of the above, ninety-three (93) aliens having illegally entered the country were arrested on 02.03.2020 by the Port Authority of Samos and transferred to the aforementioned

temporary detention area, where they were kept with the assistance of police officers of Samos.

On 06 and 10.03.2020 aliens were examined preventively by a doctor of the General Hospital of Samos, who went to the area by ambulance. During their examination, no health problem was diagnosed and it was not recommended to carry out further medical examinations, and none of them expressed a desire to be examined or transferred to a health Facility, for any health problem.

On 14.03.2020, the ninety-three (93) illegally entering aliens, were delivered by the Port Authority of Samos to the existing Aliens Services of Samos (Samos Aliens Agency-Samos Police Station), for their further administrative detention and management, remaining for custody in the same place, in the absence of another more suitable area and due to the coincidental overflow of the detention centres of Samos.

This overflow is due to the suspension of aliens' reception by Turkey in the context of the EU-Turkey Statement of 18 March 2016 and the inability of the Pre-removal Centre of Lesbos to receive them due to the absence of vacancies.

Among the foregoing ninety-three (93) aliens there was one (1) Syrian national, who, according to her statement, was in the seventh (7<sup>o</sup>) month of pregnancy. This alien, throughout her detention, never complained about her state of health, and did not ask to be transferred to Samos GH for medical examination or treatment, her only wish being to stay in the area with her husband and her three (3) minor children.

During the entire detention period of the said aliens, the Samos Aliens Agency or its subordinate services received no complaints for ill-treatment, nor were any such incidents of ill-treatment, use of force or any other behaviour related to torture, inhuman or degrading treatment or punishment by Police or Coast Guards detected.

During their registration by the Security Sub-Directorate of Samos, interpreters from FRONTEX were used to achieve the necessary communication with them, as well as in other cases where this was required, while there was immediate information, in the language they understood, about the reason for their detention, their legal status, as well as the decisions issued by the SAA against them in compliance with the provisions of Law 3386/2005.

On 20.03.2020 they were transferred under the auspices of the Ministry of Migration and Asylum from Samos at a Facility of the mainland (Hospitality Structure "SINTIKIS", in the position "KLIDI" of the Municipality of Sintiki of the Regional Unit of Serres).

Paragraph 29: Request for information on conditions of detention at Border Guard Station in Didimoticho (Isaakio).

The facility of the Border Guard Station in Didimoticho is obsolete, resulting in damage to plumbing, which are repaired immediately. At the time of the visit, the detainees were held in a functional chamber, as in the other area there was damage to the sewer system, which was restored in the following days.

It should be noted that lighting has been restored within the detention centres by installing new LED-type lamps. Also, requests have already been made for budget approval for the painting of the cells and for the replacement of bedding.

Public areas and detention rooms are cleaned daily from Monday to Friday, by a cleaning crew.

Paragraphs 31 and 32: Request for information on conditions of detention at the Pre-removal Centre in Orestiada Fylakio.

It should be noted that the renovation and reconstruction of the facilities of Pre-removal Centre are underway, as the relevant contract was signed on 02.07.2020, while on 31.08.2020 the residence area of aliens were evacuated and the relevant works started. This contract includes the implementation of individual tasks aiming, on the one hand, to improve the living conditions of the detainees, on the other hand, to ensure and improve the functionality of the facilities, by resolving a multitude of damages and problems that have been developed during the years of operation of the facilities.

In particular, the large-scale operations to be carried out at the Detention Centre include reorganisation of the areas of reception of detainees, the administration areas, upgrading the areas of activity of the scientific staff of AEMY<sup>1</sup> SA, by creating additional spaces for psychologists and social workers in order to ensure privacy in individual sessions, as well as the creation of additional visiting areas and activities of Agencies and NGOs.

At the time of the Committee's visit, with regard to the detention of families, it is stated that two (2) detention rooms were allocated, of a total capacity of one hundred twenty-six (126) persons, namely ward 5, with a capacity of seventy (70) persons, had a total of thirty-seven (37) persons, of whom twelve (12) minors and ward 6, with a capacity of fifty-six (56) persons, had a total of fifty-five (55) persons, of whom fifteen (15) minors, numbers of persons which during the previous periods changed regularly, but never exceeded the maximum capacity per ward, while the above-mentioned renovation provides for increase in the vital space per person by eliminating the upper level of bunk beds.

With regard to the situation in public areas and detention rooms, they are cleaned daily from Monday to Friday by a fixed-term cleaning crew and following the Committee's observations, recommendations were made for more thorough cleaning of the premises. Hygiene in detention chambers and alien detainees is also ensured by the distribution of personal hygiene – cleanliness items and the distribution of clean bed linen to all detainees on a regular basis, namely the last distribution before the visit took place on 13 and 14.03.2020 when, among other things, all blankets were replaced with new ones.

In addition, there is access to hot water for detainees. For the identified damages, it is stated that many of them are being restored on a regular basis, but due to the multiple use and non-rational use there is recurrence of damage, while there is damage due to the fire that occurred in the building on 25.04.2019 and will be restored overall with the imminent renovation of the facility. The artificial lighting is fully functional in all rooms in operation, except for ward 7 which during the visit was inhabited by women and the toilets of ward 4,

---

<sup>1</sup> Societe Anonyme of Health Units

as they were damaged and there was a pending donation by the International Committee of the Red Cross (ICRC) for relevant electrical equipment, which was received on 23.03.2020 and will be installed as soon as possible.

The courtyard time takes place daily, during the morning hours, from 09:00' to 13:00'. With regard to activities for children and adults, various kinds of toys are regularly distributed depending on the age groups of the detainees, while entertainment is available through televisions posted outside each ward, as well as radios.

It is also reported that there has never been a reported incident of verbal or physical abuse of detainees. It is noted that, without exception, all detainees of the Pre-removal Centre are treated by police with absolute respect for their individual rights and their personality.

Paragraph 33: A recommendation from the CPT Committee invites the Greek authorities to take immediate steps to:

- transfer vulnerable persons (such as families with children, pregnant women, etc.) to suitable Open Accommodation Facilities, where they can take appropriate care of their specific needs;

- not to detain women and children. If they are detained, exceptionally, for very short periods (hours) they should not be held in the same cell with unrelated men.

In addition, the CPT Committee once again calls on the Greek Authorities to either close or completely renovate the Pre-removal Aliens Detention Centre in Fylakio to ensure that:

- it no longer provides a penitentiary environment,

- the official capacity rates to be revised so as to provide at least four (4) square metres of living space per detainee in the rooms of many persons, preferably the cells should be divided into smaller living quarters;

- all detainees are offered a clean bed, mattress, blanket and bed linen,

- all dormitories have adequate light (including daylight), ventilation and heating/cooling,

- all dormitories are equipped with tables and chairs and all detainees are provided with a lock-in personal storage area,

- all dormitories and sanitary facilities are regularly renovated and disinfected,

- all detainees have access to hot water, including during the night.

In addition, the CPT Committee invites the Greek authorities to ensure:

- unlimited access to outdoor activities during the day shall be applied throughout the day,

- that outdoor activities areas are properly equipped (benches, canopies etc.),

- that a programme of activities (educational, recreational and professional) is provided;

- that there is at least one communal entertainment room, equipped with TV and toys and a multi-religious worship area,

- that the facility is adequately staffed by a number of professionals equipped with the necessary range of skills to work with immigrants.

The Ministry of Citizen Protection and the Hellenic Police Headquarters attach particular importance to the protection and safeguard of the rights of persons detained by the police services, by ensuring the necessary hygiene and safety rules for all detainees (women and men) in their areas of responsibility, as well as to their observance by all police services, who on a daily basis manage a large number of detainees, either during guarding or during their transfers to and forth courthouses, detention centres etc.

Compliance with the security rules and conditions of detention areas, as well as their construction according to the specifications is necessary to ensure detention conditions

which safeguard human dignity and our culture, eliminate the possibility of escapes, self-injuries, etc. and ensure the protection of the personnel of the Hellenic Police Services, responsible for guarding the detainees.

To this end, actions are being taken to address problems related to the deficiencies of detention facilities in the premises of the Hellenic Police, while at the same time circulars have been issued to all our regional services, with instructions – orders to fully comply with their obligations, as they derive from the applicable provisions and international treaties.

In view of the constant effort to safeguard human rights, improve the building infrastructure and ensure the sanitary residence and protection of detainees, a technical description of the detention areas has been drafted, on the basis of which the police services' detention facilities are constructed – rebuilt, taking into account, inter alia, the instructions of the C.P.T. Committee.

In this context, projects are being implemented either through the Public Investment Program (PIP), or through Public-Private Partnerships (S.D.I.T.), concerning the construction of new modern buildings that will have suitable spaces that fully cover both the needs of the working staff and the needs of coming citizens, and provide human conditions for detention to the detainees in these Services.

In addition, we stay on top of the issue by intervening, with more specific directives – instructions, in cases of deficiencies – malfunctions, to immediately improve the conditions.

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

- ensuring the necessary hygiene conditions (individual hygiene and cleanliness of detainees) and safety in detention areas;
- the meticulous cleanliness and sanitation of detention areas (regular painting),
- the regular disinfection of the premises (particularly toilets and bedding), in accordance with the applicable sanitary provisions and rules,
- the immediate handling of any problems of heating (supply of hot water), air conditioning, ventilation and lighting of the detention centres and the courtyard areas of the detainees (according to the building possibilities);
- the health care of detainees, in cooperation with the relevant Health Services,
- the periodic hygiene check of detention areas by the competent health service,
- adequate feeding provision,
- the protection of the individual and other provided rights of detainees.

In addition to the above, clear instructions and orders have been given to all regional departments, for the exact implementation – compliance with the provisions of P.D. 45/2008, the health and safety measures provided for, as well as the instructions for the prevention of disease transmission.

Respect for the rights and personality of detainees in the police services is considered an absolute priority for the personnel of the Hellenic Police.

Paragraphs 34, 35 and 36: Request for information on conditions of detention at the Soufli Police and Border Guard Station.

