

**Question for written answer E-002522/2023  
to the Commission**

Rule 138

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Subject: The systematic detention of migrants and the conditions in detention centres in Greece

1. In January 2023, the Commission launched an infringement procedure (INFR(2022)2156) against Greece regarding the incorrect transposition of the Reception Conditions Directive<sup>1</sup>. What exact practices and/or which exact provisions of this directive form the basis for this infringement procedure, and does the Commission consider the current practice involving the blanket de facto detention, in closed controlled access centres, of applicants for international protection on arrival in Greece to be in line with this directive?
2. Does the Commission consider Article 30 of Greece's Law 3907/2011 on the Establishment of an Asylum Service and a First Reception Service, as amended by Law 4686/2020<sup>2</sup>, to be compliant with Article 15 of the EU Return Directive<sup>3</sup> and, if not, what steps will it take in response?
3. In May 2021, a team of experts conducted a Schengen evaluation of Greece in the field of returns, with a particular focus on detention facilities. The Commission has since been in contact with the relevant authorities to agree on a set of remedial measures. Can it clarify what specific remedial measures were agreed on and with what timelines, as well as what demonstrable progress has been made in implementing these remedial measures?

Submitted: 4.9.2023

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<sup>1</sup> Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (OJ L 180, 29.6.2013, p. 96).

<sup>2</sup> Article 30 of Law 4686/2020 states as follows (unofficial translation): '1. Third-country nationals subject to return procedures in accordance with Article 21(1) shall be detained for the purpose of preparing the return and carrying out the removal process. Where the competent police officer considers that: (a) there is no risk of absconding, (b) the third-country national is cooperative and does not hamper the preparation of return or the removal process, and (c) there are no national security concerns, other less coercive measures, such as those provided for in Article 22(3), shall be applied if they are considered effective. Detention shall be imposed and maintained for the time strictly necessary for the removal arrangements, which shall be carried out and executed with due diligence. In any event, the continuation of the detention shall take into account the availability of suitable detention facilities and the possibility of ensuring a dignified standard of living for detainees.'

<sup>3</sup> Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).