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

THIRD SECTION

DECISION

Application no. 21051/15
Christos DAIS and Others against Greece
and 2 other applications
(see list appended)

The European Court of Human Rights (Third Section), sitting on 13 May 2025 as a Committee composed of:

Peeter Roosma*, President*,
Lətif Hüseynov,
Darian Pavli*, judges*,
and Olga Chernishova, *Deputy Section Registrar,*

Having regard to:

the applications against the Hellenic Republic lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") by the applicants listed in the appended table ("the applicants"), on the various dates indicated therein;

the decision to give notice of the complaints concerning Articles 3 and 13 of the Convention to the Greek Government ("the Government") represented by their Agent, Ms N. Marioli, President of the State Legal Council and their Agent's delegates Mrs K. Nasopoulou, Senior Adviser, and K. Karavasili and S. Papaioannou, Legal Representatives at the State Legal Council, and to declare inadmissible the remainder of the applications indicated as a partial decision in the appended table;

the observations submitted by the respondent Government and the observations in reply submitted by the applicants;

the withdrawal of Mr Ioannis Ktistakis, the judge elected in respect of Greece, from sitting in case no. 21051/15 (Rule 28 § 3 of the Rules of Court);

noting that the Governments of the applicants' nationality (where applicable) have not made use of their right to intervene in the proceedings (Article 36 § 1 of the Convention);

Having deliberated, decides as follows:

SUBJECT MATTER OF THE CASE

1. The present case concerns the applicants' conditions of detention in Grevena prison. Their periods of detention are listed in the appended table.

A. The applicants' account

2. The applicants complained of overcrowding (between 2 and 2,4 sq.m. available per prisoner), insufficient medical care (applicants nos. 1, 13, 17, 23, 29 and 31 of application no. 3694/16), insufficient heating, hygiene problems, lack of prison staff to guarantee their safety and insufficient quality and quantity of food and recreational activities.

B. The Government's account

3. According to the Government, the personal space available per prisoner ranged between 3,25 and 4,3 sq. m. for ordinary cells, and between 5,02 and 11,04 sq. m. for disciplinary cells. The prison provided the services of a medical practitioner who visited twice per week, as well as a dentist and a psychiatrist. Applicants nos. 1, 13, 17, 23, 29 and 31 in application no. 3694/16 received adequate medical care, as demonstrated by the relevant supporting documents. They further indicated that there was sufficient heating and cleanliness, the weekly menu was approved by the prison doctor, and the prison was equipped with a library, a reading and entertainment room, as well as a gym.

THE COURT'S ASSESSMENT

A. Joinder of the applications

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

B. Strike out request lodged by applicant no. 10 (application no. 5621/16)

5. On 19 January 2017 Mr Lytridis, applicant no. 10 in application no. 5621/16, informed the Court that he no longer wished to pursue his application. The Government submitted no comments in that regard.

6. The Court takes note of the fact that this applicant no longer wishes to pursue his application (Article 37 § 1 (a) of the Convention). Furthermore, in accordance with Article 37 § 1 *in fine*, it finds no special circumstances regarding respect for human rights as defined in the Convention and the Protocols thereto which require the continued examination of the application.

Accordingly, this part of the application no. 5621/16 should be struck out in accordance with Article 37 § 1 (a) of the Convention of the list of cases.

C. Alleged violation of Article 3 of the Convention

7. The Government argued that the case should be declared inadmissible due to non-exhaustion of domestic remedies regarding some of the applicants (nos. 1, 3, 4, 9, 14, 21, 27, 29 and 31 in application no. 3694/16, and nos. 6, 8, 12 and 15 in application no. 5621/16). The applicants disagreed.

8. The Court does not find it necessary to address the Government's objection regarding the non-exhaustion of domestic remedies nor to examine the entirety of the parties' arguments, as the complaint is in any event inadmissible for the following reasons.

9. The Court notes at the outset that the applicants referred, among different aspects of inappropriate physical conditions of detention, to insufficient medical care. It reiterates that any complaint relating to inappropriate medical treatment in detention should normally include, among other things, sufficient reference to the medical condition in question, medical prescriptions that were sought, made or refused, and some evidence – for example, expert reports – capable of disclosing serious failings in the applicant's medical care (see *Krivolapov v. Ukraine*, no. 5406/07, § 76, 2 October 2018, with further reference). In the absence of such elements provided by the applicants in the present case, the Court will not take into account this part of the complaint in its overall assessment of their conditions of detention (see, for a similar approach, *Zabelos and Others v. Greece*, no. 1167/15, § 77, 17 May 2018).

10. The Court refers to the principles established in its case-law regarding inadequate conditions of detention (see *Muršić v. Croatia* [GC], no. 7334/13, §§ 96-101, 20 October 2016).

11. Turning to the material conditions of detention prevailing in Grevena prison, the Court has found on numerous occasions that they did not amount to a violation of Article 3 of the Convention, having examined grievances similar to those raised in the present case and concerning similar periods of time (see *Konstantinopoulos and Others v. Greece,* nº 69781/13, §§ 46-54, 28 January 2016; *Kalandia v. Greece*, no. 48684/15, §§ 71-72, 6 October 2016; *Koureas and Others v. Greece*, nº 30030/15, §§ 66-74, 18 January 2018; *G.T. v. Greece* , nº 37830/16, §§ 48-59, 13 December 2022; *Chaniotis and Others v. Greece* [Committee] (dec.), §§ 73-93, 11 December 2018; and *Arfan and Others v. Greece* [Committee] (dec.), no. 33352/15, §§ 47-70, 28 September 2021).

12. In the present case, the applicants complain of the general conditions of detention without explaining how they were individually affected by them (see *Konstantinopoulos and Others*, § 52; *Koureas and Others*, § 73; and *Chaniotis and Others*, § 91, all cited above). In these circumstances, the Court

does not see any reason to reach a different conclusion as regards the general conditions of detention prevailing in Grevena prison. It follows that the above-mentioned conditions of detention did not exceed the unavoidable level of suffering inherent in detention and did not constitute degrading treatment.

13. Accordingly, the complaint should be declared inadmissible as manifestly ill-founded according to Article 35 §§ 3 (a) and 4 of the Convention.

D. Alleged violation of Article 13 of the Convention

14. The Court reiterates that Article 13 requires domestic remedies only with regard to complaints arguable in terms of the Convention (see *Boyle and Rice v. the United Kingdom*, 27 April 1988, § 52, Series A no. 131). Since the Court has found that the applicants' complaints relating to the general conditions of their detention are manifestly ill-founded (see paragraph 13 above), no issue under Article 13 of the Convention arises in their cases.

15. It follows that the complaints under Article 13 are also manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 (a) and 4 of the Convention.

For these reasons, the Court, unanimously,

Decides to join the applications;

Decides to strike application no. 5621/16 out of its list regarding applicant no. 10;

Declares the remainder of the applications inadmissible.

Done in English and notified in writing on 5 June 2025.

Olga Chernishova Deputy Registrar	Peeter Roosma President

APPENDIX

List of cases:

No.	Application no.	Case name	Lodged on	Applicant Year of Birth Place of Residence Nationality Period of detention	Represented by
1.	21051/15	Dais and Others v. Greece	28/04/2015	**1. Christos DAIS** 1970 Thessaloniki Greek 08/09/2014-21/05/2015 **2. Mohammed ABDELUAHEND** 1961 Athens Egyptian 09/04/2012-11/05/2015 **3. Rabee AL AHMAD AL MOLHIM** 1987	Konstantinos TSITSELIKIS

				Athens Syrian 08/08/2011-27/05/2015 **4. Theodoros ARGIROPOULOS** 1973 Veria Greek 14/06/2013-07/05/2015 **5. Artemis BAKOPOULOS** 1969 Athens Greek 07/01/2014- **6. Vasilios BAKOPOULOS** 1981 Athens Greek 17/02/2014-30/04/2015 **7. Gentian BARAJ** 1979	

				Grevena Albanian 18/06/2012- **8. Roni BIZHOTI** 1986 Fieri Apollonia Albanian 15/04/2013- **9. Kujtim-Buzani-Bashkim DEMIRI** 1971 Grevena Albanian 16/07/2012- **10. Stavros DIMOPOULOS** 1973 Florina Greek 16/07/2010- **11. Erald HOXHA** 1991	

				Mikonos Albanian 13/02/2014-13/05/2015 **12. Ferdinand IDRIZI** 1978 Grevena Albanian 15/05/2014- **13. Shahid IMRAN** 1982 Athens Pakistani 02/05/2013- **14. Daniel IONESCU** 1984 Grevena Romanian 05/11/2009-	

				15. Noman JANJUA 1983 Athens Pakistani 11.04.2013- **16. Blaceri KASTRIOT** 1975 Ksanthi Albanian 15/12/2011- **17. Egkin KIAZIMOGLOU** 1986 Ksanthi Greek 09/05/2011- **18. Ioannis KOULOURIS** 1959 Rafina Greek 28/07/2008-11/05/2015	

				19. Alberto MEDOLLI 1991 Elbasan Albanian 24/07/2014- **20. Dajlan METAJ** 1988 Athens Albanian 17/03/2014- **21. Evaggelos MINADAKIS** 1976 Rethimno Greek 31/01/2011 **22. Suakat Ali MOLLAH MD** 1980 Athens Bangladeshi 17/04/2012-	

				23. Gezim MURATI 1971 Saranda Albanian 17/04/2012- **24. Arjan OJOLI OR OXHOLLI OR HOTSOLA** 1979 Grevena Albanian 13/05/2011- **25. Michail PAPPAS** 1960 Athens Greek 28/07/2014 **26. Ion Adrian RADU** 1977 Grevena Romanian	

				03/11/2011-12/05/2015 **27. Endrid RUZI** 1985 Athens Albanian 12/08/2013-05/05/2015 **28. Dimitrios SAMARAS** 1979 Veria Greek 05/12/2013-06/07/2015 **29. Mahmood TAREK** 1980 Grevena Pakistani 29/03/2012- **30. Andrea VASO** 1958	

				Athens Albanian 11/06/2012-19/06/2015 **31. Shaban VEIZI** 1964 Grevena Albanian 19/09/2011- **32. Behar VOJA** 1978 Tirana Albanian 10/11/2014-25/07/2015	
2.	3694/16*	Ananiadis and Others v. Greece	23/12/2015	**1. Nougzar ANANIADIS** 1978 Thessaloniki Greek 04/08/2011-10/11/2015 **2. Victor ANGHEL** 1982 Grevena	Electra-Leda KOUTRA

				Romanian 08/04/2013-06/07/2016 **3. Shpetim-Shptim ARAPI** 1985 Grevena Albanian 04/08/2015-26/08/2015 **4. Levan ARJANIDIS** 1981 Grevena Greek 02/04/2015-25/08/2015 **5. Eleftherios CHATOUTSIDIS** 1985 Grevena Greek 24/02/2015- **6. Siaka DIRRASOUBA** 1983	

				Grevena Ivoirian 10/09/2015- **7. Abdul Rajak FAJIR** 1980 Grevena Iraqi 06/12/2012-05/01/2016 **8. Lampros GAKIS** 1972 Grevena Greek 12/05/2014-25/04/2016 **9. Elladios GRIGORIADIS** 1976 Grevena Moldovan 23/03/2009-19/06/2009 and 11/10/2010-09/11/2015	

				10. Shake KALAM 1987 Grevena Bangladeshi 29/06/2015- **11. Theodoros KAMINIDIS** 1983 Grevena Greek 30/01/2014- **12. Ajaks KANANI** 1992 Grevena Albanian 11/05/2015- **13. Karen KAZARIAN** 1974 Grevena Armenian 25/08/2014-	

				14. Gaik KHACHATURIAN 1971 Grevena Armenian 25/08/2014-09/12/2015 **15. Igor KMARISHIN** 1980 Grevena Ukrainian 29/06/2015- **16. Lin KOLA** 1976 Grevena Albanian 28/08/2015- **17. Ioannis KOTANIDIS** 1970 Grevena Greek 21/03/2014-	

				18. Gheorghe MARDARI 1959 Grevena Greek 06/10/2010- **19. Arjan OJOLI OXHOLLI HOTSOLA** 1979 Grevena Albanian 13/05/2011-09/08/2011 and 23/04/2012-02/02/2016 **20. Badiv ONCIOIV** 1967 Grevena Romanian 30/03/2009- **21. Kristo PAPA** 1985 Grevena Albanian	

				21/05/2015-05/11/2015 **22. Vladimiros PAPADOPOULOS** 1990 Grevena Greek 05/11/2011- **23. Nikolaos PARCHARIDIS** 1986 Grevena Greek 03/12/2012- **24. Fran PJETRA** 1990 Grevena Albanian 12/08/2013-26/07/2016 **25. Dimitrios POUMPOURIDIS** 1976	

				Grevena Greek 24/03/2015- **26. Miji RASED** 1975 Grevena Bangladeshi 12/08/2013- **27. Dionysios SAINIDIS** 1994 Grevena Greek 10/03/2014-29/10/2015 **28. Michail SKALIDAKIS** 1962 Grevena Greek 24/11/2014-01/06/2016 **29. Ioannis SPATHARIDIS** 1971	

				Grevena Greek 25/08/2014-11/11/2015 **30. Marin ZANI** 1994 Grevena Albanian 08/06/2015- **31. Ivelin ZHELYAZKOV** 1966 Grevena Bulgarian 22/09/2014-25/11/2015	
3.	5621/16*	Karaf and Others v. Greece	19/01/2016	**1. Mohamed KARAF** 1974 Grevena Syrian 06/12/2012- **2. Orhan ARSLAN-HAN** 1980 Grevena	Electra-Leda KOUTRA

				Turkish 09/11/2015- **3. Erald BALILI** 1987 Grevena Albanian 11/05/2015- **4. Alı BıNıCıOGLU** 1991 Grevena Turkish 09/11/2015- **5. Antonios CHRYSSALOS** 1962 Grevena Greek 11/11/2013-	

				6. Nikolaos GEROGIANNIS 1957 Grevena Greek 25/05/2015-28/01/2016 **7. Theodoros-Theologos KESISOGLOU** 1960 Grevena Greek 21/05/2014- **8. Kosmas KONSTANTINIDIS** 1987 Grevena Greek 09/02/2013-10/11/2015 **9. Celjon LESKAJ** 1994 Grevena Albanian 09/11/2015-09/02/2016	

				10. Andreas LYTRIDIS 1987 Grevena Greek 08/09/2014-09/07/2015 **11. Vaios MELACHROINOS** 1989 Grevena Greek 08/04/2015- **12. Ilir MILE** 1990 Grevena Albanian 02/04/2015-02/10/2015 **13. Panagiotis ORFANIDIS** 1980 Grevena Greek 15/04/2015-	

				14. Theodoros PETROPOULOS 1976 Grevena Greek 15/07/2015- **15. Narcis-Valentin PREDA** 1982 Grevena Romanian 04/06/2015-08/01/2016 **16. Shaad-Sadek SHAADALAC-ALSADEK** 1992 Grevena Iraqi 18/08/2014-27/05/2016 **17. Theodor-Theodoros VEIS-BEIS** 1958 Grevena	

				Albanian 24/01/2014- **18. Valentin YANAKIEV** 1981 Grevena Bulgarian 28/07/2014- **19. Tarık YAVUZ** 1976 Grevena Turkish 22/12/2014-	