



Detention in Greece

Greek law regulates the detention of asylum seekers. According to the law, an asylum seeker should not be detained for the sole reason of seeking international protection or having entered and/or stayed in the country irregularly.

However, despite the law, some people, not all, are placed in detention in various places and these could include:

- Reception and Identification Centres (RICS and also known as ‘hotspots’).
- Police cells
- Official detention centre/pre-removal centres.

You could be detained upon arrival or during your stay on the Islands or on the mainland.

Police stations used as detention centres in 2016 include:

Kolonos, Agios Panteleimon, Omonia and Kypseli, located in Athens, as well as the Police Station of **Drapetsona**, which is located in Piraeus.

In the area of Thessaloniki, a number of persons have been detained at the detention facilities of Aliens Police Directorate of **Thessaloniki, Liti and Kordelio**.

Apart from detention areas in the Reception and Identification Centres or the police cells there are **seven official detention centres/pre removal centres** in Greece.

Amygdaleza	Athens
Tavros (Petrrou Rali)	Athens
Corinth	Southern Greece
Drama (Paranesti)	North Eastern Greece
Orestiada	North Eastern Greece
Kos	Aegean Island

In some places detention in the Reception and Identification Centre (RICS) will last for a short period of only 3 days, until you are registered by the police, after which you will be allowed to move in and out of the RICS but movement is restricted to the Islands unless you have been given permission to go to the mainland.

Some people are detained for longer and some are detained for the entire duration of the asylum examination depending upon circumstances. Please see 'reasons for increased detention timeframes' below .

Asylum procedures for people who are in detention (1).

If you are detained by the Police or you are confined in a Reception and Identification Center, (RICS) and you wish to apply for international protection (asylum), you need to inform the Police Officers or the staff of the Reception and Identification Centre (RICS) who will then inform the Asylum Service regarding your wish to submit an application for international protection and the full registration of your application will be scheduled.

On the day of your full registration, you will be transferred to the nearest Regional Asylum Office or you will be fully registered by an Asylum Unit that operates in the facility where you are detained or confined. The registration will be conducted with the assistance of an interpreter in a language you understand, and the Asylum Service staff should provide you with all the necessary information about the procedure.

You should have with you any documents proving your identity such as a passport, or other documents relating to your application. When submitting your application you will be photographed and fingerprinted. **After the registration of your application, instead of an international protection applicant's card, you will be given a document stating the date your interview will be conducted.**

Reasons for increased detention timeframes

If you submit an application for international protection while you are detained for having **committed a criminal offense**, you will remain detained until you serve your sentence.

If you submit an application for international protection while you are under detention due to **illegal entry** into the country or because your **return to your country of origin** is still pending, you might remain under detention, if the Police considers that, in your case no alternative measures can be imposed, for the following reasons:

- a) for the verification of your true identity or country of origin; or
- b) for the determination of those elements on which the application for international protection is based which may not be obtained in the absence of detention, in particular when there is a risk of absconding; or
- c) when there are reasonable grounds to believe that you make the application for international protection merely in order to delay or frustrate the enforcement of the return decision; or
- d) if your presence in the country is considered a threat to national security or public order; or
- e) when there is a serious risk of absconding in accordance with Regulation (EU) No 604/2013 and in order for the transfer procedure to be enforced.

If you decide to withdraw your application you will have to declare this in person before the competent official of the Asylum Service.

Your detention may extend from 45 days to 18 months depending on the grounds for your detention. The Police Director decides upon your detention. In his/her decision must be reasoned in detail.

You have the right to submit an objection against the decision of your detention before the President or the competent Judge of the Administrative Court of First Instance of the region where you are detained.

Note: By law, free legal aid should be provided for you to challenge the reasons for your detention but in practice, free legal aid is not provided. You can ask the Greek Council for Refugees to represent you. The contact details are at the end of this document.

If you wish to explicitly withdraw your application you must state this in person before an employee of the Asylum Service. If an Asylum Unit does not operate inside or near the facility where you are detained, you will have to be transferred by the competent authorities to the nearest Regional Asylum Office.

If you are detained or you are confined in a Reception and Identification Centre, you must be provided with your international protection applicant's card on the day of your release, in case the examination of your application is still pending. You also need to present yourself to the competent Regional Asylum Office within 10 days to declare your contact information and be provided with an applicant's card, in case you haven't received one already.

If an Asylum Unit does not operate inside or near the facility where you are detained, you will have to be transferred to the nearest Regional Asylum Office.

If the decision is positive, a release decision will be issued. The day that you are released, you will be provided with the necessary documents. You will also need to present yourself to the competent Regional Asylum Office within 10 days to state your home address and your contact information.

1. Source Greek asylum Service http://asylo.gov.gr/en/?page_id=319

Vulnerable people

National legislation provides a number of guarantees with regard to the detention of vulnerable persons, yet does not prohibit their detention. According to the law, women should be detained separately from men, the privacy of families in detention should be duly respected, and the detention of minors should be avoided. Moreover, according to the law, "the vulnerability of applicants... shall be taken into account when deciding to detain or to prolong detention."

Persons belonging to vulnerable groups are detained in practice, even victims of torture can and are detained.

Access to Detention

Lawyers, NGO's, UNHCR and family members are allowed to visit people who are detained.

For more information go to www.refucomm.org