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

THIRD SECTION

DECISION

Application no. 43861/20
Panagiotis VASILOPOULOS against Greece
and 4 other applications
(see appended table)

The European Court of Human Rights (Third Section), sitting on 5 December 2024 as a Committee composed of:

Oddný Mjöll Arnardóttir*, President*,
Úna Ní Raifeartaigh,
Mateja Đurović*, 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 letter of 14 September 2022 submitted by the respondent Government,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

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

The applicants were represented by Ms I. Pipertzi, a lawyer practising in Thessaloniki.

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 the applications, complaints based on the same facts were 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 Articles 3 and 13 of the Convention (inadequate conditions of detention and lack of an effective remedy in that regard)

In the present applications, having examined all the material before it, the Court considers that for the reasons stated below, the applications are inadmissible.

In particular, the Court notes that Article 35 § 2 (b) of the Convention provides that it should not deal with any application submitted under Article 34 that is substantially the same as a matter that has already been examined by the Court and contains no relevant new information. In verifying whether two cases are essentially the same, it takes into account the identity of the parties in both proceedings, the legal provisions on which they are based, the nature of the complaints and the compensation which they seek to obtain (see *Verein gegen Tierfabriken Schweiz (VgT) v. Switzerland* (no. 2) [GC], no. 32772/02, § 63, ECHR 2009, and, *mutatis mutandis, Smirnova and Smirnova v. Russia* (dec.), nos. 46133/99 and 48183/99, 3 October 2002, and *Folgerø and Others v. Norway* (dec.), no. 15472/02, 14 February 2006).

In the instant cases, the Court notes that each applicant had lodged another application before it, registered under nos. 55682/21, 55050/21, 55769/21, 55740/21 and 55016/21, respectively, raising complaints under Articles 3 and 13 of the Convention similar to the ones raised in the context of the present applications. All these applications were struck out of the Court's list of cases in accordance with Article 39 of the Convention, on the basis of friendly settlements by decision *Mecollari and Others v. Greece* ([Committee] (dec.), nos. 41011/20 and 107 others, 9 March 2023).

The Court must therefore determine whether, in the present cases, the applications are "substantially the same" as the matter submitted to it in the applications which have already been struck out.

In the present cases, the applicants submitted that they had been held in inadequate conditions of detention in Larisa prison. They complained about, *inter alia*, overcrowding, inadequate temperature, poor quality of food, and poor quality of bedding and bed linen.

In their previous applications, the applicants had submitted that they had been held in inadequate conditions of detention in Larisa Prison, regarding the same periods as in the present applications, raising the same grievances.

By comparing the applications, the Court notes that the same applicants raised the same complaints with regards to the conditions of detention in Larisa prison, during the same periods, and that they have not submitted any evidence that would constitute a new fact within the meaning of Article 35 § 2 (b) of the Convention (see, *a contrario, C.G. and Others v. Bulgaria* (dec.), no. 1365/07, 13 March 2007).

Accordingly, the Court finds that these applications are substantially the same within the meaning of Article 35 § 2 (b) of the Convention as those dealt

with by it in the *Mecollari and Others* decision, cited above. Therefore, these complaints must be rejected as inadmissible pursuant to Article 35 § 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 January 2025.

Viktoriya Maradudina Acting Deputy Registrar	Oddný Mjöll Arnardóttir President

APPENDIX

List of applications raising complaints under Articles 3 and 13 of the Convention
(inadequate conditions of detention and lack of an effective remedy in that regard)

No.	Application no. Date of introduction	Applicant's name Year of birth
1.	43861/20 25/09/2020	**Panagiotis VASILOPOULOS** 1990
2.	4099/22 01/10/2020	**Chrysovalantis SOULEIMANIS/SOULIMANIS** 1980
3.	4102/22 01/10/2020	**Serkan KARAKUS** 1986
4.	4104/22 01/10/2020	**Ahmet GEZGIN** 1983
5.	4109/22 25/09/2020	**Chrysovalantis DIMITROPOULOS** 1978