



‘Still detained and forgotten’

Update on Detention Policies, Practices, and Conditions on Kos 2023/24

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Executive Summary

This report is the third in our series of expert reports that provide an annual update on the detention policies, practices, and conditions in the Pre-Removal Detention Centre (PRDC) located on the Eastern Aegean Island of Kos. Our first report “Detained and Forgotten at the Gates of the EU: Detention of Migrants on the Island of Kos” was published in November 2021 and documented the use of immigration detention on Kos, situating detention practices on the island within the broader context of immigration detention in Europe.¹ The second edition was published in February 2023, comparing both the living conditions in the PRDC on Kos from 2021 to 2022 and documenting the ways in which detention practices expanded outside of the PRDC and into the Closed-Controlled Access Centre (CCAC).² This report continues to document the policies and practices regarding detention on Kos and the conditions in the PRDC from January to December 2023, ultimately demonstrating the ways in which detention policies and practices continue to negatively impact asylum seekers entering the European Union.

Section I of this report briefly explains that there were no major changes in the legal framework regarding the detention of asylum seekers. This section, however, also highlights significant cases in various courts that were adjudicated during the reporting period regarding Türkiye’s status as a safe third country. This section then briefly covers the two objections Equal Rights Beyond Borders (Equal Rights) submitted on behalf of clients and the Greek Asylum Service’s changes in practice with regards to asylum.

Section II provides an update on the detention policies and practices that have occurred on Kos from January to December 2023. Part 1 focuses on updates to pathways to detention, highlighting the ongoing detention of rejected asylum seekers despite no prospect of return, the detention of registered asylum seekers, and the reintroduction of detention of unregistered asylum seekers. Part 2 of this section then briefly covers the continued detention of vulnerable persons in detention, including the detention of women and unaccompanied minors.

Section III is the bulk of the report and discusses updates to the living conditions in the PRDC based on 13 in-depth interviews with individuals detained during the reporting period, comparing participants’ testimonies with the last two reports. The interviews were carried out from February to November 2023 and covered themes that arose from the last two reports, including: the carceral environment and ill treatment by police, inadequate provision of food, lack of recreational activities, overcrowding, inadequate healthcare, and poor hygiene facilities and sanitation materials.

¹ Jamie Kessler et. al., *Detained and Forgotten at the Gates of the EU: Detention of Migrants on the Island of Kos*, Equal Rights Beyond Borders (November 2021), available at: <https://bit.ly/3jpnq4X> [hereinafter: ‘Detained and Forgotten’]. In the body of this report, this version will be referred to as “the first edition.”

² Tina Al-kharsan et. al., *Still Detained and Forgotten: Update on Detention Policies, Practices, and Conditions on Kos 2022/23*, Equal Rights Beyond Borders (February 2023), available at: <https://tinyurl.com/2nrufvtf> [hereinafter ‘Still Detained and Forgotten’]. In the body of this report, this version will be referred to as “the second edition.”

Section IV ends the report by providing an update on the procedural rights and remedies. Part 1 focuses on individuals' access to legal services and information and the lack of information on remedies and legal aid. Part 2 includes Equal Rights' analysis of the detention orders issued for clients during this report period and their accompanying procedural errors, while Part 3 confirms that detention practices on Kos continue to violate individuals' right to an effective remedy.

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Methodology

The first edition of this report was published in November 2021, covering the period from January 2021 to October 2021, while the second edition covered the period in detention from December 2021 to January 2023. This third edition successively covers the period from January 2023 to December 2023.

Our findings in this report draw from three main sources: interviews conducted with asylum seekers³ detained in the PRDC, first-hand observations from the staff of Equal Rights based on their visits to the PRDC, and an analysis of clients' detention orders and reasoning.

Regarding the interviews, Equal Rights carried out 13 structured interviews with detained asylum seekers from February to November 2023. Equal Rights staff interviewed all participants using the same interview template, and the interviews were carried out in the participant's preferred language either by an interviewer fluent in the language or with the assistance of an interpreter. The interviews covered the following topics: the PRDC's carceral environment and ill treatment by police, inadequate provision of food, lack of recreational activities, overcrowding, inadequate healthcare, and poor hygiene facilities and sanitation materials. As part of our trauma-informed practice, some interviews were adjusted based on the participant's perceived or stated ability to engage with the interview or question at hand, and participants were able to opt out of questions they did not wish to answer.

All participants gave their informed consent prior to being interviewed, meaning Equal Rights informed them that they were able to withdraw their consent at any time before the report's publication, that declining an interview would in no way impact their current or future legal representation, and that no personal details would be included that would allow the participants to be identified. As such, all names have been changed to pseudonyms. Furthermore, none of the participants received payment in exchange for participating in these interviews.

Our interview participant pool consisted of individuals from seven countries: Syria, Palestine, Lebanon, Ghana, Somalia, Morocco, and Mali. In line with the demographics arriving on Kos, five of the participants were from Palestine. Additionally, 12 of the participants interviewed were male, while one was female, reflecting the fact that only three women were detained in the PRDC during the reporting period.

In addition to these structured interviews, Equal Rights staff kept first-hand observations during their visits to the PRDC from February to December 2023, both by taking structured field notes and recording informal observations after meetings with clients in the PRDC. These field notes and records also inform our analysis.

Our last source consists of an analysis of the detention orders issued for 20 clients from August 2022 to

³ Although several of the subjects we interviewed for this report had already received final rejections to their asylum applications, and therefore no longer considered asylum seekers under the relevant domestic and EU law, we are using the term asylum seeker broadly in this report to include both people in the asylum procedure as well as rejected applicants.

September 2023.⁴ Equal Rights staff reviewed the detention orders issued for clients to understand under what legal basis clients were being detained, to compare the reasoning in each order, and to draw out any procedural errors contained in the orders.

⁴ Only one client had their detention order issued in August 2022, while the remainder had their detention orders issued starting in January 2023. This client was included in this report because he remained in detention during the reporting period and faced a similar detention scheme.

Abbreviations

CCAC	Closed-Controlled Access Centre
CJEU	Court of Justice of the European Union
GAS	Greek Asylum Service
GBV	Gender-based Violence
MMD	Migration Management Department
PRDC	Pre-Removal Detention Centre
RIC	Reception and Identification Centre
RAO	Regional Asylum Office
UAM	Unaccompanied Minor
UNHCR	United Nations High Commissioner for Refugees

I. Updates to Legal Framework

From January to December 2023, there were no major changes to the legislation governing detention in Greece. That being said, a couple of significant cases were adjudicated in various courts during the reporting period on whether Türkiye's designation as a "safe third country" remained lawful.

In February 2023, the Greek Council of State submitted preliminary questions to the Court of Justice of the European Union (CJEU) regarding the designation of Türkiye as a safe third country for applicants for international protection.⁵ One of the preliminary questions referred to the CJEU was whether Member States can designate a country as a safe third country if it has refused readmissions for more than 20 months and it does not appear that the country is going to change its attitude in the near future.

Then in June and July of 2023 respectively, the Administrative Courts of First Instance of Komotini and Kavala in Greece ruled that the conditions for detention in four cases involving Afghan nationals were not satisfied due to the lack of reasonable prospect of return, as Türkiye had suspended returns to its territory since March 2020 and there were no indications that this would change in the future.⁶ In one of the cases, the Court abstained from imposing alternative measures to

detention while simultaneously urging the police to consider issuing a postponement of removal order.⁷

Additionally, Equal Rights submitted objections on behalf of two asylum seekers detained on public order grounds after being accused of committing low-level crimes. The detention of asylum seekers for public order and national security reasons occurred for the first time in Kos during January and February of 2023, with the police following an incorrect interpretation and application of the law. One of these objections had a positive outcome, and the individual was released on the following grounds: the type and nature of the criminal charges did not amount to him posing a severe risk to public order and safety, and his detention failed to respect the principle of proportionality, which allows an individual to be detained only when there are no alternative, less intrusive measure to the detention. After examining the type and the nature of the pending criminal charges, and considering the fact that there was not yet a final conviction, the court thus further defined what does not consist of a threat to the public order. After the court's decision, the police ceased issuing detention orders for public order reasons and the asylum service started issuing decisions for their asylum procedure, which had been paused due to their criminal charges.

⁵ Greek Council of State, 177/2023, available in Greek at: <https://bit.ly/496tDWO>.

⁶ Administrative Court of First Instance of Kavala, AP504/2023, 12 May 2023, at 64, available at <https://tinyurl.com/bp52n7fh>; Administrative Court of First Instance of Komotini, AP309/2023, 16 June 2023, at 64, available at <https://tinyurl.com/bp52n7fh>; Administrative Court of First Instance of Kavala, AP78/2023, 24 July 2023, at 51, available at <https://tinyurl.com/ky8mksxv>; Administrative Court of First Instance of Kavala, AP1098/2023, 29 Nov 2023, at 52, available at <https://tinyurl.com/ky8mksxv>.

⁷ Administrative Court of First Instance of Kavala, AP78/2023.

II. Updates to Detention Practices in the Kos Pre-Removal Detention Centre

While Kos remained a testing ground for some of the harshest immigration detention policies in Greece and the European Union, policies and practices constantly changed throughout the reporting period. This section highlights some of the most significant changes to the detention practices and policies that occurred on Kos from January 2023 to December 2023, focusing particularly on the pathways to detention and notable demographics of individuals in detention.

Although there were a relatively low number of individuals detained in the Kos PRDC at any given time during the reporting period, this low number generally reflected the trend of the general decline in the PRDC population over the last two years that was highlighted in the first and second edition of this report. Specifically in the second edition, we highlighted that the general decline in the Kos PRDC coincided with the inauguration of the CCAC, which mimics detention conditions in many ways and now houses the majority of asylum seekers on Kos.⁸

While there were 1,026 asylum seekers in the CCAC and RIC at the beginning of the reporting period on 1 February 2023, the number of asylum seekers in the CCAC and RIC topped 4,000 individuals by 9 December 2023.⁹

Despite the increase in asylum seekers arriving to Kos, there were only 35 and 30 individuals detained in the PRDC on 1 February 2023 and 9 December 2023 respectively, demonstrating that the number of asylum seekers detained in the PRDC decreased despite the sharp increase in arrivals. In this context, detention practices and policies shifted in response to the influx of migrants arriving to Kos during mid to late 2023.

A. Pathways to Detention

In the first edition of this report, we explained that there were two main practices that led to detention for asylum seekers on Kos: (1) the practice of automatically detaining all asylum seekers upon arrival, which was introduced in January 2020, and (2) the practice of automatically detaining rejected asylum seekers with a view towards their return.¹⁰ Under the first policy, asylum seekers were immediately detained in the PRDC, both before and after formally registering their asylum applications. Although the practice of automatic detention upon arrival ended in late 2021 and the police now detain fewer rejected asylum seekers,¹¹ the effects of these two policies continue in different forms today, with *de facto* and arbitrary detention still common practices.

During this reporting period, there were three main pathways to detention: (a) the ongoing detention of rejected asylum seekers with no prospect of return, (b) the detention of unregistered asylum seekers charged with illegally staying on the territory, and, newly, (c)

⁸ Still Detained and Forgotten, *supra* note 2, at 9.

⁹ Hellenic Ministry of Migration and Asylum, *NP eastern Aegean 09.12.23*, available at: <https://tinyurl.com/2u44r6mv>.

¹⁰ Detained and Forgotten, *supra* note 1, at 14-15.

¹¹ Still Detained and Forgotten, *supra* note 2, at 8-9.

the arbitrary detention of registered asylum seekers accused of low-level crimes.

1. Ongoing Detention of Finally Rejected Asylum Seekers with No Prospect of Return

Consistent with the last two reports, asylum seekers who had gone through the asylum procedure and received a final rejection continued to be routinely detained in the Kos PRDC. As explained in the first and second editions of this report, the detention of rejected asylum seekers on Kos is unlawful because there was and remains no reasonable prospect of returning asylum seekers to Türkiye or their country of origin. From January 2021 to December 2023, Greece did not readmit a single person to Türkiye, as readmissions to Türkiye have been suspended since March 2020. The authorities also did not carry out the forced return of individuals from the Kos PRDC to any country other than Pakistan during the same period.¹²

Despite the lack of reasonable prospect of returning rejected asylum seekers to Türkiye or their country of origin, at least 10 clients Equal Rights represented throughout the reporting period were detained with a view to their return: two individuals were ordered returned to Türkiye, two were ordered returned to their country of origin, while the remaining six orders did not specify the country of return. Nine of the aforementioned clients, or all but one, initially arrived in the island of Leros and

were transferred to the Kos PRDC after receiving their second rejection on Leros.¹³

2. Reintroduction of Detention of Unregistered Asylum Seekers Charged with “Illegal Stay”

In the second edition of this report, we identified a trend where the Migration Management Department (MMD) detained a small number of asylum seekers apprehended on nearby islands without reception centres or in Kos days after their arrival.¹⁴ Rather than registering them for asylum, the authorities instead charged them with illegally staying in the country, violating Art. 76 L. 3386/2005, and ordered their return on that basis.¹⁵ In some cases, people lingered for more than a month in detention without access to the asylum procedure.¹⁶ Even when they did register for asylum, these asylum seekers did not undergo reception and identification procedures, which are vital in the asylum procedure: not only are these procedures necessary in identifying asylum seekers, but they also include a medical check and vulnerability assessment — both of which can critically impact the success of an individual’s asylum claim.¹⁷

As reported in the second edition of this report, the authorities announced that they would end the illegal stay scheme in November 2022, and Equal Rights did not observe anyone detained under that procedure for several months.¹⁸ However in July 2023, Equal Rights observed

¹³ This continues a trend highlighted in the second edition of this report of the authorities transferring rejected asylum seekers from Leros to the Kos PRDC. Still Detained and Forgotten, *supra* note 2, at 15-16.

¹⁴ Still Detained and Forgotten, *supra* note 2, at 12.

¹⁵ Art. 76 L. 3386/2005.

¹⁶ Still Detained and Forgotten, *supra* note 2, at 12.

¹⁷ *Ibid.* at 14-15.

¹⁸ *Ibid.* at 15.

the reintroduction of the illegal stay practice.¹⁹ Specifically, Equal Rights represented six asylum seekers who were detained in the PRDC on the basis of Art. 30 of L. 3907/2011, although they had all expressed a will to apply for asylum but had not yet gone through the appropriate reception and identification procedures. One was initially detained in August 2022, three were detained in July 2023, and two were detained in September 2023. The asylum seekers were detained for an average period of approximately 37 days before registering for asylum.²⁰

As raised in the second edition of the report, even once our clients were able to register for asylum, the authorities generally renewed their detention under the asylum law as detention is allowed for up to 50 days and can subsequently be renewed.²¹ Of the six clients represented during this reporting period, all four had their detention renewed after registering for asylum, and on average spent a total of approximately 99.25 days in detention. The two remaining clients were not included in this analysis because their detention cases began towards the end of this reporting period.

In the four examined cases, the clients' new detention orders were also issued in a template manner and without an individualized assessment. In one case the client stated that he was an unaccompanied minor (UAM), while another declared that he suffered from chronic

medical conditions. Despite their statements, the authorities did not account for these declarations in their detention orders. In the case of the UAM, a lawyer from Equal Rights alerted Kos RAO before his registration of his obvious minority before accompanying him to his asylum registration. At his asylum registration, he again stated that he was a minor and asked to be registered as such. Under Greek law, the authorities should have treated him as a minor until proven otherwise and therefore transferred him from detention to the safe zone in the CCAC and referred him to an age assessment procedure.²² Instead, and in contravention of the law, the authorities prolonged his detention.²³

Moreover, the issuance of new detention orders for three of the four clients after their registration as asylum seekers was not automatic, meaning the newly registered asylum seekers continued to be detained with a detention order on the basis of their return instead of under the relevant asylum law. As such, there was a period of time where the newly registered asylum seekers were detained unlawfully and without a relevant detention order. Only after Equal Rights staff extensively communicated with the police and the Regional Asylum Office (RAO) were the individuals issued new detention orders under the relevant asylum law. In this way, Equal Rights staff observed that a lack of communication between the relevant

¹⁹ According to the police, detention under the illegal stay scheme continued to take place for those who were caught with forged documents, meaning for those with ongoing criminal cases. However for at least three of cases Equal Rights represented, there was no ongoing criminal procedure. These three individuals arrived at a different island, were transferred to Rhodes, and then detained in the Kos PRDC with a return decision from Rhodes Police Directorate based on the lack of legal documents (risk of absconding).

²⁰ The client in August 2022 was detained for 18 days before registering for asylum, while the remaining three detained in July 2023 were detained for 43 days before registering for asylum.

²¹ Art. 50(5)(b) L. 4939/2022.

²² Art. 80(3) L. 4939/2022.

²³ Ibid.

authorities resulted in the unlawful and arbitrary detention of asylum seekers.

3. Detention of Registered Asylum Seekers Accused of Low-Level Crimes

During this reporting period, Equal Rights also observed a new detention trend: the detention of asylum seekers who were initially accommodated in the CCAC and later accused of or charged with low-level criminal offences, such as possessing small amounts of marijuana or other controlled substances. Specifically, Equal Rights represented six clients — all Palestinian men — who were detained in the PRDC under this scheme. All six individuals were initially accommodated in the CCAC after registering for asylum and only moved to the PRDC after they were accused of committing low-level criminal offences.

The fact patterns of these six stories generally followed the same trend. The individuals were approached by the police either outside or inside the CCAC, accused of committing a low-level crime, detained in the local police station in Kos town for a period of time, released and tasked with finding their own way back to the CCAC (resulting in many sleeping outside overnight), before reaching the CCAC and returning to their old accommodation. After a short period of the time — ranging from a few hours to a couple of days — the individuals were then transferred to the PRDC without being provided with an explanation as to why. In all but one case, official charges had not been brought against the individual during the time of representation.²⁴

The emergence of these cases aligned with

observations of Equal Rights staff, who observed an increase in police patrols in the city of Pyli, the city in which the CCAC and PRDC are located. Along with the increased police patrols, Equal Rights staff observed and were informed by clients that clients were subject to random searches, which would often include demands for asylum seekers to empty their pockets or be subject to body searches.

For example, Yaseen was approached by the police on his way back from a grocery store to the CCAC, who asked if they could search him. Yaseen consented to the police search as he explained he did not have anything to hide, but the police handcuffed him when another asylum seeker he did not know started to run away from the police. After the police discovered the other individual was carrying marijuana, Yaseen was taken to the local police station, where they detained and investigated him. After their questioning ceased, Yaseen explained, *“I signed papers, and they said I was free.”* After returning to the CCAC at night, Yaseen said then, *“I was woken up by a police officer who said ‘Gather your things, and come with us.’ He made me sign a paper in Arabic. I signed it, and they took me to the detention centre.”* Yaseen emphasized that there was no interpreter when he signed the paper, and no one explained to him why he was detained in the PRDC. No official charges had been brought against him at this time.

In Maher’s case, the police searched him while he was in town and found that he was carrying unmarked pills. Before he was taken to the police station, Maher explained he was first taken to first reception within the CCAC, where an employee checked his asylum seeker’s card.

²⁴ Equal Rights had taken over the legal representation of the clients for their detention cases, which were connected to the existence of an ongoing criminal procedure.

He was subsequently handcuffed and taken to the police station in the city centre where, “*They put me in a cage with iron bars.*” The police then released Maher at approximately 9:00 PM, informing him that he was free to go back to the CCAC but without providing him with transportation. As such, Maher had relatives in the city and was able to stay with them; however, others have reported having to sleep outside at night until they can catch a bus. Upon reaching the CCAC the next day at around 8:30 AM, Maher was questioned by the security personnel as to why he did not return to the CCAC last night. After explaining that he was at the police station, he went to his old room in the CCAC, where he slept for two hours before being awoken by police and transferred to the PRDC.

As observed by Equal Rights, this practice amounts to arbitrary and unlawful detention. Of the six people referred to in this section, all six received detention orders that mentioned their penal cases, with five of them detained because they were a threat to public order. In one case, the detention order did not even cite public order grounds, but only explained that the client was a risk of absconding because of his penal case.

Although EU and Greek law do allow the authorities to detain asylum seekers if they are a threat to public order, the CJEU has set an extremely high bar for when states may invoke this ground, stressing that “in view of the importance of the right to liberty enshrined in Article 6 of the Charter and the gravity of the interference with that right which detention represents, limitations on the exercise of the

right must apply on in so far as is strictly necessary.”²⁵ Given that, the CJEU held that, “the concept of ‘public order’ entails, in any event, the existence — in addition to the disturbance of the social order which any infringement of the law involves — of a genuine, present and sufficiently serious threat affecting one of the fundamental interests of society.”²⁶

None of the cases referred to in this report and represented by Equal Rights met this standard. All six clients were accused of low-level offenses, all of which were misdemeanors and some based on evidence as flimsy as associating with another asylum seeker accused of a crime. Further, although Greek asylum law does not define the term “threat to public order”, it does provide a list of particularly serious crimes for which the authorities may exclude someone from subsidiary protection.²⁷ However, none of the six men were accused of particularly serious crimes. In fact, none of the six men were ever convicted of the crime of which they were accused during the time Equal Rights represented them. Five of the six cases were at the stage of pre-investigation between the Prosecutor and the police security department, meaning no official charges had been brought, while only one case reached the state where the Public Prosecutor was drafting the official charge. Consequently, Equal Rights concluded that the authorities were not detaining people because they represented a genuine threat to public order, but rather as an arbitrary punishment for their run-ins with the police.

In March 2023, Equal Rights filed two objections to detention on behalf of two clients

²⁵ Case C-601/15 PPU J.N., Judgment of 15 February 2016, para. 56.

²⁶ Ibid. para 67.

²⁷ Art. 16(1)(b) L. 4939/2022

detained on public order grounds. In one case, the judge accepted the argument that the client was not a threat to public order despite being accused of a crime and the individual was released, while another judge rejected the argument in an almost identical case. Those two cases are discussed further in Part 4 of Section IV on the right to an effective remedy and demonstrate the many barriers to challenging arbitrary detention practices on Kos.

B. Demographics

This section provides an overview of the demographics of clients detained in the PRDC during the reporting period, focusing particularly on the unlawful detention of certain groups. During the last reporting period, only single men were detained in the PRDC, meaning no women, families, or recognized minors were detained in the PRDC. This year, Equal Rights observed the re-introduction of the detention of women, in addition to the continuation of the detention of vulnerable persons and minors incorrectly registered as adults.

1. Detention of Women

When the first edition of this report was published in November 2021, women were regularly detained in the PRDC, and we highlighted the inadequate and unlawful conditions for women in detention, including women being housed in mix-gender sections and facing a lack of security, especially for women who were survivors of gender-based

violence (GBV).²⁸ By the time we published the second edition, however, the police had changed their practice: between November 2021 and January 2023, no women were detained in the PRDC.²⁹

In April 2023, however, the police reintroduced the practice of detaining single women. From April to May 2023, at least three women were detained in the PRDC.³⁰ All three women were rejected asylum seekers who were transferred to the Kos PRDC after their asylum procedure had concluded on Leros. Further discussed in the detention conditions section below, the conditions for women detained in the PRDC were particularly abhorrent as the facilities and authorities were, and remain, ill-equipped to meet the specific needs of women. Such needs include: separate accommodation spaces, extra guarantees for privacy and safety, and specific safeguards for survivors of gender-based violence, among other things.

Equal Rights was able to interview one of three women for this report, Lana. At the time Equal Rights staff met with Lana, they noted that the client was in a poor physical and emotional state due to her detention. Throughout her interview, she shared personal concerns over a lack of suitable accommodation and particularly over the lack of separate space and yard for women in the Kos PRDC. As she explained, "*If I go out, I just walk out the door of the room for a few minutes and go back in.*" Moreover, Lana noted that the room she was placed in "*was very dirty*" but that the police refused to house her in a different section

²⁸ Detained and Forgotten, *supra* note 1, at 50-51, 57, 61, 65.

²⁹ Still Detained and Forgotten, *supra* note 2, at 10-11, 17.

³⁰ Equal Rights was only aware of three women who were detained during the reporting period, two of whom they were only made aware of after an Equal Rights staff observed their presence during a visit for another client. However, the authorities do not publish statistics broken down by sex and gender, so it is possible that more women were detained during the relevant period than reported here.

because those were reserved for men. These conditions will be discussed in further detail in Section III.

As explained in the first edition of this report, both EU and Greek asylum law provide additional protection for women in detention, among which include considering gender when making housing assignments.³¹ Not only did the detention conditions in the Kos PRDC raise questions around the lawfulness of detaining women, the reintroduction of the detention of women raised concerns among Equal Rights and civil society actors that previous successful advocacy was at risk of regressing on Kos.

2. Detention of Vulnerable Persons

EU and Greek asylum law both require that health be of primary concern of competent authorities when detaining vulnerable asylum seekers,³² and when detention is ordered, authorities must ensure regular monitoring and adequate support accounting for the physical and mental health of the person. Where rejected asylum seekers are detained subject to a return order, the authorities must also pay particular attention “the situation of vulnerable persons”.³³

On that basis, the police on Kos generally did not detain individuals who were officially recognized as vulnerable during the reporting period.³⁴ Further, individuals who were officially recognized as vulnerable were typically released by the

police as soon as they were able to prove their vulnerability, for example by submitting their vulnerability assessment to the police. However, as reported in the second edition of this report, individuals often did not receive copies of their vulnerability assessments and the police were otherwise unaware that they were categorized vulnerable.³⁵ For example, one of the female clients Equal Rights represented was officially recognized as vulnerable during her asylum procedure on Leros as being a survivor of GBV but was detained for five days nonetheless in the same section as men. Only after Equal Rights and UNHCR intervened to inform the police that client was vulnerable was she released.

Further, Equal Rights represented numerous detained clients who suffered from vulnerabilities that were not recognized, including additional survivors of GBV, individuals with severe mental health concerns including suicidal ideation, and individuals with severe medical problems.³⁶ Moreover, as explained in further detail in the conditions section, access to healthcare in the PRDC is practically non-existent. As the facility is not able to provide individuals – and particularly those categorized as vulnerable – with medical care, the PRDC is therefore not equipped to detain vulnerable persons.

For one particularly worrisome case, Equal

³¹ Detained and Forgotten, *supra* note 1, at 16; Art. 11 (1) Directive 2013/33/EU, Art. 53(4) L. 4939/2022.

³² Art. 11(1) Directive 2008/115/EC; Art. 52(1) L. 4939/2022.

³³ Art. 16(3) Directive 2008/115/EC; Art. 31(3) L. 3907/2011.

³⁴ Vulnerable persons include minors, unaccompanied or immediate relatives of shipwrecked parents (parents and siblings), persons with disabilities, the elderly, pregnant women, single parents, children, victims of human trafficking, people with serious illnesses, people with mental disabilities and those who have been tortured, raped, or other serious forms of psychological, physical or sexual violence, such as victims of genital mutilation or organs. Art. 20(3) IPA, transposing Art. 20 Directive 2011/95 EU.

³⁵ Still Detained and Forgotten, *supra* note 2, at 15-16.

³⁶ Our previous research shows that authorities have failed to conduct vulnerability procedures and have routinely overlooked serious physical and mental health illnesses. Detained and Forgotten, *supra* note 1, at 18; Still Detained and Forgotten, *supra* note 2, at 17.

Rights pursued objections for an individual suffering with suicidal ideation in the PRDC and severe mental health issues. In the objections, Equal Rights lawyers argued that one of the reasons the client's detention was unlawful was the lack of provision of medical services and inappropriate detention conditions for his mental health. Ultimately, the objections were rejected, with the judge categorizing the inappropriate conditions and deprivation of medical services as abstract and not proven – despite the well-documented complete lack of medical care in the PRDC as explained in further detail in Part 6 of Section III.

3. Detention of Unaccompanied Minors

During the first edition of this report, Equal Rights represented only one detained unaccompanied minor and was aware of at least two similar situations.³⁷ Equal Rights then represented six detained unaccompanied minors during the reporting period of the second edition of this report.³⁸ Every minor in the second edition had their original identity documents or copies proving their minority.³⁹ From February to December 2023, Equal Rights represented only one client who declared that he was an unaccompanied minor and detained in the PRDC.

³⁷ Detained and Forgotten, *supra* note 1, at 20.

³⁸ Still Detained and Forgotten, *supra* note 2, at 16.

³⁹ *Id.* at 19.

III. Updates Regarding Conditions in the Kos Pre-Removal Detention Centre

This section provides an update regarding the living conditions for asylum seekers in the Kos PRDC while also highlighting the trends, similarities, and differences in the living conditions since the last two editions of this report were published. The findings in this section are based on the testimonies of 13 participants gathered through in-depth interviews carried out from February 2023 to November 2023.

A. Carceral Environment and Ill Treatment by Police

In the last two reports, participants have consistently shared their impression of the PRDC as a carceral environment, and this impression remained true among the participants interviewed for this third edition.⁴⁰ For continuity, participants were presented with questions about the three themes discussed in the previous two editions: use of handcuffs, maltreatment by police, and broken phone cameras. Their testimonies confirmed asylum seekers in detention continue to face an inconsistent use of handcuffs, police maltreatment in the form of mostly verbal but some physical aggression, and a requirement to break their phone cameras — all of which contributed to their impressions of the PRDC being a carceral environment.

1. Use of Handcuffs

The use of handcuffs on individuals in detention remained inconsistent throughout the reporting period, a trend that continued from the last two editions of this report.⁴¹ Handcuffs continue to be used for two primary reasons: when transferring individuals from the CCAC to the PRDC and to and from external appointments.

Reflecting the rise in arbitrary detention cases, an increased number of participants this year were handcuffed on their way to and from the police station in the Kos city centre. In total, six of the participants interviewed for this report mentioned that they had been handcuffed while on Kos, with four of these participants being handcuffed by the city police in relation to their criminal charges. Two participants explained that they had handcuffs placed on them when they were transferred from the CCAC to the PRDC, while two other participants explained that they were handcuffed at some point during their transfer to Kos from Rhodes, another Aegean Island.

When one of the report's participants Ali was handcuffed in Rhodes, he specifically mentioned that he was made to "*walk in front of the tourists.*" Idris also commented on the use of handcuffs in the public sphere, explaining he was handcuffed upon his arrival to Kos "*inside the boat in front of the world to see*". Ali and Idris' experiences being handcuffed in front of others demonstrate their perception that handcuffs are a degrading and humiliating tool used to publicly humiliate asylum seekers.

⁴⁰ Detained and Forgotten, *supra* note 1, at 45-47; Still Detained and Forgotten, *supra* note 2, at 21-23.

⁴¹ Detained and Forgotten, *supra* note 1, at 45; Still Detained and Forgotten, *supra* note 2, at 21.

2. Maltreatment by Police

People detained in the PRDC also continued to experience police maltreatment in the form of verbal and physical aggression, with individuals sharing that they more commonly were victims of verbal aggression. Specifically, seven of the 13 participants reported experiencing some kind of verbal aggression when communicating with the police. As Brian explained, *“Some of [the police] are nice, some of them are not. If someone asks for something, some of them answer back in a good way, others in a bad way.”* Others reported verbal aggression in the form of taunts. For example, Ali described a situation where a police officer responded to a general sentiment many asylum seekers share of wanting to move to Germany. Ali recalled, *“The police told us that you say Germany is better, but Germany gave us money to make sure that you were detained and returned [to your country.]”*

An Equal Rights lawyer also observed a particularly troubling account of verbal aggression involving two female asylum seekers detained in the PRDC. On 24 April 2023, an Equal Rights lawyer entered the PRDC for an appointment with male clients. While waiting in the PRDC, the lawyer witnessed Lana, one of the female participants, complaining about the conditions to a healthcare professional, explaining that she could not stay in the caravan she was currently housed in because the bathroom did not work. In response to her complaints, a police officer intervened by violently yell at Lana to return to her caravan, eventually threatening her with arrest if she did not return immediately to her caravan and stop complaining. The situation was only resolved when the police officer requested the assistance of a more senior police officer, who responded to Lana calmly and explained that they would

be placed in a new container where the bathroom would work.

With regards to physical aggression, three participants reported the police being physically aggressive with them in the PRDC. Haytham shared that he was physically assaulted in retaliation to a small action he staged to protest the inadequate food provisions. Upon his arrival to the PRDC, Haytham staged a hunger strike for three days, during which he demanded more food from the police commander. In response to his protest, an officer came to Haytham and brought him to a caravan in the police headquarters in which, *“Multiple officers were there, and they slapped me and beat me. They said ‘No food, and no demanding anything’...One of them slapped me until I said, ‘Please just leave me alone. I don’t want food or anything.’”* Noah also explained, *“Another guy was hitting his head on the wall saying, ‘I need food. Call a delivery guy. I can pay for it,’ and he was beaten up.”*

In addition to physical aggression, participants reported other forms of police maltreatment. Faris shared that when he was being transferred to the PRDC, he was required to sign a paper and that after he did, *“The police came to get me, and they tied my feet with rope but did not handcuff me.”* Meanwhile, Maher revealed troubling police behaviour designed to inflict psychological pain on asylum seekers when he explained, *“There are some [police officers] who are respectful but others who want to feel better about themselves...They come in and turn off air conditioning or electricity so that you leave the room, and they choose times to turn on hot water so that sometimes you are under the water and it goes from hot to cold.”*

Four other participants explained that they believed the police were not physical with them

only because of their own good behaviour or physical condition, demonstrating that asylum seekers believe police use of physical aggression is conditional on their actions. As Soloman shared, *“Because we didn’t cause any problems, the police did not use aggression.”*

3. Broken Phone Cameras

Consistent with the last two reports, police continued to implement a policy that individuals must have their phone camera broken before residing in the PRDC, a policy that contributes to the carceral environment and lack of access to the outside world.⁴² Over the last two years — including during this reporting period — Equal Rights has observed that while police maintain they have individuals in detention break their own phone cameras, participants sometimes report otherwise. As a result, phone cameras are either broken by participants or by police. In either case, the policy is coercive and results in significant mental distress for individuals in detention.

Although Equal Rights was informed in a meeting with authorities during this reporting period that this policy would end, participants interviewed after this meeting continued to report they were required to break their phone cameras upon entering the PRDC. Equal Rights still has not been granted access to the circular police in the PRDC explain justifies this practice, despite repeated requests.⁴³ Haytham explained the procedure of having to break his phone camera. He described, *“They brought me a nail and hammer and asked me to break the camera. The police kept saying to hit the camera*

more until my entire phone was broken.”

The lack of a camera and phone causes many problems for clients as explained in the second edition of this report, including impeding: legal representation, ability for clients to translate documents, and their ability to communicate with their family — all of which contribute to significant psychological distress among individuals in the PRDC.⁴⁴ Jamal, who had not told his family he was in detention, shared, *“Every now and then my kids say they want to speak with me on the camera, but I cannot. I try to find reasons why I can’t open the camera to talk to them...but I cannot tell them why there is no camera.”*

B. Inadequate Quantity and Quality Food

In the second edition of this report, Equal Rights observed that the quantity of food appeared to have been reduced since the first edition of this report, the quality of food provided was inadequate, and that the provision of food was thus insufficient to meet the basic needs of individuals in the PRDC.⁴⁵ This observation remained true throughout the duration of this report and, with regards to quantity, seemed to worsen this year: the food provided to individuals in detention was inadequate in terms of quantity, quality, and nutritional value.

In line with the previous two reports, the lack of provision of sufficient food continues to pose serious challenges for individuals in detention, and based on participants’ testimonies and client interactions Equal Rights considered the

⁴² Detained and Forgotten, *supra* note 1, at 46-47; Still Detained and Forgotten, *supra* note 2, at 22-23.

⁴³ Still Detained and Forgotten, *supra* note 2, at 22.

⁴⁴ *Ibid.* at 23.

⁴⁵ *Ibid.* at 23-25.

inadequate provision of food to be one of the most pressing problems individuals in detention face today.

In a meeting with the CCAC commander in July 2023, Equal Rights raised concerns over the quantity and quality of food in the PRDC. Equal Rights was informed that the frequency of food was changed due to a contract the Ministry had with food providers. The Greek authorities indicated they were also aware individuals had been complaining about the current distribution of food and that people consider it to be one meal; however, the authorities also said the quantity and quality of food is according to the standards of the Ministry and their distributors. In July 2023, Equal Rights had a meeting with the police commander of the PRDC, who explained that while they have heard the complaints over the quantity and quality of food, addressing those complaints were not his responsibility.

With regards to quantity, every single participant complained about the lack of sufficient food and reported feeling hungry, while two participants additionally noted that the lack of food inhibited their ability to take medication. Participants consistently reported being given one meal a day that was supposed to consist of two portions for lunch and dinner; however, participants described the quantity of food as inadequate for even one meal and was therefore failing to meet their basic needs. For example, Jamal described the quantity of food provided as *“what a small child would eat,”* while Faris shared, *“The entire quantity of food is not enough for even one meal.”* As a result of the low quantity of food, Yaseen explained, *“I am dying from hunger here because the quantity of food is very low. If I relied only on the food they bring, I would die of hunger.”* While individuals are

allowed to supplement their meal by buying items from a supermarket that brings food inside the PRDC, participants have reported that the food is very overpriced and too expensive to purchase.

With regards to the quality of food, at least five participants experienced being given food that was uncooked, while others also shared concerns that the food they were eating lacked in nutritional value. As Haytham stated, *“Not all of the food is edible,”* while Yaseen explained, *“You feel like the person who is cooking is cooking for animals, not for humans. But you have no choice but to eat it.”* Brian affirmed his inability to throw away even inedible food, explaining that although the food *“is not really tasteful, we do not have any other option. If we do not eat [the food], we will die.”* Noah responded to the quality of food by stating, *“We are not dogs.”*

It is important to note that some participants experience additional challenges with the lack of provision of food during religious observances and particularly during Ramadan. Specifically, not only did Ali report giving food to the cats because it contained pork — which is prohibited in Islam — Jamal explained that they ate the food cold during Ramadan because they would wait until they broke their fast during sunset to eat it. Haytham shared, *“In Ramadan, we stay hungry until the second day when the meal comes. We die until we wait for the meal just to eat.”*

The lack of adequate food had a variety of impacts on participants’ physical and emotional health. In relation to physical health, seven participants reported losing anywhere from 10 to 20 kilograms due to the lack of food. This weight loss is self-reported as individuals are not able to weigh themselves in detention; however, the numbers corroborate Equal

Rights' first-hand observations that clients lose weight over time while in detention. Maher described the experience as, *"You can feel yourself decaying."* In addition to losing weight, the lack of food caused participants to experience new health problems including a lack of sleep, feeling weak, and stomach pain.

Other participants shared their concerns about how the poor quantity and quality of food negatively impacted their psychological health. Maher explained, *"Without food, I am depressed, and my whole personality is different,"* while Faris stated, *"I am not the same person I came from Gaza to here. In my country, my health was much better than it is here by a lot."* Because of this, Brian stated, *"The most difficult thing here [in the PRDC] is the food."*

C. Lack of Recreational Activities

Throughout the reporting period, the PRDC continued to have no recreational facilities for individuals to make use of during their time in the PRDC. Thus, as in the first two editions of this report,⁴⁶ each of the 13 participants interviewed for this report shared that they had no access to recreational activities while detained in the PRDC, whether organized by the authorities or individuals in detention. As Idris explained, *"The authorities do not plan any activities, and there are no activities we can organize because there is nothing here [in the PRDC]."*

Six participants mentioned they passed the time in the PRDC by spending it on their phone. However, as observed by Equal Rights some individuals are unable to do the same because they do not have access to a phone: due to the policy of requiring one to break their camera,

some individuals phones are broken in the process. Five participants also mentioned that they used to have a ball to play football with. However, Jamal shared that, *"There are some other police officers on certain shifts that are really bad and horrible, and the treatment depends on what police is guarding that day. Sometimes we lose the ball, and they refuse to bring it."* As such, even the limited access individuals have to recreation is not guaranteed and depended on police treatment.

The lack of activities leads to further isolation for some individuals in the PRDC. As Haytham explained, *"I stay in my room mostly. I do go walk and pray, but the rest of the time I stay in my room."* Lana reiterated this sentiment, *"Sometimes when I want to go out in the sun when the weather is nice, there are a lot of men outside. I go back inside the container and sit there locked up because there is no separate yard. I spend most of my time in the container."* As such, the lack of recreational activities contributes to the deteriorating mental health of individuals in detention.

At least four participants reported that while other individuals in detention did socialize with one another, the socialization occurred based on social identities, such as nationality. As Soloman explained, *"The Pakistani detainees play games, but I don't interact with them a lot, and I don't play with them,"* while Ali explained, *"the other detained persons would socialize in groups – like those from Idlib would be together – but I was the only person from my place and therefore by myself."* Based on Equal Rights staff's first-hand observations, such socialization has a disproportionate impact on Black asylum seekers, who have historically

⁴⁶ Detained and Forgotten, *supra* note 1, at 49-50; Still Detained and Forgotten, *supra* note 2, at 25-26.

represented a minority of people detained in the Kos PRDC.

D. Overcrowding

Although the numbers of individuals detained in the PRDC remained relatively low compared to the first edition of this report,⁴⁷ participants broadly reported persistent problems with a lack of privacy due to overcrowding in the caravans. This year, participants reported anywhere from two to four people living in one caravan, with each caravan having two bunk beds, or four beds total. As such, despite the low numbers of individuals in the PRDC, eight participants still reported suffering from a lack of privacy.

Idris shared that he suffers from a lack of privacy because the entire room *“just has space for two bunk beds.”* Jamal iterated that the lack of space leads to a lack of privacy. He explained, *“We have zero privacy, when someone talks to his family, he talks with the whole caravan.”* Ali included that the lack of privacy impeded his ability to study English and sleep. He shared, *“In my own room, I had three other people that were always on their phone...They would eat in the middle of the night, play card games — so there wasn’t any sleep or privacy. It was always loud.”* Haytham also explained that the doors to his caravan do not close, leaving him with limited privacy. Adam further commented on the doors, sharing that *“Most of [the containers] do not have lock doors...some doors are locked by detainees with improvised tools.”*

In addition to suffering from a lack of privacy in their rooms, three participants reported a lack of privacy when using the bathroom. Maher

explained, *“There is no private space here...People come use our bathroom in our caravan because theirs are broken, so we have around four to six people not living in our caravan who use our bathroom,”* while Faris shared that, *“There is no privacy [in the bathroom] because it’s very close to the room. When I want to turn on the sink to wash my hands, you can hear the sink in the room next to you.”*

Lana — the only female participant Equal Rights interviewed for this report — shared that she felt that she had privacy in her caravan because no one enters it. However, she also shared concerns about the fact that the doors did not lock or properly close. She shared, *“The container has a door, but it opens from the wind, so I have to close it with a rope”.*

E. Poor Hygiene Facilities and Sanitation Materials

Consistent with the last two reports, participants shared that the hygienic facilities were overall in poor condition and that they still lacked access to hygiene products to clean their belongings, despite the fact that they are responsible for cleaning their own facilities.⁴⁸

Every participant asked about cleaning materials confirmed that the authorities do not provide them with any cleaning supplies, leaving the caravans and particularly the bathrooms in very dirty conditions. These poor conditions were exacerbated by the overcrowding that sometimes occurred, as in Faris’ case, *“We share the bathroom with eight people because the bathroom is in between two rooms, and each room has four people”.* The lack of access to cleaning supplies, in addition to the

⁴⁷ Detained and Forgotten, *supra* note 1, at 34, 50-51.

⁴⁸ Detained and Forgotten, *supra* note 1, at 51-53; Still Detained and Forgotten, *supra* note 2, at 30-32.

overcrowding, resulted in the following situation as shared by Yaseen: *“When I came here, the bathroom floor was in terrible condition...They have not been cleaned in a really long time, and the whole bathroom facility needs to be renovated.”*

With regards to bedding, eight participants reported that they were not given new sheets, blankets, or mattresses. Jamal was one of the participants who was given sheets, however, he described them as unclean. He shared, *“They let us take two sheets, but they needed a week’s worth of cleaning to be clean...The smell of the mattress and sheets is something I will never forget. I threw away the sheets in the end.”* Solomon brought his sheets with him to the PRDC from Leros and decided to use his old sheets upon seeing the options in the PRDC, while Faris also shared, *“The two blankets the police brought I can’t even cover myself with it because I was afraid I would contract scabies or some other skin disease if I used them, so I asked for a new blanket and they got me one.”* In fact, in September 2023 the police informed Equal Rights that at least two individuals in the Kos PRDC had contracted scabies.

Due to the poor sanitary conditions, at least eight participants noted the existence of insects in their caravan. Adam shared, *“There are insects everywhere. We do not turn off the light so that it will be easier for us to see the cockroaches.”* Maher confirmed: *“Everything is open and broken and disgusting, bugs are everywhere. Cockroaches are everywhere. We are living with the bugs.”*

An additional three participants shared their concerns over the lack of hot water available in the shower. Ali explained, *“We also didn’t have hot water. We only had it from 16:00-18:00. Imagine eight people want to shower in that time. It was never enough, so some of us wouldn’t get to*

shower.” Adam confirmed that this was his experience in the Kos PRDC as well. He said:

“The bathroom water source is disgusting, and we do not always have hot water. We need to ask the police, and some are decent and provide us with warm water, but others just ignore us...taking a shower is stressful because you always need to monitor when the time for hot water is. If I miss the time when the hot water functions, I will have to wait for one or two more days.”

In addition to the poor sanitary conditions, the lack of sanitary conditions impacted participants’ ability to engage in religious practices. With regards to wuduu — a ritual of washing before prayer in Islam — Jamal shared that, *“In Gaza, we could clean five times a day and feel fresh, so it’s new to me to be in this situation...All my life, we were clean. We are not used to living like this.”* Maher also shared that he requires cleanliness in order to engage in prayer, affirming the necessity of clean facilities for religious practices.

Overall, the lack of sanitary facilities makes the PRDC an extremely difficult place to reside. As Solomon explained, *“This is not a suitable place for a human being to live, and we cannot talk about that to the police or do anything. Only the circumstances have forced us to stay here.”*

F. Inadequate Healthcare

As documented in our last two reports, individuals in detention suffer from a severe lack of access to adequate healthcare while detained in the Kos PRDC, and this remained

true throughout the duration of this report.⁴⁹

Many individuals were placed in detention with pre-existing medical conditions, while others developed medical conditions during their stay in the PRDC. In fact, every single participant reported some kind of medical condition that needed treatment.

