

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

THIRD SECTION

DECISION

Application no. 22150/22
Alteo LAZO against Greece
and 2 other applications
(see appended table)

The European Court of Human Rights (Third Section), sitting on 26 March 2026 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 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") 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 and their representatives is set out in the appended table.

The applicants' complaints under Article 3 of the Convention concerning the inadequate conditions of detention were communicated to the Greek Government ("the Government"). In all applications, complaints based on the same facts were also communicated under Article 13 of the Convention concerning the lack of any effective remedy in domestic law in respect of inadequate conditions of detention.

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 (inadequate conditions of detention and lack of an effective remedy in domestic law)

In the present applications, having examined all the material before it and the parties' arguments, the Court considers that the complaints about the applicants' conditions of detention in the Korydallos Prison and the lack of any effective remedy in domestic law in respect of such conditions are inadmissible for the reasons stated below.

In particular, the Government asked the Court to reject the applications on the grounds of non-exhaustion of domestic remedies on account of the applicants' failure to lodge compensatory actions with the domestic courts based on Article 105 of the Introductory Law to the Civil Code for the conditions of their detention.

The Court reiterates that as regards the exhaustion of domestic remedies, the situation of a person who was detained under circumstances which he or she deemed contrary to Article 3 of the Convention and who apprised the Court after his or her release or transfer is different from the situation of an individual who is still in detention under the circumstances of which he or she complains. In particular as regards Greece, an action under Article 105 of the Introductory Law to the Civil Code constitutes a purely compensatory remedy which allows the person concerned to seek and obtain redress for his or her conditions of detention in prison following release or transfer (see, for instance, *Zabelos and Others v. Greece*, no. 1167/15, §§ 50 and 54, 17 May 2018, *Papadakis and Others v. Greece*, no. 34083/13, § 40, 25 February 2016; and *Chatzivasiliadis v. Greece* (dec.), no. 51618/12, §§ 29-34, 26 November 2013).

The Court notes that the applicants were transferred to a different prison on various dates prior to lodging their application with the Court (as set out in the appended table). It follows that when they lodged their applications with the Court the applicants were no longer detained under the conditions of which they complained to the Court. Furthermore, the applicants did not raise any complaints concerning the conditions of their detention in the subsequent detention facilities, about which they provided no information. In that regard, the applicants failed to substantiate that the conditions of detention in the detention facilities in which they were transferred were essentially the same as those in the Korydallos Prison and that they constituted the "continuing

situation". Hence, by lodging an application with the Court the applicants did not seek to put an end to an ongoing violation, but to obtain a subsequent ruling on an alleged past violation of Article 3 on account of the conditions of their detention in prison and, if appropriate, to receive just satisfaction for non-pecuniary damage. Therefore, an action under Article 105 of the Introductory Law to the Civil Code constituted a domestic remedy which should have been used (see *Tasios and Others v. Greece* ([Committee] (dec.), nos. 70606/17 and 6 others, §§ 29-35, 26 May 2020).

In view of the above, the Court finds that the applicants have failed to exhaust domestic remedies, and thus their complaints under Article 3 of the Convention must be rejected in accordance with Article 35 §§ 1 and 4 of the Convention.

Bearing in mind the considerations made above, the complaint under Article 13 is manifestly ill-founded and must be rejected pursuant to Article 35 §§ 3 (a) 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 16 April 2026.

Viktoriya Maradudina	Diana Kovatcheva
Acting Deputy Registrar	President

APPENDIX

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

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Facility Transferred To Transfer Date	Other complaints under well-established case-law
1.	22150/22 11/05/2021	**Alteo LAZO** 1988	Ladis Charilaos Daliani Marina Athens	Larissa Prison 15/04/2021	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention
2.	22154/22 11/05/2021	**Spyro GKIKA** 1990	Ladis Charilaos Daliani Marina Athens	Larissa Prison 15/04/2021	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention
3.	22172/22 11/05/2021	**Perikli KOKA** 1972	Ladis Charilaos Daliani Marina Athens	Malandrino Prison 12/04/2021	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention