

Reference: TIGO EUR 25/2025.6524

To the attention of:

Mr Magnus Brunner
European Commissioner for Internal Affairs and Migration

24 February 2025

Dear Commissioner Brunner,

UNLAWFUL DETENTION AND SUB-STANDARD CONDITIONS MUST NOT BECOME A BLUEPRINT FOR THE EU MIGRATION PACT. EUROPE MUST ENSURE AN END TO THE VIOLATIONS IN THE SAMOS REFUGEE CENTRE.

“In the hierarchy of humanity, you have the human, the tree, the animal. But in the camp, [the hierarchy] is upside down...the human is at the [bottom] of the pyramid. I see the authority giving food to the dog, but [they] won't open the door to the human when they need to go to the hospital.” – interview with a Palestinian man from Gaza, resident of the Samos CCAC (Amnesty International – February 2025)

We, the undersigned organizations active in the field of refugees and migrants' rights in Greece, are writing to you following your recent visit to the country.¹ We understand that the implementation of the recently adopted 'Pact on Migration and Asylum' (hereinafter EU Migration Pact), which you will be overseeing under the European Commission's 2024-2029 legislative mandate, was discussed in the context of this visit.

Ahead of last year's adoption of the EU Migration Pact, NGOs warned that reforms would place refugees and migrants “at heightened risk of human rights violations”, weaken safeguards and access to asylum, and lead to an expanded use of de facto detention at EU borders throughout screening and border procedures.² Amnesty International has urged member states to take all possible measures to **ensure human rights obligations are upheld in the implementation of the Pact**, in particular by guaranteeing that newly introduced measures do not result in de facto detention. However, these concerns are already materializing in Greece – notably in the EU-funded 'Closed Controlled Access Centre' (CCAC) on the island of Samos – where inadequate conditions persist, and newly arrived asylum seekers are systematically subjected to prolonged de facto detention through so-called “restrictions of freedom” orders (ROFs).³

In July 2024, Amnesty International published research which highlighted the use of systematic unlawful and arbitrary detention in the Samos CCAC, and the human rights concerns emerging from the inadequate living conditions.⁴ The research also noted how inadequate living conditions in the CCAC disproportionately impacted racialized people, resulting in racial discrimination prohibited under international law. Samos-based and Greek NGOs have extensively documented violations experienced by people on the move since the opening of the CCAC.

¹ Euronews, *EU migration chief visits Greece, says returns are 'something we have to deliver'*, 17 January 2025, <https://www.euronews.com/my-europe/2025/01/17/eu-migration-chief-visits-greece-says-returns-are-something-we-have-to-deliver>

² Amnesty International, *EU: Migration and Asylum Pact reforms will put people at heightened risk of human rights violations*, 4 April 2024, www.amnesty.org/en/latest/news/2024/04/eu-migration-asylum-pact-put-people-at-risk-human-rights-violations/

³ Provided for under Article 40 of Greek Law no. 4939 of 2022 (the “Asylum Act”)

⁴ Amnesty International, *Samos: “We feel in prison on the island”: Unlawful detention and sub-standard conditions in an EU-funded refugee centre*, 30 July 2024, <https://www.amnesty.org/en/documents/eur25/8356/2024/en/>

Today, the human rights situation in the Samos CCAC remains alarming. Under the Greek Law no. 4939 of 2022, authorities continue to systematically subject residents to measures amounting to **unlawful and arbitrary detention** through the so-called ROFs, without apparent consideration to individual circumstances, specific needs or situations of vulnerability, perpetuating a regime of systematic arbitrary detention that has no ground under EU and international law.

Alarming, since October 2024, the authorities have also resumed the practice of temporarily restricting new arrivals into fenced sub-sections of the CCAC, so-called “temporary accommodation zones” (also referred to as “quarantine zones”, due to their previous use during the Covid-19 pandemic) upon arrival to the CCAC. Meanwhile unaccompanied minors (UAMs) accommodated in the “safe area” are experiencing severely overcrowded conditions and prolonged confinement within the area, with reports of around 500 UAMs staying in an area with capacity for only 200.⁵

The negative impact of the de facto detention system implemented in the CCAC is compounded by the **increasingly precarious living conditions of residents**. The population has exceeded capacity for most of the time between the end of October 2024 and early February 2025, with fluctuations further straining already limited resources and access to basic services.⁶ Due to the exceeded capacity, people are being accommodated in communal areas, sleeping on the floor and in some cases in overcrowded conditions. The state of residential and hygiene facilities is also extremely concerning, with reports of broken floors, bathroom facilities in disrepair and pest infestations. Limitations in the provision of running water persist and hot water is lacking in some areas of the site. In November 2024, NGOs – including some of the signatories of the present letter – denounced the poor hygiene conditions in the CCAC, stating that they “create an environment conducive to the spread of easily treatable diseases, such as scabies”.⁷

The status quo in Samos is not only causing immeasurable harm to the lives of people detained there but sends an alarming signal of impunity for and disregard of violations of rights happening in Europe. **With this in mind, we urge you to leverage the European Commission’s oversight of the situation in the centre to address these grave shortfalls and violations early in your mandate as Internal Affairs and Migration Commissioner.**

The European Commission has played a fundamental role in the ideation, funding, operation and monitoring of CCACs in Greece, including through the ‘Task Force for Migration Management’ (hereinafter Task Force), which sits under your directorate.⁸ The CCACs were designed to replace the former “hotspots” for people seeking asylum on the Aegean islands, where dire conditions prevailed.⁹ European Commission officials stated that these new centres would be “futureproof facilities that would be up to EU standards” and guarantee “better living conditions”.¹⁰ The close cooperation formed between Greek authorities and EU bodies through the Task Force enhances the responsibilities of the European Commission and EU agencies for shortcomings and resulting violations in the running of the CCACs.

The European Ombudsman found in 2022 that there is room for improvement in how the Commission ensures that the centres adhere to relevant human rights standards.¹¹ The continued use of de facto detention and the inadequate living conditions still prevailing in the CCAC show that the EU has failed in its duty to ensure that Greece’s CCACs address breaches in EU and international law including by ending routine, arbitrary detention, addressing overcrowding, improving living conditions, and generally protecting the human rights of those living within the centres.

⁵ Εἴσυν, *Στο έλεος του θεού περίπου 900 ασυνόδευτα προσφυγόπουλα στις δομές των νησιών*, 15 November 2024,

https://www.efsyn.gr/ellada/dikaioματα/453431_sto-eleos-toy-theoy-peripoy-900-asynodeyta-prosfygopoyla-stis-domes-ton#goog_rewarded

⁶ EU Commission, *Task Force Migration Management*, https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migration-management/task-force-migration-management_en#:~:text=Related%20links-,Establishment%20and%20mission,the%20Greek%20island%20of%20Lesvos

⁷ Human Rights Legal Project (HRLP), *Open Letter: Inhumane Living Conditions in The Samos Closed Controlled Access Centre*, 28 November 2024, <https://www.humanrightslp.eu/post/open-letter-inhumane-living-conditions-in-the-samos-closed-controlled-access-centre>

⁸ EU Commission, *Migration: A European taskforce to resolve emergency situation on Lesbos*, 23 September 2020, https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1728

⁹ EU Commission, *Task Force Migration Management*, https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migration-management/task-force-migration-management_en; EU Commission, *Construction of new reception centres*, https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migration-management/migration-management-greece/construction-new-reception-centres_en

¹⁰ EU Commission, *Towards better living conditions: progress one year on*, 9 September 2021, https://home-affairs.ec.europa.eu/news/towards-better-living-conditions-progress-one-year-2021-09-09_en

¹¹ European Ombudsman, *Decision in strategic inquiry OI/3/2022/MHZ on how the European Commission ensures respect for fundamental rights in EU-funded migration management facilities in Greece*, 11 July 2022, www.ombudsman.europa.eu/en/decision/en/170792#_ftn2

While the European Commission has expressed concerns about the compatibility of ROFs with EU law, initiating infringement proceedings against Greece in January 2023, it remains unclear to date whether proceedings have advanced, meanwhile this harmful practice has continued.

While appreciating the Commission's commitment to conduct and publish a "fundamental rights impact assessment" of the existing CCACs, we note with concern that such assessment has been assigned to the Fundamental Rights Officer of the Greek Ministry for Migration and Asylum, despite concerns being raised by the Greek Ombudsman regarding the lack of independence of this body.

We call on you to ensure that, under the new legislature, **the European Commission changes course in its approach to the reception of people seeking asylum in Greece**, conducting a closer and more rigorous monitoring of Greece's policies and practice, including by advancing the infringement proceedings opened in relation to ROFs, and using all the tools at its disposal to ensure that EU financial support does not contribute to human rights violations.

Unless the European Commission acts to credibly and decisively set boundaries and safeguards to ensure compliance with EU law, international law and fundamental rights, Greece's practices could become a dangerous blueprint for other member states implementing the EU Migration Pact (particularly the Screening, Asylum Procedure and Return Border Procedure Regulations). This would lead to a dramatic regression in the human rights standards of European migration policies. The experience of Samos, and other Greek facilities, offers a crucial opportunity for EU institutions and member states to introduce effective safeguards and guidelines to ensure that the measures introduced by the Pact do not result in widespread detention and other violations of human rights.

Given the alarming situation currently prevailing in Samos, the Commission – including through the Task Force – should also urgently act to ensure that Greek authorities immediately halt the routine and arbitrary detention of people in the CCAC. The Commission should also address the accommodation, maintenance and sanitation deficiencies in the CCAC, strengthen the healthcare system, and provide tailored care to residents in vulnerable situations and with specific needs, particularly by addressing the situation of UAMs in the "safe area". To ensure that the present situation is not repeated, and in line with Pact implementation plans, Greece should swiftly create contingency plans to ensure residents' rights are protected when population increases.

Our organisations would be pleased to meet with you at your convenience to discuss the evolving reception situation in Samos. In the annex enclosed, you can find a detailed overview of our current assessment of the use of detention and inadequate living conditions, which we hope will support the Commission's work on this matter.

Yours sincerely,

Amnesty International

Avocats Sans Frontières France

Human Rights Legal Project

I Have Rights.

Samos Volunteers

ANNEX: PRESENT DAY SNAPSHOT: ARBITRARY DETENTION AND DIRE LIVING CONDITIONS

Despite detailed reports by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), Greek human rights institutions, Amnesty International, and Greek and Samos-based NGOs, over the past year the EU and Greek authorities have failed to take structural action to end the de facto detention of those living in the Samos CCAC and remedy the serious issues affecting their living conditions.¹²

1. Arbitrary detention through “restrictions of freedom” orders

Residents of the CCAC, including people in vulnerable situations or with specific needs, continue to be systematically subjected to “restrictions of freedom” orders (ROFs) confining them within the CCAC for up to 25 days following their entry, without apparent consideration to individual circumstances, specific needs or situations of vulnerability¹³. Under Greek law, ROFs are imposed through an initial 5-day restriction order and, only if there is a “factual and legal justification”, could the restrictions be extended by another 20 days.¹⁴

The NGO ‘I Have Rights’ (IHR) noted that since July 2024, when Amnesty International published its research on the CCAC, extension decisions continue to be automatically applied to all new arrivals. The NGO ‘Human Rights Legal Project’ (HRLP) also observed that since this date, they have never seen case-by-case reasoning for the issuance of ROFs, stating that the decision template used to justify the extension of restriction is the same for all cases.¹⁵ HRLP observed that, in the past months, ROFs have been applied to people with reduced mobility, pregnant women, children, older people, survivors of sexual and gender-based violence and other forms of ill-treatment, and people with medical conditions.

International standards are clear in opposing the detention of groups of people with specific needs.¹⁶ The detention of children for migration purposes can never be in their best interest, and United Nations experts have called on EU members states to “explicitly prohibit” this practice in their national legislation.¹⁷

On top of this, Amnesty International’s research of July 2024 showed, based on information including data provided by HRLP and IHR, that the length of detention often exceeded the 25 days’ time limit and there were reported instances of restrictions being applied without a ROF being issued, or based on a ROF that was issued late or was backdated.¹⁸ We also note that, although ROF orders are seemingly “race-neutral” and affect all new entrants of CCAC, they almost exclusively affect racialized asylum seekers, raising issues of discriminatory effects, which are contrary to the International Convention on the Elimination of All Forms of Discrimination.

The European Commission itself has expressed concerns about Greece’s legislation on ROFs, initiating infringement proceedings in January 2023 on concerns that ROFs under Greek Law 4939/2022 do not comply with the Reception

¹² See among others: European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, *Report to the Greek Government on the visit to Greece carried out by the CPT from 20 November to 1 December 2023*, 12 July 2024, p. 34, <https://rm.coe.int/1680b0e4e1m>; Greek National Commission for Human Rights, *Επιτόπια επίσκεψη ΕΕΔΑ στη Σάμο: Μη σύμφωνες με τα βασικά πρότυπα οι συνθήκες υποδοχής στην ΚΕΔ Σάμου*, 9 April 2024, <https://www.nchr.gr/ta-nea-mas/1735-epitopia-episkepsi-eeda-sti-samo-mi-symfones-me-ta-vasika-protypa-oi-synthikes-ypodoxis-stin-ke-d-samou.html>; Greece: Ombudsman, *The challenge of migration flows and refugee protection*, 2024, https://migrant-integration.ec.europa.eu/library-document/greece-challenge-migration-flows-and-refugee-protection_en; 2024 Amnesty International Report, above in full.

¹³ Law 4939/2022, Article 40.

¹⁴ Ibid.

¹⁵ In May 2024, the Greek authorities told Amnesty International that “since January 2023, the majority of new arrivals” have been issued extensions, and that all extension decision were motivated by the fact “that the reception and identification procedures have not been completed within five days – 2024 Amnesty International Report, above in full, p. 35-36.

¹⁶ The United Nations Working Group on Arbitrary Detention has affirmed that “[d]etention of migrants in other situations of vulnerability or at risk, such as pregnant women, breastfeeding mothers, elderly persons, persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons, or survivors of trafficking, torture and/or other serious violent crimes, must not take place”.

https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/RevisedDeliberation_AdvanceEditedVersion.pdf

¹⁷ UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), *Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return*, 16 November 2017, CMW/C/GC/4-CRC/C/GC/23, para. 5; UN Office of the High Commissioner of Human Rights, *Child immigration detention must be prohibited following adoption of EU migration and asylum pact, UN experts say*, 02 May 2024, <https://reliefweb.int/report/world/child-immigration-detention-must-be-prohibited-following-adoption-eu-migration-and-asylum-pact-un-experts-say>

¹⁸ 2024 Amnesty International Report, above in full, p. 33-38.

Conditions Directive.¹⁹ Yet, to date, it remains unclear whether there has been any advancement on the proceedings. As a result, for two years the Greek legislation on ROFs has been allowed to remain in force, despite mounting evidence that this practice violates peoples' rights.

In a recent case represented by NGO 'Refugee Support Aegean', a Greek court ruled that the ROF imposed on a family with a child in the 'Reception and Identification of Centre' (RIC) of Malakasa, whilst awaiting their registration for over two weeks, amounted to unlawful detention.²⁰ The Court "found that delays owed to the authorities do not justify the continuation of detention", highlighting the "problematic living conditions" experienced by residents.²¹ This recent ruling strengthens the argument that ROFs amount to unlawful detention.

As of early 2024, there was evidence of detention exceeding the 25 days' limit and of challenges in the implementation of restrictions, including cases of people being prevented from leaving the CCAC between the time of their entrance and the issuance of the first ROF order, which exposes them to de facto detention without legal basis.

It is positive that these have been partially addressed in the second half of 2024, with NGOs having reported a shorter length of registration procedures and ROFs, and a shorter time in detention without a ROF (1-3 days compared to over two weeks recorded in several cases in the first half of 2024). We also welcome the increase in the number of staff allocated to registration procedures. While these improvements ease the constraints imposed on residents, they fail to address the fundamental incompatibility of Greek Law 4939/2022 with EU and international law, as ROFs continue to amount to an arbitrary deprivation of liberty.

The EU Ombudsman's 2022 inquiry recalled that the Commission has committed to "cooperate on a continuous basis with the Greek authorities to ensure jointly adequate monitoring and supervision of the management" of the Lesvos CCAC, a commitment which applies "by extension" to all other EU-funded CCACs.²² As stated by the Ombudsman, the Commission must "monitor that Greece uses the EU funds covering the [CCACs] in compliance with EU law".²³

ROFs, and their frequent unlawful extension, created a regime of systematic arbitrary detention that has no grounds under EU and international law, which affirms the exceptional nature of immigration detention and prioritizes non-custodial measures. The implementation and documented misuse of ROFs in EU-funded facilities, such as the Samos CCAC, should serve as an early warning sign for the EU and its member states to the risks of abuses in their implementation of the EU Migration Pact, which foresees the establishment of similar reception facilities alongside EU external borders. The experience in Samos should lead to the establishment of detailed and effective safeguards and guidelines to ensure that the procedures introduced by the EU Migration Pact do not result in widespread detention and other violations of fundamental rights.

2. Inadequate living conditions

In September 2023, the Greek authorities changed the official capacity of the Samos CCAC from 2,040 reception places (and 960 places in the pre-return detention facilities) to 3,650, without any apparent intervention to increase accommodation spaces.²⁴ The population of CCAC grew and exceeded capacity in the months following the announcement, resulting in people forced to stay in areas wholly unsuitable for accommodation.²⁵ The inadequate living conditions that materialized since then have been documented by Amnesty International, several Greek NGOs, and the

¹⁹ EU Commission, *Letter of Formal Notice "INFR(2022)2156"*, 26 January 2023, https://ec.europa.eu/commission/presscorner/detail/en/inf_23_142

²⁰ Refugee Support Aegean, *Greek Court rules detention of unregistered refugees in RIC Malakasa unlawful*, 21 November 2024, <https://rsaegean.org/en/greek-court-rules-detention-of-unregistered-refugees-in-ric-malakasa-unlawful/>

²¹ Ibid.

²² EU Commission, *Annex to the Commission Decision - Memorandum of Understanding*, 2 February 2020, https://home-affairs.ec.europa.eu/system/files/2020-12/03122020_memorandum_of_understanding_en.pdf; EU Ombudsman, *Decision in strategic inquiry OI/3/2022/MHZ on how the European Commission ensures respect for fundamental rights in EU-funded migration management facilities in Greece*, 11 July 2022, https://www.ombudsman.europa.eu/en/decision/en/170792#_ftn4

²³ The Ombudsman states that "the Commission must monitor that Greece uses the EU funds covering the MPRICs in compliance with EU law" (ibid.) and the FRO has been assigned as of July 2024.

²⁴ Official statistics of the Ministry for Migration and Asylum indicating the new capacity of the CCAC, as of 28 September 2023: <https://www.scribd.com/document/674786088/NSP-Eastern-Aegean-28-09>

²⁵ Border Violence Monitoring Network (BVMN), *Illegal Pushbacks and Border Violence Reports*, October 2023, <https://borderviolence.eu/app/uploads/BVMN-Monthly-Report-October-2023.pdf>

European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).²⁶ In July 2024, the CPT expressed concern about the structural nature of the challenges in the management of the population levels in CCACs noting that when arrivals to CCACs increase, “the systems break down quickly” and, referring specifically to the situation in Kos and Samos, “many persons find themselves being subjected to treatment which could be described as inhuman and degrading”.²⁷ The CPT also called for the creation of “contingency plans” to confront the population’s needs during increased arrivals”.²⁸ Yet, in November 2024, the CCAC’s population reached a new high of 4,678 people (against a capacity of 3,664), and the centre was overcrowded for much of the time between the end of October 2024 and early February 2025.²⁹

Over the past four months, HRLP and IHR have frequently heard reports from residents that upon arrival to the CCAC they were accommodated in overcrowded containers or unsuitable communal spaces, including kitchens and classrooms, for up to 15 days. Residents report that these places lack mattresses, mats or even blankets, and people, including pregnant women and families with children, sleep on the floor. Some residents reported that during this time they did not have access to shower facilities.

HRLP notes the lack of separation of single women and children from the rest of the population in such communal spaces. In their recent report, IHR and Border Violence Monitoring Network (BVMN) report concerning testimonies from residents about the widespread use of surveillance in the CCAC and in communal spaces where people live and sleep, raising concerns for people’s right to privacy.³⁰

“For one and a half months we were in a public space with no bathroom, in a very difficult situation [...] I noticed there were a lot of cameras, you couldn’t understand why” – resident testimony (IHR and BVMN – January 2025)

“People newly arrived at the CCAC are left to sleep on kitchen floors without blankets, using only cardboard from restaurants... Everyone is confined to one space, with no privacy at all” – resident testimony (Samos Volunteers – December 2024)

“The police took me to the camp and put [me and others] in the closed area for three days...the conditions in this place were horrible, no heating, no food and very nasty place...[after] they put me in a big kitchen. [There] we were 100 people” – testimony of a Palestinian man from Gaza, resident of the Samos CCAC (Amnesty International – February 2025)

NGOs working on Samos further note that living conditions are concerning even for residents accommodated in residential containers. There are reports of broken or missing doors and photos shared by residents with IHR in November 2024 and February 2025 portray areas where containers are in a state of disrepair. In the CCAC, infestations of rodents and cockroaches have also been reported.³¹ The conditions of the sanitation facilities are also inadequate, with HRLP reporting through direct observations of the facilities that most of the bathroom doors are broken or missing with consistent issues with the plumbing system. The situation is exacerbated by the reported insufficient number of cleaning staff, the limited operation of laundry facilities, and the difficulties imposed on residents to accessing cleaning products to clean their space independently.³² Such conditions raise serious issues for residents’ rights to adequate living conditions, health and privacy.