Despite this demonstrated need, however, there was no permanent doctor working in the facility and no psychologist at any time during the reporting period. Around mid to late 2023, Equal Rights was made aware of one nurse who works in the CCAC who was making occasional visits to the Kos PRDC to cover some needs. Otherwise, the only opportunity detained individuals had to see a medical professional was if they made a request to the police to be treated at the local hospital. When participants therefore mention requesting or being treated by a doctor, they are referring to doctors in the local public hospital.

However, individuals in detention often reported police dismissing their requests for medical intervention, resulting in the need for legal intervention. As such, at least seven of the 13 participants interviewed had not yet seen a medical professional by the time we had interviewed them, despite reporting medical problems and placing requests to see a doctor. In response to the lack of adequate healthcare, Equal Rights submitted 13 requests to the PRDC police for individuals in detention to be treated and eight medical interventions submitted to the police directorate requesting the lift of the detention due to medical reasons. Of these, seven were successful in ensuring the participants had access to some sort of

healthcare, while some resulted in release as discussed in Part C below.

With regards to access of healthcare, police dismissiveness, long waiting times, and a lack of interpreters were reported as the other main barriers individuals in the PRDC faced during this reporting period.

1. Police Dismissiveness and Long Waiting Times

While the second edition of this report highlighted police dismissiveness as the main deterrent to accessing healthcare,⁵⁰ this year only three participants reported that police dismissiveness deterred them from seeking healthcare. Haytham recalled his experience asking the police for medical help and shared, “[The police] say it’s pointless to see the doctor because ‘We don’t have a cure for what you have’ and that ‘You need to go to a private hospital. But even if you see the doctor he will give you the same medicine we are already giving you.’” As a result, Haytham said that he had not yet seen a doctor despite asking the police approximately four or five times. Ali shared a similar experience, explaining that when he went to the police, “They would say, ‘You just went to the doctor. Why do you want to go again,’” while Idris summarized his experience as, “The police won’t take us to the hospital, even if we ask. I have been asking to go to the hospital for a month and half.”

Including Idris, four participants reported long waiting times deterring them from seeking healthcare. In Ali’s case, the lack of permanent presence of a doctor in the Kos PRDC meant he had to go to the police multiple times to place requests for medical help, which resulted in

⁴⁹ Detained and Forgotten, *supra* note 1, at 53-57; Still Detained and Forgotten, *supra* note 2, at 26-30.

⁵⁰ Still Detained and Forgotten, *supra* note 2, at 27.

him waiting almost four weeks for a doctor's appointment in the local hospital. Others reported waiting times up to two months for an appointment at the public hospital, while Lana shared with Equal Rights that she did not even know the procedure for asking for a doctor.

2. Lack of interpreters

During the first edition of this report, there was only one Sorani interpreter working in the PRDC even though most individuals detained were Arabic or French speakers.⁵¹ When the second edition was published in February 2023, there were zero in-house interpreters and only a telephone service available.⁵² During this reporting period, there remained zero in-house interpreters in the Kos PRDC. Therefore, even if individuals in the PRDC were able to access a doctor or healthcare professional, a lack of interpretation served as an additional barrier in accessing quality healthcare.

This year, at least four participants interviewed mentioned a lack of interpretation as a factor that impeded their ability to access healthcare. Additionally, some individuals stated that the lack of interpretation was the reason the doctor refused to see them. Jamal said, *"I was waiting 25 days for a doctor's appointment. The doctor refused to treat me because there wasn't an interpreter...There is no access to healthcare, and I am now in a place where the pain is unbearable. This pain is not normal."* Others shared concerns that the lack of interpretation impeded their quality of care. For example, Solomon described his experience: *"I went to the doctor here yesterday, but I did not have an interpreter. The doctor tried to use Google translate. For this reason, I'm not really sure the doctor understood me."*

3. Concerns Over Quality of Healthcare

Even when individuals in the PRDC were able to overcome the numerous barriers and make an appointment with the doctor in the public hospital, participants voiced concerns that they were not receiving quality healthcare. Of the participants that were able to access the doctor, five participants shared their concerns regarding the quality of treatment. Ali shared an experience where he visited multiple doctors: *"The last doctor would check the illness on Google to see what treatment you needed. There was no official treatment."* Concerns over quality healthcare are the reason others do not seek treatment at all. Maher explained, *"My friend who is Egyptian said the doctor treated him on Google. Why would I try to go and be treated by a doctor who used Google?"* Adam echoed this statement, saying, *"The other detainees sometimes ask for a doctor, but they do not get any attention...I have a pain in my head, but I'm afraid to see the doctor. People say that they are getting worse when they see the nurse or doctor"*.

In addition to participants' concerns over the quality of healthcare, Equal Rights has observed that individuals in detention are often administered medicine by the police but with no packaging, labelling, or explanation as to what the medication is. Moreover, the lack of access to healthcare in both the private and public sphere resulted in clients' confusion throughout their medical treatment. In Equal Rights' communications with clients who were receiving medication or accessing healthcare, Equal Rights noticed an increase in clients' requests for assistance in accessing healthcare and appointments, determining what pills are

⁵¹ The Sorani interpreter spoke limited Arabic. Detained and Forgotten, *supra* note 1, at 53.

⁵² Still Detained and Forgotten, *supra* note 2, at 28-29.

being administered to them, what their results were at the hospital, and more.

For example, Idris was one of Equal Rights' clients who had serious asthma and needed a new inhaler. He informed an Equal Rights lawyer he had been requesting a new inhaler for a month and a half, showing the police a translated message that read: *"Please, I am telling you I feel a really strong tightness in my chest, and I need to go to the hospital."* Instead of giving him an inhaler, he informed Equal Rights, *"[The police] give me a pill in the morning and the evening, but they won't even tell me what the pill is. I just want to know what the pill is."*

Upon intervening and requesting information regarding the medication and access to a new inhaler, the police informed Equal Rights that the client needed to purchase the inhaler from a pharmacy or a private doctor, both of which were unavailable to the client because he was confined in detention and lacked the financial means. Only after multiple communications with the police and nurse were Equal Rights staff able to advocate the nurse within the PRDC to give the client an inhaler, causing severe mental distress to the client as he feared his inhaler would expire before accessing a new one.

Idris' story is one of many. Although not interviewed for this report, Equal Rights represented a client who was extremely vulnerable, experiencing diabetes, cardiovascular failure, and injury of his vertebral columns, among other things. Despite his medical conditions, he had his medication confiscated upon being arrested by the police. After Equal Rights staff alerted the

police that there was an actual risk to his life and requested access to medical care and provision of medication, the police released him due to humanitarian reasons as there was no free access to a cardiologist on the island of Kos. The client was then transferred to Athens and referred by Equal Rights to a non-profit organization for basic medical care as his lack of documentation prevented him from access to public hospitals.

In yet another case, a client in detention suffered from severe cardiology problems and high blood pressure every day. In response, the authorities provided him with hot water and lemon as he had general allergies to medications. The cardiologist from the hospital did not have any availability to examine the client, and he could not afford a private doctor. Equal Rights thus submitted a medical intervention on behalf of the client, and he was released two days later.

As demonstrated, the lack of access to medical care puts clients' lives at risk and often requires legal intervention to prevent potentially fatal consequences.

4. Deteriorating Mental Health

Detention also continued to have devastating impacts on participants' mental health, either exacerbating or causing mental health issues. At least six participants shared with the Equal Rights team that they were having suicidal thoughts during the reporting period, while a third individual reported a friend of his in the PRDC attempted to die by suicide.⁵³ Despite the clear need, individuals detained in the PRDC do not have access to mental health care services: there is no psychologist nor a public medical

⁵³ Individuals were not directly asked about experiencing suicidal ideation, meaning it is possible that more participants than reported experienced such thoughts.

actor on the island providing mental health services and only one private psychiatrist on the island with limited capacity.

Brian explained that his mental health began to deteriorate on his first day inside the PRDC. He shared, *“The first day, I could not sleep. I was even thinking to commit suicide. I could not believe that things like this are happening to me. It was the first time that something like this happened to me.”*

Haytham, on the other hand, noticed his mental health deteriorating over time. He explained, *“I usually have no medical conditions, but here I started talking to myself. I shut the door and lay on the bed and sit there and talk with myself and the cockroaches that are in the room.”*

Equal Rights submitted a medical intervention to the police in Noah’s case due to the severity of his deteriorating mental health condition. Noah had been transferred to the Kos PRDC from Leros, where he had been hospitalised and monitored by a psychiatrist. Noah had medical documents from his country of origin and from Leros proving he suffered from various mental illnesses, and Equal Rights staff observed that his mental condition deeply worsened in the Kos PRDC, which was later confirmed by Noah when he shared he may attempt suicide. Despite the evidence, the police refused to release him – claiming the medical records did not show grounds for lifting Noah’s detention. Equal Rights staff requested the police directorate to reconsider, before filing objections that were also ultimately rejected.

From the lack of food to the lack of clean facilities, virtually every aspect of the inadequate conditions in detention contributed to participants’ deteriorating mental health in the PRDC. For example, the

lack of cleanliness negatively impacted Yaseen and Jamal’s mental health. Yaseen shared, *“When you live in cleanliness, your psychological health is good. Living in this way [in the PRDC], I suffer psychologically because...I am not used to living in these dirty conditions.”* Jamal affirmed the impact of the inadequate conditions on his mental health: *“The lack of hygiene has impacted my physical and mental health. We were living a life in Gaza better than here 1000 times. I swear to God that I cannot describe the conditions here.”*

For others, the isolation from loved ones leads to a negative impact on their mental health. Jamal explained, *“Emotionally of course I am impacted because I am not speaking to anybody, even my wife. I have not told my family I am in detention.”* Overall, experiencing the negative conditions in the PRDC led some participants to feel the authorities neglected them. Brian explained, *“I feel like they do not care for us in the PRDC. When I was in the other camp (CCAC), three times a day someone came to clean the toilets, but now it is like they do not pay attention, or care for us. I feel like we are not important.”*

Uncertainty around life during and after detention also led to damaging consequences on participants’ mental health. Adam explained, *“My psychological health is getting worse because of the conditions, but mostly because it is still unknown to me what will happen to me regarding my case.”* Brian added, *“I’m always worried and thinking about the surrounding circumstances in my life. Even if I am released, I understand that I will have to stay in the city and I will not have accommodation and I will not be able to work.”*

Moreover, as explained in the last report,⁵⁴ the impacts of detention continue long beyond the

⁵⁴ Still Detained and Forgotten, *supra* note 2, at 30.

time individuals spent in the PRDC. Ali shared that the time he spent in detention continues to haunt him even as he has left the PRDC. He said, *“The time [in the PRDC] is now gone, but I will never forget it in my life. When you get your freedom, you try to forget the torture you experienced, but the torture stays in your memories. What can you do but try to forget?”*

G. Conclusions

In line with our conclusions in the previous two editions of this report, the conditions in the Kos PRDC continue to amount to inhumane and degrading treatment, violate individuals’ fundamental rights, and raise serious doubts over Greece’s commitment to upholding its obligations under International, EU, and domestic law.

IV. Updates Regarding Procedural Rights and Remedies

Since we started reporting and gathering client testimony in 2020, individuals’ lack of access to

legal services and information regarding their legal procedure have been two of the most pressing problems for asylum seekers as they navigate their asylum procedures. These two problems persist today.

This section shares testimony regarding participants’ experiences accessing legal services and information, focusing on how the limited number of legal aid providers on Kos and how the lack of information available impacts individuals’ legal procedure in the PRDC. Part two then looks closer at the detention orders issued for clients represented by Equal Rights during this time, before turning to a discussion on asylum seekers’ right to an effective remedy.

A. Access to Information

Through first-hand observations and the in-depth interviews, Equal Rights observed that individuals in the Kos PRDC suffer from three main issues with regards to accessing information: 1) a lack of information regarding the reasons for detention 2) false or misinformation from the authorities and 3) a lack of information on available legal remedies and legal aid. Overall, this lack of information and/or misinformation contributed to prolonged illegal detention and caused significant mental distress among participants.

1. Lack of Information Regarding Reasons for Detention

Every participant interviewed reported that they did not receive information from the authorities regarding the reasons behind their detention upon being detained and during their detention. As Soloman explained, *“No one has given me any information about the reason for my detention, except for the first day when they*

said my application was rejected for the second time.” Faris confirmed that this was his experience as well. He said, “The authorities or government have not given me any information [about my detention], and I have not asked anyone about the reasons of my detention because I don’t know how to talk to them. I have no way to communicate with them.”

Three participants reported that while information was given to them, it was relayed to them verbally in Greek and without an interpreter, as there were no interpreters working in the PRDC. Two others reported receiving written documents in their mother tongue but with no explanation of their contents. In both cases, the written documents contained no information regarding the individual’s rights during their detention and caused further confusion regarding potential deportation as the document was issued to people who had requested to apply for asylum but titled, “For the Foreigner to be Expelled.” Not only did these documents not include the reasons behind their detention, but written documents also pose an additional barrier for clients who are unable to read.

Consistent with the last two reports, at least six participants also reported that the police forced them to sign documents with no interpretation.⁵⁵ In Muneer’s experience, he was required to sign a paper given to him by the police where, “*The only thing they told me after I signed the paper was that I will stay here for six months. The paper was not in a language I could understand.*” In Ali’s experience, he said, “*I was never given any information about detention. They gave us papers, and when we would ask what was written, they wouldn’t answer and forced us to*

sign.”

The lack of any or correct information regarding legal procedures resulted in significant distress among clients. As Idris shared, “*I am really suffering from the lack of information. I have been here for a month and a half, and no one tells me anything about why I am here. What I really suffer from however is not knowing how long this detention period will be. How is this allowed?*”

2. Misinformation from the Authorities

In addition to receiving no information regarding the reasons behind their detention, other participants reported receiving incorrect information from the police. Faris explained, “*The police who works in the administration in the camp told me that I would stay in the detention centre for 15 days or less. I thought that was it. I said okay, that’s the situation. I can wait 15 days.*” Faris, who was detained as an asylum seeker, stayed almost two and half months in detention, or 42 days, and was only released after Equal Rights intervened. Adam received misinformation from the police regarding his detention multiple times. When Adam was first taken to the police station, he explained, “*A ranked police officer told me that ‘You’ll get the 25 days paper,’ but that never happened.*” After being taken to the Kos PRDC, he shared, “*Two police men took me and brought me here [to the PRDC], and I was asking them, but they said they did not speak English. I was always asking why I’m here, and they said you will be free in a few days, but nothing happened.*”

Yaseen recounted his experience when requesting information from the police about the reasons behind his detention. He explained,

⁵⁵ At least one participant reported signing a paper in the local police station, not in the Kos PRDC.

“I tried to ask the police here [regarding the reasons for detention], but no one could give me an answer. I wanted to clarify with the police.” Ali reiterated, *“The police told me that we only are here for your detention and that we do not care about your asylum procedure. Our task is security only.”*

The lack of clear information about the reasons behind their detention resulted in some participants reporting a genuine fear of being deported or pushed back, even if they were still in the asylum procedure and so could not be legally deported at that point. In particular, at least four participants reported fearing deportation.⁵⁶ As Jamal, a registered asylum seeker, explained, *“I thought that I was going to be deported because they gave us a small paper in Arabic that said this is for the individuals who are to be expelled. I was thinking this is a place where they will keep us to deport us. I didn’t understand at all why I was in detention or what procedures were taking place.”*

For rejected asylum seekers who were at risk of deportation, the fear and confusion was equally high. For example, Muneer was afraid of being deported to Turkey. He explained: *“We were told that we were rejected a second time [in the asylum procedure], and we will be handed over to the police. The police can do whatever they want and it’s possible for us to be deported to Turkey or do something else.”* Although Greece has the right to deport rejected asylum seekers under some circumstances, as already reported here very few returns have taken place from the Kos PRDC in the past five years and none to Türkiye since March 2020. Therefore, the likelihood

that someone detained in the PRDC will be deported was close to zero during the entire period, leading to unnecessary anxiety and mental distress among participants.

Finally, some participants had been pushed back during earlier attempts to arrive to Greece, and seemingly equated their possible deportation with the type of illegal return they had previously experienced. Ali confirmed this sentiment: *“I was so afraid to return. The return to Turkey is so scary because they put you in a boat back in the water.”*⁵⁷

3. Lack of Information on Legal Remedies and Legal Aid

In addition to a lack of information regarding their detention procedure or receiving misinformation from police, participants also shared their concerns over a lack of information on how to access legal aid and the difficulty in obtaining legal services.

Specifically, at least six participants reported that they did not ask the police for assistance for various reasons. Regarding the six individuals who did not ask the police for a lawyer, their reasons ranged from not knowing one could ask for a lawyer including: stated difficulty in communication with police due to a lack of interpretation, to a perception the police would not be helpful or dismissive, to not knowing how to frame one’s request for a lawyer, to a lack of trust in lawyers. As Faris explained, *“I did not ask the police to see a lawyer because this is the first time I am in this situation, so I didn’t know that you could get a lawyer until others told me.”* In Idris’ case, he shared, *“The*

⁵⁶ One of the four participants referred to here reported fearing that he would be pushed back while he was detained at the local police station in Kos town.

⁵⁷ Although not in the scope of our interviews, many of our clients self-report having experienced pushbacks before they arrive in Greece. Because of their experience being pushed back, participants like Ali equated being officially deported after having gone through the asylum procedure and being rejected with being unlawfully pushed back to Turkey.

police don't talk to me. I once asked them outside the container why I was here, and they didn't even answer me, so I didn't even try to ask for a lawyer."

Similarly, police continued to dismiss participants' requests for information regarding legal services and/or information regarding the length of their detention and the status of their asylum procedure. Specifically, at least two participants reported being dismissed by the police when asking for assistance with a lawyer; two additional individuals reported the police dismissing them when discussing their asylum and or detention case; two additional participants reported not asking the police for assistance because of a lack of a common language; and one additional participant reported not asking the police for assistance because he was unaware that he had the right to request a lawyer. As Brian experienced, *"When I came here [to the Kos PRDC], I asked the police for a lawyer. They told me that they would give me a number, but until today they have never given me a number."* Muneer shared, *"The only time I asked about a lawyer was the time they told us that they would break the cameras on our phone. At that time I asked if we could talk to a lawyer...and they told us there is no lawyer here, but you can talk to other lawyers."*

As such, individuals in the Kos PRDC have a difficult time obtaining legal services, having to rely on their phone to contact lawyers as legal providers have limited access to the Kos PRDC. To enter the PRDC and to meet with a client, Equal Rights must have the name and information of the individual, putting the onus on clients to contact the organization. At least eight participants reported receiving our

contact information from other individuals in detention. As Yaseen explained, *"I didn't request any legal services from the authorities, but the other guy got the number of your organization, and that's how I've gotten in contact with you."*

Due to the aforementioned conditions, participants reported great difficulty in obtaining a lawyer. Haytham shared, *"It was not easy [to get a lawyer]. There was no lawyer in detention, and no one to help me. It was good I found you...It was also hard to contact your organisation because I don't have a phone."* Jamal echoed this statement: *"It was difficult to get legal assistance. I was contacting lawyers for a month."*

B. Limited Access to Lawyers and Legal Aid

During this reporting period, little changed on Kos regarding the number of lawyers who specialize in asylum and refugee law and provided free legal aid to clients in detention. Three NGOs — including Equal Rights — typically employed a total of five Greek lawyers during the reporting period. However, the total number of lawyers did sometimes fluctuate.

As shared in previous reports, the limited number of lawyers on Kos have been unable to meet the needs of asylum seekers for individuals in detention,⁵⁸ especially considering that the number of asylum seekers who arrived on Kos dramatically increased in 2023. As mentioned earlier in the report, the number of asylum seekers in the CCAC and RIC topped 4,000 individuals by 9 December 2023. With only five NGO lawyers, this created an impossible ratio of approximately 800 asylum seekers per lawyer.

⁵⁸ Detained and Forgotten, *supra* note 1, at 26; Still Detained and Forgotten, *supra* note 2, at 32-33.

However, during that period there were fewer than 50 people detained in the PRDC, and Equal Rights observed that the attention and capacity of many lawyers was diverted to assist new arrivals with their cases, many of which were urgent.⁵⁹ Additionally, the other legal actors operate within the CCAC, and the increase of asylum seekers in the CCAC meant resources were diverted away from the PRDC. As a result, individuals in the Kos PRDC, many of whom were already rejected from the asylum procedure, had an even more difficult time accessing legal assistance. As such, the limited number of lawyers and large number of asylum seekers arriving to Kos caused long waiting times for detained persons trying to access lawyers. Jamal shared that for him, *“It was difficult to get legal assistance. I was contacting lawyers for a month.”*

The limited number of legal aid providers also made it increasingly challenging to respond to the evolving and diverse needs of asylum seekers on Kos, which further diverted attention and capacity away from individuals detained in the Kos PRDC. Novel legal cases often require extra time and diligence as lawyers familiarize themselves with new legal procedures, further overburdening them. Throughout the reporting period, Equal Rights observed that the rise in asylum seekers led to an increased number of requests for legal assistance with the following procedures: correcting mistakes the authorities recorded in their personal information, assistance obtaining their travel documents, family reunification from countries of origin,

interview acceleration, interview preparation, transfer and lift of geographical restrictions for medical reasons, complaints regarding the living conditions in the CCAC, legal interventions for violations of rights during reception procedures and access to health, and assistance for single-parent families in obtaining legal custody of their children. As the extremely limited number of lawyers and NGOs attempted to cover gaps in legal services available to new arrivals, individuals in the PRDC were thus left with even more limited access to legal services.

C. Lack of Proper Detention Orders and Reasons for Detention

Consistent with the first and second editions of this report, Equal Rights found during this reporting period that the authorities continued to issue template decisions, that lacked any individualized reasoning and were often rife with procedural errors.

For this edition of the report, Equal Rights analysed the detention orders for 20 clients who were detained either as asylum seekers or with a view to their return.⁶⁰ Equal Rights first looked at 10 detention orders for clients detained as asylum seekers pursuant to Art. 50 L. 4939/2022.⁶¹ None of the orders contained an individualized assessment. Further, two cited the wrong law, in one case citing the outdated L. 4636/2019;⁶² four of them wrongly invoked the public order grounds for detention, and another two were based on a contradictory opinion from the head of the RAO — stating on the one hand that the applicants’ identity had

⁵⁹ Hellenic Ministry of Migration and Asylum, *Statistics*, available at: <https://migration.gov.gr/en/statistika/>.

⁶⁰ In some cases, clients were detained under both legal frameworks. In those cases, however, we analysed their detention orders separately.

⁶¹ Art. 50. L. 4939/2022.

⁶² Art. 46 L. 4636/2019.

already been verified and on the other that they should be detained in order to identify their identity.

The 10 files analysed for clients detained under L. 3907/2011 were similarly all issued in a template manner and without an individualized assessment, with all 10 citing the exact same grounds for detention, a risk of absconding because of a lack of travel documents or permanent residence. Equal Rights also found that the detention orders contained the following procedural errors: none of the orders had undergone judicial review and six did not specify the country of return.

The aforementioned 10 asylum seekers Equal Rights represented were detained from anywhere from five days⁶³ to approximately six and a half months — despite there being no prospect for their removal.⁶⁴ In general, per the policy in place since March 2022, rejected asylum seekers are issued detention orders for a six-month period; therefore, we observed that most people were detained for the full six-month period without legal intervention.

Therefore, the legal conclusions drawn in the first and second editions of this report remained true during the period covered by this update, namely that the practices on Kos continued to violate migrants' procedural and

substantive rights under Greek, EU, and international law.

D. Right to an Effective Remedy

The last two reports have concluded that the detention practices on Kos continue to violate people's right to an effective remedy, and this remained true throughout this third edition. Specifically, the last two reports have considered the objections procedure as it was and remains the sole domestic legal remedy for challenging detention and found that: 1) the remedy is not available to most individuals in detention because it must be filed in-person before the Administrative Court of Rhodes and submitted in Greek, 2) although objections were often successful, the conditions imposed on clients amounted to unlawful alternative measures to detention, 3) the majority of clients continued to reject objections because of the possibility of alternative measures, one which includes remaining indefinitely on Kos.⁶⁵

Consistent with the second edition of this report, the most notable trend during this reporting period was that the majority of clients rejecting the objections procedure for fear of having to remain indefinitely on Kos and/or risking being detained again.⁶⁶ For this reason, only two clients submitted objections during the entirety of the reporting period, as

⁶³ One client was only detained for five days after Equal Rights staff discovered the client was certified as vulnerable, making her detention unlawful. Upon intervention, the client was thus released once the police were made aware of the vulnerability.

⁶⁴ The data regarding the length of their stay in the PRDC is skewed by the fact that these 10 subjects were Equal Rights' clients, meaning Equal Rights staff undertook some kind of legal intervention that resulted in the early release of individuals in least seven of these cases. Additionally, most asylum seekers were released within the six month period.

⁶⁵ Detained and Forgotten, *supra* note 1, at 30-31; Still Detained and Forgotten, *supra* note 2, at 35-36. As reported in the second edition of this report the local administrative court often requires that rejected asylum seekers submit proof of accommodation on Kos as a part of their objections application or imposes a geographical restriction to the island of Kos upon release. As a result, many Equal Rights clients reject the objections procedure, choosing to wait out their six month detention period rather than face an indefinite period on Kos.

⁶⁶ Still Detained and Forgotten, *supra* note 2, at 35-36.

opposed to the 7 objections Equal Rights filed during the last reporting period.

The two objections were filed for asylum seekers who were detained after being accused of low-level crimes (see Section II, Part 1(c)). However, the objections resulted in different outcomes — one positive and one negative. The client with the positive outcome was detained due to an ongoing penal case, in which he was detained for the stated reasons of identifying the person and the reasons of the international protection claim, risk of absconding, and being a threat to the public order in view of his penal case.

Equal Rights refuted the client being a risk to public order and safety by arguing the criminal file was insufficient as charges had not been brought against the client. Equal Rights also argued the detention order did not contain an individualized assessment and thus there was no proper justification for detention, in addition to it containing an incorrect invocation of Art. 50 L. 4939/2022 regarding the client being a threat to public order. The judge ruled in favour of the client, agreeing that the client posed no severe risk of public order and safety, and that detention violated the principle of proportionality, which allowed detention only where there was no alternative and less intrusive means.

The second objections Equal Rights filed was for a relatively similar case but had a negative outcome. This client was also an asylum seeker, also had a penal case and was detained under art. 50 L. 4939/2022 but was suffering from severe mental health issues and persistent suicidal ideation. The reasons for his detention were practically identical to the first case, yet in his case the court found that the client did present a risk to public order since he was

arrested while he was an asylum seeker and that there was no feasible alternative to detention considering the risk he posed. The court argued that having entered Greece as an asylum seeker, the client resided in Greece upon the tolerance of the state but did not respect the state having entered its territory illegally. Moreover, the court denied that the conditions in detention were inappropriate for his medical condition, arguing that the deprivation of medical services was not proven.

The difference in outcomes among these two similar cases not only deters clients from pursuing the objections procedure, but also highlights another way in which the objections procedure is not always an effective remedy for clients in the PRDC.

V. Conclusion

Overall, this report was narrow in scope, examining the conditions in the Kos PRDC — the only detention centre on the Aegean Islands. Over the course of the last two years, conditions in the Kos PRDC have not improved and, in some cases, have worsened despite civil society's ongoing communications with authorities and despite the demonstrated severe impact on individuals' physical and psychological health.

Moreover, while the number of individuals detained in the PRDC has decreased, the approach to detention in the Kos PRDC has always been a microcosm of the approach to detention in the CCAC, the other Aegean Islands, and the European Union. Towards the end of this reporting period, a sharp increase of asylum seekers began arriving to the shores of Kos, and although the numbers of individuals detained in the PRDC remained low, asylum seekers in various stages of the asylum procedure were subjected to detention practices in the CCAC, particularly new arrivals who often faced de facto detention while waiting to be registered. With detention practices spreading into the CCAC, and with new CCACs opening on other Aegean Islands, Equal Rights again raises serious concerns on whether Greece -- and the European Union at large - are prepared and willing to meet the fundamental needs of asylum seekers arriving to the shores of the European Union.

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