Regarding the conditions of management of migrants and refugees that were to be arrested by the Soufli Border Guard Station, during the mass detections and arrests carried out in the area of responsibility of this Service, it is communicated that, until this is possible, the detainees remain in the courtyard. In particular, they wait during the absolutely necessary time close to the Office and not in confiscated lorries that exist around the Agency.

The condition, in which the above vehicle was, as presented in the Committee Report, is attributed to the fact that this vehicle had been used on several occasions for the illegal transport of migrants and refugees and in one of these cases was identified and confiscated by the officers of the Border Guard Station of Soufli.

For this confiscated truck and for the other means of transport seized for this reason, the formal procedures for their transfer to the competent Customs Office of Alexandroupolis are followed, which require sufficient time for their completion and are not entirely dependent on the Police Services, but also on the opportunity of Customs office to receive them.

Paragraph 37: Requests for information on detention conditions in the Police and Border Guard Stations of Feres and Metaxades.

The Poros Facility for the Management of Immigrants, as the members of the Committee were informed during their visit, can be used in cases of mass entry of illegal immigrants and in cases of location of a group of migrants who have entered the country without the proper legal formalities, for a short period of time and until the other persons of the same group have been located. However, it is a fact that the entry and exit records of illegal immigrants were not kept and at the end of the day they were destroyed as all of them were transferred to the Feres Border Guard Station, where a relevant record and individual files of detainees were kept and registered, as provided, in the “Electronic Detention Application”. However, following the recommendations made by the Committee, the “Detained Persons Book” is now kept at the Poros Facility for the Management of Immigrants, detailing the data of the persons brought in, as well as the hours of entry into the facility and the times of their exit and transfer to the Feres Border Guard Station.

The Metaxades Border Guard Station detention area is also of short duration, i.e. the detainees remain there for the time absolutely necessary, until they are brought before the Prosecutor of Orestiada First Instance Court.

Paragraph 38: Requests for information on detention conditions in the Police and Border Guard Stations of Alexandroupolis, Didimoticho, Orestiada and Tycherio.

It is a fact that the detention area of the Alexandroupolis Police Department is housed in the premises of the Alexandroupolis Police Directorate, which are not modern facilities according to international standards, but every possible effort is being made to keep them at the best possible level. As a result, it is understandable that the plumbing is damaged, but repairs are immediately carried out by technicians when they are detected. It should be noted that the construction process of a modern Police hall has been planned, where the detention facilities will be created in accordance with the required specifications.

In addition, the cleanliness of the detention centres is carried out by cleaning crews, while at the same time sanitary items are offered to the detainees systematically.

The detention centres of Didimoticho are used only in exceptional cases, while the repair of the plumbing facilities is imminent.

At the present time, work has already begun to renovate the buildings, which provides for the complete restoration of the detention facilities, so the conditions of detention in Orestiada Police Station will be further improved.

Regarding the conditions of detention at the BGS, detention of the arrested illegal immigrants is for the time strictly necessary until the completion of the criminal proceedings, and subsequently they are moved to Orestiada Pre-removal Centre. Regarding cleanliness, clear orders were given for meticulous cleaning of accommodation and sanitation areas in the cells.

As regards the detention of migrants and refugees at the Tycherio Police and Boarder Guard Stations, as mentioned to the members of the Committee during the on-site visit, this amounts to the time strictly necessary to conclude their registration and the completion of the administrative procedure, following the closure of the detention centres in 2013. It is a fact that, due to the transfer of those arrested after the end of the proceedings to detention centres of other Border Guard Stations (Feres and Soufli) no detailed record was kept according to the Committee's observations, but the arrests of illegal immigrants were documented in the relevant case files and case records. However, following the Committee's recommendations, further guidance was given to the Office to keep a book showing the data of the persons arrested, as well as the hours of entry into the facility and the hours of their exit and transport to the detention centres of the other Services.

C. – Paragraphs: 19, 43 and 44 – New detention camp at Malakasa, Attica.

In the context of the excessive and organised migratory pressure observed during March this year in the region of Evros and the Eastern Aegean islands, the Ministry of Migration and Asylum, in order to address this urgent situation, found and secured, in a short time, the required permits for the location and construction of temporary detention camps in Malakasa, Attica and Kleidi, Serres.

The facilities in question were decided to accommodate third-country nationals who entered our country illegally after 01 March of this year. In this context and in addition to taking measures to prevent illegal migration flows, the Legislative Act of 02.03.2020 "Suspension of filing asylum applications (Government Gazette A'-45/02.03.2020)" was adopted, whereby illegal immigrants entering our country were not entitled to apply for international protection.

Aliens who were hosted since 14.03.2020 in the Facility in Malakasa, Attica, which can host (1.180) aliens, are included in the aforementioned category, as they were new entrants of third countries in the islands of the Eastern Aegean, after 01 March 2020, who, at the end of the relevant criminal procedure, were registered, in specially designated areas for this purpose, other than the Reception Centres and Police.

These aliens were temporarily detained in facilities in the ports of Lesbos, Leros, Kos and in other places (Megisti, Rhodes, Symi, Kalymnos), until they could be transferred to mainland facilities and therefore their transfer to accommodation facilities was imperative.

With the contribution of the UNHCR, aliens were placed in tents of ten (10) persons and bedding and sanitary products were distributed, while care was taken for the medical check by a staff of doctors of the Red Cross. In cooperation with representatives of the Reception and Identification Service (KYT), the alien detainees were re-chartered and placed in the tents of the facility.

In addition, the Joint Ministerial Decision No. 2945 of 23.03.2020 (Government Gazette B -1016/24.03.2020) by the Ministers for Migration & Asylum & Finance established, in accordance with articles 8 (4-5 and 10) of Law 4375/2016, twenty-eight (28) Provisional Reception and Identification Facilities for Third Country nationals or Stateless persons, who have applied for international protection.

Facilities in Malakasa, Attica and “SINTIKI” in “Klidi”, Regional Unit of Serres, Region of Central Macedonia are included therein.

The aim of this initiative was to establish these facilities legally and to achieve their proper functioning for the benefit of residents and local communities.

It should be noted that, due to the passage of the period for which the suspension filing of asylum applications was set, on 06/07.04.2020, the Aliens Directorates of Attica and Serres, undertook all the necessary actions for the issue of all necessary administrative acts concerning third country national at the detention camp submission of asylum applications etc.), in order not to be considered detainees, while the International Organisation for Migration was assigned the overall management of the facilities as of 02.04.2020.

The Ministry of Migration and Asylum attempts to address as soon as possible any operational problems encountered in these facilities, due to their imperative and urgent operation, by adding the necessary equipment and staffing with appropriate personnel.

### **3. Detaining minor immigrants.**

Recommendations in paragraphs 45, 46 and 47:

The Hellenic Police attach particular importance to the respect, protection and safeguard of the rights of minors during their arrest and detention and to this orders and instructions end have been issued relevant for their treatment by police personnel.

(a) In particular, it is stressed that, in any case, all service activities must be lawful, based on every minor’s fundamental rights corresponding to their individual needs, contributing to their essential and effective assistance, bringing to light the spirit of sensitivity and humanity, respect for dignity, individuality and particularity of the minor and highlighting the person-centred face of the Hellenic Parliament and the Hellenic Police.

(b) As far as the detention of alien unaccompanied minors is concerned, they are under protective custody, (to avoid risks of exploitation by trafficking networks, etc.), in the

execution of relevant public prosecutors' orders and are temporarily accommodated in Facilities of the Hellenic Police, until, in accordance with the applicable legislation, they are transferred, under the care of the National Centre for Social Solidarity (E.K.K.A.), to suitable open accommodation facilities.

(c) At this point we would like to stress that the detention areas of the Hellenic Police function as places for short detention of persons and in many cases do not meet the conditions for the residence of unaccompanied minors in these areas. For this reason, requests are made directly by the Police Services to the competent State authorities, so that there is a rapid transfer of minors to appropriate accommodation facilities. However, due to the inability of the competent bodies to manage minors immediately, it becomes necessary for them to remain within police facilities for long periods, with the result that the Hellenic Police is exposed to agencies and organisations, which find conditions that are not suitable for the hospitality of minors, with the findings of which we fully agree, but these agencies and organisations simply state the findings, without specific and complete proposals, on the surroundings in which minors should be located.

As a result of the above any recommendations – observations are practically inapplicable and the Hellenic Police to be continually accountable for any observed deficiencies of other Institutions and Organisations, constantly highlighting the problem of the management and referral of unaccompanied minors to appropriate accommodation facilities which, as we know, are not sufficient, resulting in unfavourable observations and convictions of our country for hospitality conditions, which in no way fall within the competences of the Hellenic Police, that can only play a supporting role.

In addition to the above, the Hellenic Police are obliged to manage a large number of alien unaccompanied minors daily, until they are transferred to the existing appropriate accommodation facilities (through the EKKKA), the “Safe Zones” operating in Open Hospitality Facilities or accommodation in hotels and accommodations within urban centres, operated by NGOs and other Institutions.

(d) According to Law 4375/2016 the Reception and Identification Services are responsible for the management of unaccompanied minors on the islands of the Eastern Aegean and, by extension, the Commander of each Reception and Identification Centre (KYT) in cooperation with local prosecutors. In any case, care is taken to ensure that unaccompanied minors are separated from other illegal immigrants and are always kept in specially designed areas, distinct from adult detention areas until, with the care of the National Centre for Social Solidarity (E.K.K.A.), they are led to more suitable areas, to the best interest of the children. For this purpose, locally responsible Police Directorates have been instructed to be in constant cooperation with the Commanders of Reception and Identification Centres (KYT).

It is underlined that the legislative initiative for promulgation of Law 4554/2018 (Government Gazette A' – 130/18.07.2018) was important, according to which guardianship procedures for unaccompanied minors were regulated and their further management in appropriate accommodation centres through the National Centre for Social Solidarity (E.K.K.A.) of the Ministry of Labour, Social Security & Social Solidarity.

In this context, please be advised of the implementation of Ministerial Decree D11/oik. 60207/2717 of 31.12.2019 (Government Gazette B'- 4924/31.12.2019) of the Secretary of State for Labour and Social Affairs, concerning the semi-autonomous living of unaccompanied minors aged over (16) in supervised apartments, in order to support them in an appropriate framework of individualisation, care and protection, as well as social integration and gradual autonomy of minor aliens.

The Hellenic Police Headquarters, as well as the relevant Police Directorates, are in constant contact with the Ministry of Migration and Asylum/Reception and Identification Service (YPYT) and the relevant Ministries and Agencies, carefully monitoring the serious issue of the treatment of minors third country nationals, which is an issue of special care for our Services in the context of the social role and the mission.

In addition to the above, please be advised that a programme for the relocation of unaccompanied foreign minors is being implemented, with the funding of the European Commission, under the auspices of the Ministry of Migration & Asylum and the Special Secretary for the protection of unaccompanied minors, where a continuous effort is made to transfer unaccompanied children from the islands of the Eastern Aegean to the mainland, pending their relocation to other European countries.

In this context, all unaccompanied minors are hosted in temporary facilities managed by the International Organisation for Migration and the partners on mainland Greece which are supported in accordance with EU standards.

#### **4. Healthcare services.**

Recommendations in paragraphs 48, 49, 50 and 51:

The CPT Committee calls on the Greek authorities to ensure that all migrants detained in a facility for more than 24 hours are properly questioned and examined physically by a doctor or by a fully qualified nursing staff reporting to a doctor as soon as possible after their entry. In particular, such examinations should make it possible to identify people with potential or acute health problems (including mental health problems) and contagious diseases. They should also ensure timely recording of injuries. Furthermore, the vulnerability assessment should be made on arrival.

When conducting such a medical check-up, whether in a police facility or in a hospital, it is imperative that healthcare personnel have access to appropriate translation/interpretation services to ensure that a comprehensive assessment is developed and that the persons are informed.

In general, the CPT Committee reiterates its recommendation that the Greek authorities to review the provision of healthcare to police and border guard stations, in order to consider the introduction of a system of regular visits by doctors and/or nurses to inform a doctor.

1.- According to the current legislation [Law No. 4375/2016 (Government Gazette

A' – 51/03.04.2016) and Law 4636/2019] all newly arrived refugees and illegal immigrants who enter our country through the Eastern Aegean are led to the Reception and

Identification Centres (K.Y.T.), where they are submitted to the procedures prescribed by legal provisions, (recording of their personal data/screening, verification of identity and nationality) and are subject to medical care and health care examinations and provision of the necessary physical and mental support.

2. — Aliens arrested on the territory of the country are examined as a precaution by doctors at the headquarters of their arrest services and, in cases where there are health problems, with care of those services, they are immediately transferred to the nearest Health Centre or hospital and, if necessary, to university hospitals.

Apart from the above, regarding the medical care of detainees in Pre-removal Centres, it is communicated that, within the framework of the National Program of the Internal Affairs Section 2014-2020 (Asylum, Migration & Integration Fund (AMIF), the Ministry of Health/ Societe Anonyme of Health Units (A.E.M.Y.) was assigned the provision of medical and pharmaceutical care, psychological and social support services, as well as interpretation services at the Pre-removal centres. In particular please be advised that the said programme began in January 2018, with the participation of medical doctors, psychiatrists, nurses, administrative staff, health visitors, psychologists, social workers and interpreters, whereas every effort is being made to staff the above specialties with the necessary number of scientific experts. The cases of alien detainees that cannot be treated by the doctors of the Aliens Detention Centres, are referred for hospitalisation or for examination with police escort in a hospital on call or other appropriate hospital.

3. — The Hellenic Police, attaching particular importance to the prevention of contagious diseases, has from time to time issued instructions to all personnel on the precautionary measures to prevent infection from infectious and communicable diseases, both on an individual level (vaccination, use of gloves, frequent washing of hands, etc.), as well as at spatial level (cleaning and disinfecting spaces, etc.). By complying with the foregoing, as well as the individual hygiene conditions, the humanly possible precaution is achieved.

In particular, from time to time, instructions are issued to all police personnel concerning specific health emergencies and aiming to prepare them properly for early prevention and effective treatment of infectious diseases. Special emphasis is placed on reception and accommodation areas for migrants where, due to the large number of people, serious risks to public health are posed. In the above areas, an inspection is carried out at regular intervals by executives of the Health Department of the Hellenic Police for the implementation of the above instructions.

4.- In the context of safeguarding public health for the management of corona virus, following instructions from the General Secretariat of Civil Protection and the National Organisation of Public Health (E.O.D.Y.), the Hellenic Police Services, among others, implement specific orders from the Headquarters of the Corps, deeming imperative that all necessary actions be taken aimed at ensuring both the health of the police personnel, as well as of the detainees who are detained for any reason.

In addition to what has been mentioned in the chapter of ill-treatment, regarding returns (paragraphs 20-21), the following are also communicated herein:

Paragraphs 53, 54, 55 and 56:

When the competent existing border guard staff apprehends a third-country national, who is detected to have entered on Greek territory without legal documents, all criminal and administrative procedures provided for by the applicable law (indicative articles 83 par.1 of Law 3386/2005, and 76 (b) of Law 3386/2005) are applied precisely, with full respect for human rights and without any discrimination.

In the Evros region, the following border control and surveillance operations take place:

- Broad Scale Operation, starting at 28.02.2020,
- Operation “SHIELD”, starting at 02.08.2012,
- Flexible Operational Activities (FOA) Land 2020, (in the framework of Frontex),
- Rapid Border Intervention EVROS 2020, (in the framework of Frontex).

The aim of the above operations is to effectively prevent illegal entry into our country, which is achieved by the early detection within the Turkish territory of groups of illegal immigrants moving towards the Turkish bank of the river Evros. The patrolling police and military officers are immediately informed, who make their presence felt with the use of light and acoustic signals, so that illegal immigrants not even enter the boats, but in fear of the Turkish army’s arrival and their capture, retreat and flee to the interior of the Turkish territory.

The operational action and practice followed in cases of arrest of illegal immigrants consists of transferring them to the relevant border guard services, drafting criminal files and at the end of the criminal proceedings transferring them immediately at the appropriate time to the Reception and Identification Centre of Fylakio Orestiada for their further management in accordance with the Greek Legislation. There they are informed of their rights and obligations, at the reception stage, as well as their ability to apply for international protection and to be subject to voluntary return programmes.

In addition, once again, there is talk of ‘consistent and reliable complaints received through individual interviews in different places of detention for aliens’, without giving further details of the persons involved and relevant dates. As part of Frontex Joint Operations in the Evros region, our Border Services were reinforced with personnel and technical equipment, from other EU Member States. It is important to note that, in any of the reports of Frontex personnel available to the Border Guard Stations of the relevant Border Services, during the conduct of these Joint Operations of the Agency performed jointly with the personnel of the Hellenic Police responsible for the supervision of the Greek-Turkish border, there has been no record of the conduct of Hellenic Police officers, such as to confirm the reported incidents of abuse.

The conduct and practice denounced by the applicants does not exist as an operational activity by the personnel of the existing border services of the Hellenic Police. The operational practice followed in cases of arrest of illegal refugees/immigrants, is implemented under absolute legality and the orders given regarding the conduct of police officers towards migrants and refugees to protect human life and fully respect their rights and their dignity, are faithfully implemented.

Paragraph 57:

The alleged practice of military and police officers operating outside the official administrative facilities and secretly assisting in carrying out supposed push backs to the border is unsubstantiated and completely wrong. No complaint or evidence has come to our knowledge about this.

Paragraph 58:

It is reiterated that, any third-country national or stateless person has the right to submit an application for international protection, orally or in writing, before any Greek authority, at the points of entry into or within the Greek territory, informing that they are seeking asylum or subsidiary protection in our country or in any way requesting not to be deported to any country for fear of persecution due to race, religion, nationality, political beliefs or participation in a particular social group, in accordance with the Geneva Convention or because of serious harm. Where a third-country national or stateless person in custody wishes to lodge an application for international protection, the competent authorities shall ensure that a written application is drawn up and submitted immediately.

Paragraph 60:

In Greek territory, various Joint Operations in the fields of land, air and sea borders are being conducted with the cooperation of Frontex. The largest of these in terms of staff and funding is the Joint Operation “Poseidon 2020”/JO POSEIDON 2020 (29.01.2020-27.01.2021), which is carried out in -2- operational areas, covering the Aegean and the Ionian Sea. The purpose of this Joint Operation is to provide technical and operational support to the Greek authorities through the coordination of operational actions at the external maritime borders, to control illegal immigration, to tackle cross-border crime and to strengthen European cooperation on coast guard issues. Within the framework of this Joint Operation, the Hellenic Police assists in the recording and identification part.

In the Evros region, Frontex is developing -2- Joint Operations, the JO FOA 2020 Land, which is conducted from 29.01.2020 to 27.01.2021 and concerns the control of illegal immigration and border surveillance and the “Focal Points 2020” JO, which is conducted from 29.01.2020 to 27.01.2021 and aims to ensure high standards of border controls, in order to avoid phenomena of cross-border crime at the statutory border points.

The new Regulation (EU) No 1896/2019 of the European Border and Coast Guard (Frontex) provides, inter alia, for the availability of Fundamental Rights Monitors (FRMs), with a view to strengthening the supervision of the protection of fundamental rights in the context of the Agency’s operational actions.

In this light, Frontex took the initiative, together with the European Agency for Fundamental Rights (FRA) of the EU, to carry out on-site visits to areas where Frontex operates, aiming at a better understanding of the operational environment, developing the appropriate tools for continuous monitoring of the issue and drawing up relevant guidelines.

For the time being, this profile of the fundamental rights monitor is being developed and for this reason the officials in question have not deployed in the field. However, through their on-site visits, they aim to verify the operational actions and areas in which they will be invited to deploy in the near future. The Greek authorities at central and regional level shall be informed of the arrival of monitors and assist them, within the framework of their responsibilities, to obtain a full picture of the situation.

The Greek authorities support the protection of fundamental rights during Joint Operations at the external borders and in other ways, in accordance with Regulation (EU) 1896/2019. It is worth noting that Frontex, based on Article 111 of Regulation (EU) 1896/2019, as supplemented by the relevant Decision of the Executive Director of the Agency (ED Decision No R-ED-2016-106 of 06.10.2016), applies a procedure called the “Complaints Mechanism”. This procedure, which is voluntary and anonymous, enables third-country nationals who consider that their rights have been violated by law enforcement or border guards involved in the Agency’s Joint Operations to lodge complaints.

Such a complaint may be based on Articles 18 (Right to asylum) and 19 (Protection in the event of removal, expulsion or extradition) of the Charter of Fundamental Rights of the European Union. The Member States, whose officials have been involved in any incident of violation, must inform Frontex of internal investigations, taking disciplinary measures and so on. The National Contact Point of Frontex, which operates in the Directorate for Border Protection/HPH, is in constant communication with the Fundamental Rights Officer of the Agency, who coordinates the Complaints Mechanism, so as to provide the appropriate information and secure the correct picture of the situation.

B. – Greece as a host and transit country expects substantial results from the “new Pact on Immigration and Asylum” presented by European Commission as a ‘holistic’ approach to managing the migration phenomenon, which attempts to make it more effective, in the context of responsibility and solidarity between the Member States.

Effective management of the Union’s external borders by carrying out all the necessary controls, streamlining asylum procedures, creating a new solidarity mechanism for crisis situations and managing them, adopting a more effective return policy, developing partnerships with third countries of origin or transit of third-country nationals, creation of new legal migration routes, as well as the adoption of effective integration policies, are key targets of Greece for the effective management of the migration phenomenon.

**MINISTRY OF MIGRATION AND ASYLUM**  
**Special Directorate for the Protection of Unaccompanied Minors**

**Section 4 - Conditions of detention**

ii. Filakio Reception and Identification center (RIC)

Regarding the incident that took place on 12 May 2020 in Filakio Reception and Identification Center (par. 42, section 4 of the CPT report), the Special Secretariat requested a written report on behalf of the RIC Director on the 18 September 2019; According to the received report, a riot initiated on the 12 May 2020 at 9:30 in section D in the RIC, where sixty-three (63) third country nationals were hosted, from which twenty-six (26) were unaccompanied minors. Then the riot incidents were further expanded to section B and C, where forty (40) and thirty-two (32) unaccompanied minors were hosted. Following such incidents, police and border police authorities were informed as well as the General Regional Police Directorate, the fire services, the emergency aid center, the competent Public Prosecutor in Orestiada and the central office of the First Reception and Identification Service. Damages have been caused and more precisely, cameras and speakers were broken as well as the electrical and hydraulic equipment was destroyed inside the different sectors, while doors and windows were also broken. The outdoor storage rooms have been infringed while all the inside equipment, the fire hose reels and the engine room have been damaged. Following the above-mentioned incidents, twenty-eight (28) third country nationals have been taken to the police station, among them twenty-six (26) were unaccompanied minors. The (26) unaccompanied minors returned the next day, on the 13.5.2020 at the RIC premises. Following a written request on behalf of the RIC Director to the Public Prosecutor in Orestiada submitted on the 1.7.2020, regarding possible criminal proceedings for the unaccompanied minors involved in the riot incidents, they were informed that (24) twenty four cases of unaccompanied minors involved in the riot events remain at the stage of police investigation, one case has been referred to a criminal proceeding due to repeated false declarations and another case remains at the stage of investigation (unknown charge). Following a more recent information letter submitted on the 1.9.2020 by the RIC Director to the Public Prosecutor regarding the transfer of seven unaccompanied minors to safe accommodation facilities for unaccompanied minors and the fact that one minor has turned 18, the Public Prosecutor confirmed that the above-mentioned case files still remain at the same stage.

It has to be noted that the Special Secretariat for the Protection of Unaccompanied Minors suggested to proceed with a best interest assessment (BIA) to all the above-mentioned unaccompanied minors based in the RIC at Fylakio to examine whether they are eligible for the relocation scheme since they were based at the RIC and according the SOPs as described below, prioritization should be given to all unaccompanied minors based in RICs.

## **Section 5 - Children in migration detention**

Taking into consideration the recommendation on the CPT report (p. 30 of the report) on the necessity to fundamentally revise the policy regarding the detention of unaccompanied children both for reception and identification purposes and under "protective custody" in places of deprivation of liberty, the Special Secretariat for the Protection of Unaccompanied Minors has developed a strategic plan aiming to prioritise the placement of all unaccompanied children temporarily based in RICs and in other detention facilities into safe accommodation facilities and to progressively abolish such practice that is being implemented systematically in Greece for the past years.

The Special Secretariat for the Protection of Unaccompanied Minors of the Ministry of Migration and Asylum was established by the Presidential Decree 18/2020 and according to Article 60(3) of Law 4636/2019 (G.G. A '169), as applicable, is the competent authority for the protection of unaccompanied and separated children who are present in the Greek territory. The Special Secretariat is currently working on the National Strategy for the Protection of Unaccompanied Children aiming to establish a holistic reception, accommodation and inclusion system by identifying durable solutions for the unaccompanied children in Greece. Among the main priorities that have been included in the National Strategy is the enhancement of the national accommodation capacity aiming to ensure that no minor is living under precarious conditions, thus putting an end to the implementation of the "protective custody" of unaccompanied children and to detention for identification and reception procedures.

The Special Secretariat has taken the initiative to drastically reduce the numbers of minors held under protective custody in police facilities due to lack of safe living conditions. The Special Secretariat in cooperation with International Organization for Migration (IOM) has been coordinating massive transfers of unaccompanied minors to appropriate accommodation facilities (more than 100 minors up to now). Evidently, on 31.03.2020 there were 331 unaccompanied minors under protective custody, while on 15.09.2020 there were 205 minors reported there. Moreover, for the first time the Special Secretariat has put great effort in cooperation with UNHCR, EASO and IOM into locating all minors who had been reported as homeless at one point (and were referred to competent state agencies for accommodation).

By virtue of the Article 60 (3) of Law 4636/2019 (G.G. A' 169), as applicable, the Special Secretariat is in charge for coordinating the actions required to relocate minors to other Member States as part of multilateral agreements. Currently, the Special Secretariat is implementing in collaboration with the above-mentioned International Organizations (UNHCR, EASO and IOM) and with the financial support of the European Commission, a relocation scheme of Unaccompanied Children (UAC) & Accompanied Minors with severe medical conditions or other vulnerabilities. Following the SOPs that the EC issued following the relevant consultation with the member states participating in the scheme, prioritization criteria has been agreed with the Greek authorities; more specifically, when identifying minors or when assessing the best interests of the child for relocation purposes, priority shall be given to unaccompanied minors based on the islands (whether they stay in reception and identification centres or in accommodation facilities, and in the Reception and Identification Center (RIC) in Fylakio at Evros, UAMs who are homeless or in other precarious conditions/informal types of accommodation, UAMs who are detained as a

measure of protective custody. As a result, from 15.04.2020 until 15.09.2020, 237 unaccompanied children have been relocated from Greece and more specifically from RICs to other EU member states. From 24.07.2020 until 23.09.2020, 519 persons have been relocated to Germany, from which 305 are children (children suffering from severe medical conditions and their underage siblings) and (169) persons have been relocated to France (families and adults).

Since the immediate transfer of all unaccompanied children from RICs and detention centers regardless of their eligibility to the relocation scheme, is a priority, the Special Secretariat initiated an emergency transfer plan during september 2020, after carefully consideration of all urgent risk factors, mainly the COVID pandemic and the dramatic consequences of the fire in Moria camp in Lesvos. The Special Secretariat facilitated and coordinated an emergency transfer plan of all unaccompanied children temporarily based in the RICs to safe accommodation facilities in the mainland. As a result, during September 2020, all unaccompanied minors have been transferred from all RICs (Lesvos, Samos, Chios, Kos, Leros and Evros) to safe accommodation facilities in the mainland. In October 2020, the Special Secretariat is planning to coordinate the transfer of the (205) unaccompanied children under protective custody to safe accommodation facilities in the mainland.

Aiming to ensure a sustainable protective ecosystem for all unaccompanied children in Greece, the Special Secretariat is working systematically to reform the reception and accommodation system of unaccompanied children in Greece. Currently and as presented above, the Special Secretariat is putting a lot of effort to ensure the implementation of the protective custody measure, only as a measure of last resort. As a next and long-term step and while alternative measures will be ensured, such as the enhancement of the national accommodation capacity and the establishment of a guardianship system to ensure the best interest of the children, the Special Secretariat is working on the legal and operational framework regarding the protection of unaccompanied children aiming to introduce and implement the official abolishment of the implementation of the protective custody measure.

**MINISTRY OF MIGRATION AND ASYLUM**  
**Asylum Service**

**1) Point 15 page 8**

According to the legislative act on 2 March 2020 (Gov. Gazette A 45/2-3-20), Greek Asylum Service announced the suspension of operational activities for the submission of first instance asylum claims, for the time period of one month, launching the application of the measure from March 1st 2020.

From April 1st 2020, Greek Asylum Service resumed its activities, starting operations and accepting submissions of asylum applications in the frame of individual assessment of first instance claims for international protection.

**2) Point 58 page 27**

Greek Asylum Service ensures access to asylum procedures on the basis of an individual, objective and impartial analysis according to specific criteria and special circumstances of the applicant for international Protection,

More specifically, according to our national legislation, art. 74 Law 4636/19 para.3 (a):

Decisions on applications for international protection are taken on an individualized basis, following an informed, objective and impartial examination. With this purpose in mind, the Central Administration of the Greek Asylum Service:

a. searches for, collects, evaluates and stores concrete and accurate information concerning the political, social, economic and general situation that pertains in the countries of origin of asylum seekers (countries of origin, countries of previous habitual residence, transit countries, etc.). With this aim in mind, the Asylum Service receives specific and accurate information from various sources, such as the European Asylum Support Office, the United Nations High Commission on Refugees, other relevant national authorities or authorities of EU Member-States or authorities and organs of the EU or international human rights organizations. This information is communicated to the relevant deciding authorities on the asylum claims».