²⁶ See among others: 2024 Amnesty International Report, above in full; 2024 CPT Report, above in full; Refugee Support Aegean, *Not again in 2024*, 31 January 2024, <https://rsaegean.org/en/joint-statement-samos-ccac/>; Greek National Human Rights Commission (GNCHR/EEDA), *EEDA on-site visit to Samos: The reception conditions at the Samos KED do not comply with the basic standards*, 9 April 2024, <https://www.nchr.gr/ta-nea-mas/1735-epitopia-episkepsi-eeda-sti-samo-mi-symfones-meta-vasika-protypa-oi-synthikes-ypodoxis-stin-ked-samou.html>

²⁷ 2024 CPT Report, above in full, p. 34.

²⁸ 2024 CPT Report, above in full, p. 43.

²⁹ Based on official data of the Ministry of Citizen Protection on the occupancy of the CCACs. The CCAC's population exceed capacity to 3,707 on 21 October 2024: <https://www.scribd.com/document/782903097/NSP-Eastern-Aegean-21-10>. The population peaked in November 2024 to 4,678: <https://www.scribd.com/document/793784109/NSP-Eastern-Aegean-17-11>. The population recently peaked again in January 2025 to 4,352: <https://www.scribd.com/document/818328015/NSP-Eastern-Aegean-20-01>. The camp was last recorded to be overcapacity on 4 February 2025 at 3,769: <https://www.scribd.com/document/824243209/NSP-Eastern-Aegean-04-02>

³⁰ I Have Rights and Border Violence Monitoring Network, *Controlled and Confined: Unveiling the Impact of Technology in the Samos Closed Controlled Access Centre*, 21 January 2025, https://ihaverights.eu/wp-content/uploads/2025/01/FINAL_IHR-BVMN_TECHNOLOGIES-REPORT.pdf

³¹ 2024 HRLP Open Letter, above in full.

³² 2024 HRLP Open Letter, above in full.

“Bathrooms are very dirty and broken, and it feels inhumane. Many of the bathroom doors are broken, making people feel unsafe and without privacy.” – resident testimony ([Samos Volunteers](#) – January 2025)

IHR also reports that the previously discontinued practice of temporarily holding people in so-called “temporary accommodation zones” (also referred to as “quarantine zones”, due to their previous use during the Covid-19 pandemic) upon arrival to the CCAC, has resumed since October 2024. This measure leads to residents being confined in containers in a fenced area, for a period ranging from a few days to weeks before being accommodated in the main zones of the CCAC. IHR recorded cases of clients staying up to two weeks in undignified and overcrowded living conditions in this area, with people sleeping on the floor without access to basic amenities (such as blankets or sanitary supplies).

Alarming, the so-called “safe area” accommodating unaccompanied minors (UAMs) is also now severely overcrowded. NGOs are increasingly receiving concerning reports regarding the deteriorating conditions for UAMs. A representative of the Hellenic Police reportedly described the “safe area” as the most dangerous area of the camp with the most violent incidents.³³ In November 2024, media reported that around 500 UAMs were accommodated in a space with a maximum capacity of 200 people, and NGOs reported that children were “sleeping on the floor, on self-resourced discarded cardboard, and without adequate bedding, some even lacking blankets”.³⁴ UAMs in the “safe area” are confined for extended periods of time, only allowed to leave under exceptional circumstances and with the supervision of guardians, who are critically low in number.³⁵ NGOs have raised concerns that the heavy restrictions of movement experienced by UAMs may constitute an undue interference with their right to liberty, security and freedom of movement, and severely impact their physical and mental well-being.³⁶ According to the records of the Task Force Migration Management, restrictions imposed on UAMs have been known to the European Commission. In early September 2024, the Task Force observed that the “UAMs do not leave the safe zone [“safe area”] due to lack of staff and fear of absconding”.³⁷ Based on the above, and as previously noted by Amnesty International, there are indications that the confinement of UAMs within the “safe area” is intended to facilitate the authorities’ management of the area through increased containment, rather than to protect the UAM’s best interest.

On 5 February 2025, the ECtHR indicated interim measures in a case concerning four UAMs in the “safe area” of the Samos CCAC calling on the Greek government to provide them with food, water, clothing and medical care, and ensure their protection from ill-treatment and their speedy relocation to a shelter.³⁸

Against this background and given Greek authorities’ ongoing failure to intervene to improve living conditions for residents, the European Commission has clear responsibility to ensure that the conditions in a facility funded by the EU and overseen by its Task Force are adequate and safe for all residents and comply with EU standards.

3. Dire sanitation facilities and continuing challenges in the provision of healthcare services

Due to structural limitations, the Samos CCAC experiences long-standing shortages in the provision of running water to residents. According to the European Commission Task Force’s records, in September 2024, water was present in the CCAC for a total of 9 hours per day (08:00-15:00 and 18:00-21:00). NGOs have reported instances of water in bathroom facilities being cold.³⁹ People have very limited access to showers, changes of clothing and laundry facilities in the camp.⁴⁰

³³ 2024 HRLP Open Letter, above in full.

³⁴ Εfsyn, *Στο έλεος του θεού περίπου 900 ασυνόδευτα προσφυγόπουλα στις δομές των νησιών*, 15 November 2024, https://www.efsyn.gr/ellada/dikaionomata/453431_sto-eleos-toy-theoy-peripoy-900-asynodeyta-prosfygopoyla-stis-domes-ton#goog_rewarded; 2024 HRLP Open Letter, above in full.

³⁵ 2024 HRLP Open Letter, above in full.

³⁶ Ibid.; 2024 Amnesty International Report, above in full, p. 22-24; I Have Rights, *Unaccompanied minors in the Closed Controlled Access Centre*, 3 May 2022, <https://ihaverights.eu/unaccompanied-minors-in-the-closed-controlled-access-centre-of-samos/>

³⁷ Based on the EU Task Force reports for the period of July 2023 to September 2024, obtained by IHR through an access to documents request on 4 November 2024.

³⁸ HRLP, *Samos CCAC “Safe” Zone: ECtHR grants interim measures*, 5 February 2025, <https://www.humanrightslp.eu/post/samos-ccac-safe-zone-ecthr-grants-interim-measures>

³⁹ 2024 HRLP Open Letter, above in full; Refugee Support Aegean, *Not again in 2024*, 31 January 2024, <https://rsaagean.org/en/joint-statement-samos-ccac/>;

⁴⁰ 2024 HRLP Open Letter, above in full; Samos Volunteers, *NGO Calls for Government Accountability in Supporting Displaced Communities on Samos, Greece*, 31 October 2024, <https://www.samosvolunteers.org/blog/2024/10/31/ngo-calls-for-government-accountability-in-supporting-displaced-communities-on-samos>

“There’s no hot water, and the little water we have is dirty. Washing in these conditions damages our hair and skin, posing serious risks to our health. Sometimes, there’s no water at all.” – resident testimony ([Samos Volunteers](#) – December 2024)

The CCAC has also experienced long-standing challenges in the provision of medical services, including – over an extended period – the lack of a permanent state-appointed doctor.⁴¹ Currently, healthcare services in the CCAC are provided under the EU-funded ‘Hippocrates’ Project, managed by IOM and implemented in collaboration with medical personnel and service providers. Figures provided by the state authorities to the NGO ‘Refugee Support Aegean’ in November 2024 suggest that only nine healthcare professionals have been hired in the CCAC Samos, whereas a tender published on IOM’s website in February 2024, foresees the deployment of a 21-person medical staff.⁴² In June 2024, IOM confirmed to Amnesty International that while they aimed to implement the provisions in the tender, the number of staff deployed may change in the implementation of the project depending on the population levels in the sites.⁴³

In November 2024, several NGOs – including some of the signatories to the present letter – denounced the poor hygiene conditions, already discussed above, saying that they “create an environment conducive to the spread of easily treatable diseases, such as scabies”, and referred to the conditions as a “severe sanitary emergency”.⁴⁴

“The bathroom has no lock, you put the clothes outside to know that someone is in there. There is no privacy in general. [In the corridor of the container] the pipes are exposed and there is zero hygiene. We tried to ask the authorities, but they didn’t provide anything, and we buy [cleaning products] with our own money. It is a very expensive life to be in the camp” – testimony of a Palestinian man from Gaza, resident of the Samos CCAC (Amnesty International – February 2025)

The persistence of such violations is indicative of the Greek authorities’ failure to follow the recommendations of civil society and human rights bodies, including the CPT and the United Nations Human Rights Committee, or uphold their obligations under international human rights law.⁴⁵

Our recommendations

Despite its responsibility to monitor Greece’s compliance with fundamental rights and its commitment to monitor the management of CCACs, the European Commission has continuously failed to take decisive action to remedy the situation in the Samos CCAC.

As it supports member states in the implementation of the EU Migration Pact, the European Commission must implement the lessons from the Greek asylum reception model and introduce targeted and effective safeguards to ensure that the new legislation does not result in violations of fundamental rights elsewhere in Europe, through widespread and de facto detention or systematic restrictions of freedom.

It is high time for the European Commission, as part of the new legislative cycle, to change the course of its approach to the reception of people seeking asylum in Greece, conducting a closer and more rigorous monitoring of Greece’s policies and practice.

⁴¹ 2024 Amnesty International Report, above in full, p.16; See among others: ECRE Greece Country Report, 2023 update, p.53, https://asylumineurope.org/wp-content/uploads/2024/06/AIDA-GR_2023-Update.pdf; and Greek Council for Refugees & Oxfam International, Submission Inquiry on Fundamental Rights in the EU-funded Migration Facilities on the Greek Islands Case OI/3/2022/MHZ , p.13, www.ombudsman.europa.eu/pdf/en/167055

⁴² RSA, *Refugee Facilities on the Aegean Islands*, 10 December 2024, <https://rsaegean.org/en/refugee-facilities-on-the-aegean-islands/>; IOM, *IOM procurement notice – ‘Provision of medical and psycho-social services in accommodation facilities throughout Greece for one (1) year with the possibility of extension for two (2) years’*, 27 February 2024, <https://greece.iom.int/do-business-us-procurement>

⁴³ 2024 Amnesty International Report, above in full, p.20.

⁴⁴ 2024 HRLP Open Letter, above in full, p.2.

⁴⁵ 2024 CPT Report, above in full, p.38 and 43. The CPT specifies that “As a first step, each CCAC should have one full-time doctor and three nurses for every 500 persons to ensure that the healthcare centres can be fully operational.....In addition, provision should be made to ensure good access to gynaecological and paediatric services given the number of women (including pregnant women) and small children in the centres”; United Nations, International Covenant on Civil and Political Rights, Human Rights Committee, Concluding observations on the third periodic report of Greece, 28 November 2024, CCPR/C/GRC/CO/3, <https://digitallibrary.un.org/record/4067637?v=pdf>

In light of the above, the undersigned NGOs call on the European Commission to:

- Urgently conduct a rigorous scrutiny of Greek policies and practices in the CCACs. This should include advancing the infringement proceedings opened against Greece in relation to the legislation on ROFs, which introduced measures constituting arbitrary detention. This legislation should therefore be repealed and its effects immediately halted.
- Ensure that Greek authorities halt, in law and practice, measures inconsistent with the prohibition of the detention of children for migration purposes as well as the principle whereby persons in vulnerable situations and with specific needs should not be detained.
- Use all the tools at its disposal under the EU funding rules to ensure that EU financial support does not contribute to human rights violations.
- Carry out public and regular fundamental rights impact assessments of existing CCACs, in line with recommendations made by the European Ombudsman, which should include mitigating measures and concrete commitments where problems are identified.
- Outline detailed and effective safeguards and guidelines to ensure that the powers introduced by the new instruments under the EU Pact on Migration and Asylum do not result in violations of fundamental rights, including with regards to detention and de facto detention.
- Ensure that Greek authorities urgently address the immediate deficiencies affecting accommodation, maintenance, healthcare services, and sanitation in the Samos CCAC, including through the provision of dignified conditions to new arrivals.
- Ensure that Greek authorities urgently improve the healthcare system, the provision of specialist care to residents in vulnerable situations and with specific needs, and the prompt transfer to adequately resourced facilities on mainland Greece of residents with health conditions that cannot be adequately treated in the CCAC or in the public system.
- Urge Greek authorities to swiftly create contingency plans to protect the safety, health and well-being of residents when population increases, in line with the Pact implementation plans.
- Press Greek authorities to urgently decongest the UAMs “safe area”, including by promptly transferring children to adequate accommodation outside the CCAC. Pending their transfer, authorities should increase opportunities for UAMs to safely exit the “safe area” and spend time in the general population area of the CCAC, as well as expand the availability of leisure and educational activities within and outside the CCAC, under the supervision of child protection actors.
- Ensure that the Greek authorities take action so that, in their design or implementation, migration policies, including the use of detention or other measures affecting people’s liberty or movement, do not result in racial discrimination.

Signatories

Amnesty International

Avocats Sans Frontières France

Human Rights Legal Project

I Have Rights.

Samos Volunteers