Subject: transfer of responsibility for prisons administration from the Ministry of Justice to the Ministry of Citizen Protection

The Greek Government has decided to transfer responsibility for prisons administration from the Ministry of Justice to the Ministry of Citizen Protection (which is also responsible for the police service).

However, Rule 71 of the Council of European Prison Rules (Recommendation Rec (2006)2) clearly states that: ‘Prisons shall be the responsibility of public authorities separate from military, police or criminal investigation services’, while Recommendation CM/Rec (2012) 5 specifies that prison staff have roles and duties different from those of the police and receive different training.

In addition, prisoner reintegration into society should not be the responsibility of the police (Rule 87 of the UN Nelson Mandela Rules).

Furthermore it is accepted practice in the other EU Member States for prisons to be the responsibility of the Ministry of Justice.

This is also a human rights issue (Article 3 ECHR and Article 4 of the Charter of Fundamental Rights) and has implications for the implementation of the European arrest warrant (non-extradition to countries that do not comply with the Prison Rules).

In view of this:

Does the Commission consider the new arrangements to be in line with EU law?

1 What action will it take to uphold the human rights of detainees that risk being compromised by the above Greek Government decision?

2 Will it seek to ensure the unimpeded enforcement of European Arrest Warrants?