

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

THIRD SECTION

DECISION

Application no. 25926/17
Apostolos PAVLIDIS against Greece
and 3 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, 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 Article 3 of the Convention (inadequate conditions of detention)

The Government submitted that the applicant in application no. 33990/17 has failed to exhaust domestic remedies, as at the time he lodged his application with the Court he was released and yet failed to bring an action for damages before the national authorities. Moreover, regarding all applications, the Government observed that, while imprisoned, all applicants have always had a minimum of 4.08 sq. m with some having as much as 6.65 sq. m. The Government further claimed that the Greek Ombudsman had not noticed any deficiencies in food or hygienic supplies and has found the prison to be in a better condition than other Greek penitentiary institutions.

The applicants contested the Government's submissions. In particular, as regards the non-exhaustion of domestic remedies in application no. 33990/17, the applicant replied that the Government was referring to theoretical remedies. Additionally, the applicants maintained that they had had between 3.5 and 4 sq. m of personal space. They complained about overcrowding, inadequate heating, and the lack of warm water and absence of permanent medical staff. The applicants also complained about humidity and poor hygiene conditions.

The Court does not consider it necessary to rule on the Government's objection concerning the exhaustion of domestic remedies in application no. 33990/17 since it considers that the applications are in any event inadmissible for the reasons set out 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 their facility was not overcrowded

and that their conditions of detention did not amount to inhuman or degrading treatment. Therefore, the Court finds that it 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 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 are 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 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 Duration	Other complaints under well-established case-law
1.	25926/17 30/03/2017	**Apostolos PAVLIDIS** 1976	Kassandra Agricultural Prison 27/01/2017 to 24/04/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -
2.	27312/17 03/04/2017	**Theodoros KAMBOURIS** 1970	Kassandra Agricultural Prison 30/09/2016 to 09/08/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -
3.	33990/17 05/05/2017	**Neriman MUHAMED** 1983	Kassandra Agricultural Prison 07/10/2016 to 07/02/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -
4.	34407/17 05/05/2017	**Fekry ASHAERY** 1985	Kassandra Agricultural Prison 07/10/2016 to 07/08/2017	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention -