EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

THIRD SECTION

DECISION

Application no. 15574/17
Derfim BICACU against Greece
and 12 other applications
(see appended table)

The European Court of Human Rights (Third Section), sitting on 18 December 2025 as a Committee composed of:

Diana Kovatcheva*, President*,
Canòlic Mingorance Cairat,
Vasilka Sancin*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicants,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants were represented by Mr C. Lampakis and Ms I. Pipertzi, two lawyers practising in Thessaloniki.

The applicants' complaints under Articles 3 and 13 of the Convention concerning the inadequate conditions of detention and lack of an effective remedy to complain thereof were communicated to the Greek Government ("the Government").

THE LAW

A. Joinder of the applications

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

B. Complaints under Articles 3 and 13 of the Convention regarding the Kassandra Agricultural Prison

In the present applications, having examined all the material before it and the parties' arguments, the Court finds that the complaints under Articles 3 and 13 of the Convention about the applicants' conditions of detention in the Kassandra Agricultural Prison and the lack of an effective domestic remedy in that regard are inadmissible for the reasons stated below.

It is clear from the relevant legislative framework and the case files that the Kassandra Prison, as an agricultural prison, had a purpose and organisation that were very different from those of other penitentiary establishments and that prisoners were separated in the buildings according to their different statuses. In particular, the Court reiterates its findings in *Zografos and Others v. Greece* ([Committee] (dec.), no. 29744/13, §§ 111-27, 19 May 2022) as regards the conditions in the "closed spaces".

The Court further reiterates its findings regarding the "open spaces" where prisoners were held in an open prison and the semi-liberty regime (see *Zografos and Others*, cited above, §§ 91-107). These prisoners enjoyed considerable freedom of movement when they worked during the day outside their dormitories. Prisoners in open facilities who worked under supervision were clearly distinct from those in closed prisons who were confined to cells and whose opportunities to walk in the prison yard were limited. Prisoners on work release who resided in separate houses enjoyed considerable autonomy, which determined their status, and freedom of movement over a very large area.

Having regard to all the available material and the parties' arguments, the Court notes that the applicants failed to substantiate their allegations or contest the Government's arguments that these facilities were not overcrowded and the conditions in them did not amount to inhuman or degrading treatment. Therefore, the Court finds that it cannot establish that the applicants suffered in these prison facilities from severe overcrowding of the kind that could entail, on its own, a violation of Article 3 (see *Muršić v. Croatia* [GC], no. 7334/13, 20 October 2016) nor can it be found that the cumulative effect of the other aspects of the detention which the applicants complained about reached the threshold of severity required to characterise the treatment as inhuman or degrading within the meaning of Article 3 (see *Bokor v. Portugal* (dec.) no.5227/18, § 34, 10 December 2020).

Therefore, the Court does not find a reason to depart from its earlier findings in *Zografos and Others* (cited above, §§ 91-127) and therefore cannot conclude that the applicants' conditions of detention were contrary to the guarantees of Article 3 of the Convention.

It follows that the applicants' complaints under Article 3 of the Convention concerning their conditions of detention in the Kassandra Agricultural Prison

(see the appended table) are manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

Relying on Article 13 of the Convention, the applicants complained of the lack of an effective remedy in respect of their conditions of detention in the Kassandra Agricultural Prison. The complaints under Article 3 have been declared inadmissible as being manifestly ill-founded and cannot be regarded as "arguable" for the purposes of Article 13.

Therefore, the applicants' complaints under Article 13 related to the detention in the Kassandra Agricultural Prison are manifestly ill-founded and must be rejected pursuant to Article 35 §§ 3 and 4 of the Convention.

C. Complaints under Articles 3 and 13 of the Convention regarding the applicants' detention in prisons prior to their transfer to the Kassandra Agricultural Prison

In all the applications, the applicants also raised complaints under Articles 3 and 13 of the Convention, regarding their conditions of detention in various prisons prior to their transfer to the Kassandra Agricultural Prison.

The Court reiterates that a period of detention should be regarded as a "continuing situation" if the detention has been effected in the same type of detention facility in substantially similar conditions. The applicant's release or transfer to a different type of detention regime, either within or outside the facility, would put an end to the "continuing situation" (see *Ananyev and Others v. Russia*, nos. 42525/07 and 60800/08, § 78, 10 January 2012).

The transfer of a detainee from one place of detention to another, in principle, interrupts the continuity of the detention with respect to its conditions, and the six-month time-limit provided for in Article 35 § 1 of the Convention begins to run from the date of the transfer to the new place of detention (see *Kanakis v. Greece (no. 2)*, no. 40146/11, § 92, 12 December 2013, *Maltabar and Maltabar* v. Russia, no. 6954/02, § 83, 29 January 2009; and *Novinskiy v. Russia* (dec.), no. 11982/02, § 96, 6 December 2007). However, if the conditions of detention in the new prison are essentially the same as those in the previous one, the Court considers that there is a continuing situation (see *Bouros and Others v. Greece*, nos. 51653/12 and 4 others, §§ 64-70, 12 March 2015).

Examining the present cases in the light of the above principles, the six-month period referred to in Article 35 § 1 of the Convention is to be calculated separately for each detention period; on each occasion starting to run on the date that followed the applicants' transfer from one detention facility to the Kassandra Agricultural Prison where the detention conditions were substantially different and do not to raise any issues under the Convention. The Court notes that the applicants lodged their applications with the Court on the dates indicated on the appended table. It follows that the complaints under Articles 3 and 13 of the Convention about the detention periods prior

to their transfer to the Kassandra Agricultural Prison, have been introduced out of time (see *Kagia v. Greece* no. 26442/15, §§ 32-36, 30 June 2016) and must be rejected in accordance with Article 35 §§ 1 and 4 of the Convention.

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 22 January 2026.

Viktoriya Maradudina Acting Deputy Registrar	Diana Kovatcheva President

APPENDIX

List of applications raising complaints under Article 3 of the Convention (inadequate conditions of detention)

No.	Application no. Date of introduction	Applicant's name Year of birth	Facility Start and end date	Other complaints under well-established case-law
1.	15574/17 17/02/2017	**Derfim BICACU** 1984	Diavata Prison 06/11/2015 to 19/02/2016 Kassandra Agricultural Prison 19/02/2016 to 12/05/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -
2.	16792/17 21/02/2017	**Christos/Nikolaos ALI/BAKOUSOGLOU** 1970	Diavata Prison 24/07/2014 to 17/02/2015 Patras Prison 17/02/2015 to 09/10/2015 Kassandra Agricultural Prison 09/10/2015 to 01/03/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -
3.	25835/17 30/03/2017	**Ioannis KOSMIDIS** 1960	Diavata Prison 29/09/2015 to 16/05/2016 Kassandra Agricultural Prison 16/05/2016 to	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -

No.	Application no. Date of introduction	Applicant's name Year of birth	Facility Start and end date	Other complaints under well-established case-law
			10/04/2017	
4.	27344/17 06/04/2017	**Uba CHIMA** 1987	Diavata Prison 10/05/2016 to 03/06/2016 Kassandra Agricultural Prison 03/06/2016 to 02/05/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -
5.	27890/17 06/04/2017	**Ali RAMANDAN OGLOU** 1979	Diavata Prison 16/09/2014 to 28/07/2015 Kassandra Agricultural Prison 28/07/2015 to 11/10/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -
6.	27985/17 06/04/2017	**Jura ENIDUNAIEV** 1968	Diavata Prison 11/11/2015 to 16/05/2016 Kassandra Agricultural Prison 16/05/2016 to 15/06/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -
7.	28125/17 06/04/2017	**Georgios AGGELOU** 1972	Diavata Prison 26/07/2016 to 03/10/2016 Kassandra Agricultural Prison 03/10/2016 to 13/10/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -

No.	Application no. Date of introduction	Applicant's name Year of birth	Facility Start and end date	Other complaints under well-established case-law
8.	34011/17 03/05/2017	**Pavlos MANOUKOV** 1979	Korydallos Prison 12/02/2016 to 06/10/2016 Kassandra Agricultural Prison 07/10/2016 to 11/08/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -
9.	34044/17 05/05/2017	**Mikhail KOZLOV** 1967	Grevena Prison 19/02/2016 to 07/10/2016 Kassandra Agricultural Prison 07/10/2016 to 01/06/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -
10.	34413/17 03/05/2017	**Nikolaos ZORBAS** 1972	Korydallos Prison 16/07/2015 to 06/10/2016 Kassandra Agricultural Prison 07/10/2016 to 10/07/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -
11.	35779/17 11/05/2017	**Rahman-Abduraman ABDUL - MAMASABUDIN** 1995	Korydallos Prison 15/03/2016 to 13/10/2016 Kassandra Agricultural Prison 14/10/2016 to 19/12/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -

No.	Application no. Date of introduction	Applicant's name Year of birth	Facility Start and end date	Other complaints under well-established case-law
12.	38727/17 22/05/2017	**Vasilios TSIKOS** 1966	Komotini Prison 04/07/2016 to 22/10/2016 Kassandra Agricultural Prison 22/10/2016 to 20/07/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -
13.	42577/17 07/06/2017	**Daniel APPIAH** 1982	Patras prison 05/08/2015 to 01/12/2016 Kassandra Agricultural Prison 09/12/2016 to 30/08/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -