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

THIRD SECTION

DECISION

Applications nos. 68671/14 and 42573/17
Ermir LLANAJ and Aleksander JESHILI against Greece
and Dimitrios ANAPOLIDIS against Greece
(see appended table)

The European Court of Human Rights (Third Section), sitting on 5 February 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 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 the representatives in the annexed table.

The applicants' complaint under Article 3 of the Convention concerning the inadequate conditions of detention was communicated to the Greek Government ("the Government"). In application no. 42573/17 the applicant's complaint based on the same facts was also communicated under Article 13 of the Convention.

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 Article 3 of the Convention (inadequate conditions of detention)

The applicants were detained in the prisons and for the periods described in the appended table.

The Government submitted that the applicant in application no. 42573/17 has failed to exhaust domestic remedies. The applicant contested the Government's submissions. The Court does not consider it necessary to rule on this objection since it considers that the application is inadmissible for the reasons set out below.

As regards the applicants' detention in Trikala prison, the Government claimed that the applicants had at least 3.87 sq. m when they were detained in cells, and at least 4.1 sq. m (applicant in application no. 68671/14) or 3.28 sq. m (applicant in application no. 42573/17) when they were detained in wards, in Trikala prison. The Government further argued that even if the prison population exceeded the prison's capacity for short periods, the applicants were not affected by overcrowding in the conditions in which they were detained. The Government also described in detail the overall conditions of the applicants' detention claiming that they did not cause sufferings exceeding the threshold of Article 3.

The applicants argued that the actual capacity of the prison had been lower than its official capacity. In application no. 42573/17 the applicant claimed that he had had between 3 and 3.7 sq. m of personal space. The applicants submitted that ventilation, natural light, supply of hot water and heating had been inadequate, and that tables, chairs and hygienic products had not been provided. They finally submitted that the cells had been infested with mice or insects, and that they had not had proper medical care and social service.

Having regard to all the material available and to the parties' submissions, the Court notes that, even though the population of the prison exceeded its capacity by up to 7.4 percent during certain periods, the applicants did not to substantiate their allegations or refute the Government's arguments that the applicants had not been detained in overcrowded premises and that their conditions of detention did not amount to inhuman or degrading treatment.

The Court therefore cannot establish that the applicants suffered 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 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; see also as regards Trikala prison and concerning periods of detention which partly overlap with those in the present cases, *Kagia v. Greece*, no. 26442/15, §§ 39-50, 30 June 2016 and *Kordas v. Greece* [Commitee], no. 51574/14, §§ 30-35, 30 March 2017).

As regards application no. 42573/17 and the applicant's detention in Kassandra Agricultural prison, the Court notes that the applicant was held in the prison's "closed spaces" from 9 December 2016 to 2 February 2017 and again from 25 September 2017. He was held in a semi-liberty regime from 3 February until 24 September 2017.

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.

As regards the conditions in the "closed spaces", the Court reiterates its findings in *Zografos and Others v. Greece* ([Committee] (dec.), no. 29744/13, §§ 111-27, 19 May 2022). 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, §§ 94-107). 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 ability to walk in the prison yard was 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 applicant failed to substantiate his allegations or refute the Government's arguments that the facility was not overcrowded, and the detention conditions did not amount to inhuman or degrading treatment.

To sum up, the applicants' complaints under Article 3 of the Convention are manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

C. Remaining complaints

Relying on Article 13 of the Convention, the applicant in application no. 42573/17 complained of the lack of an effective remedy in respect of his conditions of detention. The complaint under Article 3 has been declared inadmissible as being manifestly ill-founded and cannot be regarded as "arguable" for the purposes of Article 13.

Therefore, the complaint under Article 13 is manifestly ill-founded and must be rejected pursuant to Article 35 §§ 3 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 26 February 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)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Facility Start and end date	Other complaints under well-established case-law
68671/14 17/10/2014	**Ermir LLANAJ** 1977	Ladis Charilaos Athens	Trikala Prison 21/08/2012 to 13/05/2015	
	Aleksander JESHILI 1969	Daliani Marina Athens	Trikala Prison 19/04/2012 to 11/06/2015	
42573/17 07/06/2017	**Dimitrios ANAPOLIDIS** 1991	Pipertzi Ioanna Thessaloniki	Trikala Prison 09/10/2014 to 07/12/2016 Kassandra Agricultural Prison 09/12/2016 to 19/12/2017	Article 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention