

PRESS RELEASE

REMEDY INTRODUCED IN 2022 FOR COMPLAINTS ABOUT CONDITIONS OF DETENTION WAS EFFECTIVE

Manavidis v. Greece

ECHR 247 (2026) 08.10.2026

Press release issued by the Registrar of the Court



In its decision in the case of [Manavidis v. Greece](#) (application no. 28849/23), the European Court of Human Rights has declared the application inadmissible by a majority. The decision is final.

On 27 October 2022 Article 6A of the Prisons Code entered into force in Greece, establishing a dedicated judicial remedy in respect of detention conditions. Mr Manavidis lodged two appeals under the new remedy. The first was dismissed as unfounded in 2023, while the second was partly upheld. His case concerned the Court's first assessment of the remedy.

The Court found that Article 6A combined both preventive and compensatory forms of redress, which operated in a complementary manner and afforded a real and practical opportunity to obtain appropriate and sufficient redress for conditions of detention incompatible with the Convention. The remedy was effective in both law and practice. Mr Manavidis had made use of that remedy which had enabled him to obtain adequate and sufficient redress. His complaint concerning the lack of an effective remedy to complain of the inadequate conditions of detention was rejected as manifestly ill-founded.

Furthermore, he could no longer claim to be a victim of his complaint concerning the conditions of his detention.

A legal summary of this case will be available in the Court's database HUDOC ([link](#)).

PRINCIPAL FACTS

AND COMPLAINTS

The applicant, Nikolaos Manavidis, is a Greek national who was born in 1959 and is currently serving an 11-year-and-two-months prison sentence.

On 27 October 2022 Article 6A of the Prisons Code entered into force, establishing a dedicated judicial remedy in respect of complaints about detention conditions.

Mr Manavidis lodged two appeals under the new remedy. The first was dismissed as unfounded in 2023, while the second was partly upheld, with the Sentence Execution Court finding in 2024 that the conditions of his detention had infringed his human dignity. It ordered either his transfer to a less crowded cell or another prison. It also reduced his sentence.

Relying on Article 3 (prohibition of inhuman and degrading treatment), Mr Manavidis alleged that the conditions of detention in Diavata Prison were extremely distressing, with ten detainees being held in a 23 sq. m cell with only one toilet, a lack of natural light and ventilation

and poor sanitary and hygiene. He also argued under Article 13 (right to an effective remedy) that the appeal under Article 6A of the Prisons Code had been ineffective to challenge his conditions of detention.

OUTCOME

REASONING OF THE COURT

The entry into force of Article 6A of the Prisons Code marked a significant departure from the previous legal framework in Greece, which the Court had consistently found to lack an effective remedy for complaints concerning general conditions of detention.

The Court reiterated that for a system of protection of prisoners' rights as guaranteed under Article 3 to be effective, preventive and compensatory remedies had to co-exist in a complementary manner. The preventive remedy had to be capable of preventing the continuation of the alleged situation or of bringing about an improvement in the conditions of detention. For violations which had already occurred, an individual had to be able to bring a compensatory claim without being subject to an excessive burden of proof.

As regards its preventive aspect, appeals under Article 6A were determined by independent, competent national courts, with broad powers to order measures capable of bringing inadequate conditions of detention to an end and securing an improvement in the conditions of detention. As regards its compensatory aspect, the national courts could grant sentence reductions or monetary compensation, and the material before the Court showed that both forms of redress had been granted in practice. Subsequent legislative amendments had, moreover, strengthened the practical effect of redress.

The Court examined more than 170 decisions given under Article 6A of the Prisons Code and submitted by the Government, assessing the degree to which their reasoning corresponded to the Court's standards. The decisions showed a clear development in domestic judicial practice over time. While the remedy had been applied very restrictively at first, the proportion of successful appeals had subsequently increased. In 2023, domestic judicial practice had not yet aligned itself with the Court's Convention standards. From 2024 onwards, however, there was a marked improvement in the assessment of prisoners' complaints in accordance with the Court's Article 3 case-law.

The remedy was found to be capable of effectively dealing with the substance of prisoners' complaints and the courts were able to consider the merits of a complaint, make findings of fact and order redress that was tailored to the nature and gravity of the violation.

The procedure for bringing a complaint under Article 6A was accessible, not unduly complex and subject to procedural guarantees. Detainees were able to participate effectively in the determination of their complaints. Decisions were binding and immediately enforceable. While there were still certain shortcomings, such as in the reasoning of certain decisions and delays in processing times, the remedy, viewed as a whole and as it operated in practice, offered reasonable prospects of bringing conditions contrary to Article 3 to an end and of obtaining appropriate redress for violations which had already occurred. That finding did not, however, relieve the State of its obligation to address the structural causes of inadequate conditions of detention and had to be understood in the light of the need for the preventive limb of the remedy to produce the required improvement in detention conditions, including through the implementation of the broader measures envisaged by the authorities to address overcrowding (e.g. construction of new correctional facilities, criminal policy measures, alternatives to imprisonment). The Court concluded that Article 6A was effective in law and in practice from 2024 onwards for challenging poor conditions of detention in Greek prisons.

It nevertheless emphasised that it could review that assessment in the future if subsequent practice disclosed persistent deficiencies in the operation of the remedy, such as failures to implement preventive measures promptly, systemic departures from Article 3 standards, excessive procedural delays or negative consequences for detainees making use of it.

Turning to Mr Manavidis' case, the Court noted that the reasoning of the Sentence Execution Court closely followed the approach laid down in the Court's case-law. It had ordered his transfer to another cell where he would have more personal space, or alternatively, his priority transfer within one month to another detention facility that complied with the minimum living standards. It further awarded him compensation in the form of a sentence reduction amounting to one day for every ten days he had been held in such conditions.

The Court considered that the redress afforded to him had been appropriate and sufficient. The Sentence Execution Court had ordered his transfer, and the prison director had promptly requested it. The authorities had explained that no suitable place had been immediately available and the Court found that the time taken to implement the transfer had not deprived the remedy of its effectiveness.

The remedy had been effective in Mr Manavidis's individual case.

It followed that the complaint concerning a lack of an effective remedy to complain of the inadequate conditions of detention was rejected as manifestly ill-founded.

As regards Mr Manavidis's complaint under Article 3, the Court found that the Sentence Execution Court's decision had contained a clear and unequivocal acknowledgment that the conditions of his detention had constituted inhuman and degrading treatment, in violation of Article 3 of the Convention, after assessing his conditions of detention in accordance with the Court's case-law. Mr Manavidis had been transferred to another prison and the sentence reduction had been expressly granted to remedy the Article 3 violation.

It followed that he could no longer claim to be a victim of the facts complained of, namely the poor conditions of his detention in Diavata Prison.

The application was inadmissible.

PROCEDURE AND COMPOSITION OF THE COURT

The application was lodged with the European Court of Human Rights on 24 July 2023.

The decision was given by a Chamber of seven judges, composed as follows:

Peeter Roosma (Estonia), *President*,
Ioannis Ktistakis (Greece),
Lətif Hüseynov (Azerbaijan),
Diana Kovatcheva (Bulgaria),
Úna Ní Raifeartaigh (Ireland),
Mateja Đurović (Serbia),
Canòlic Mingorance Cairat (Andorra),

and also Milan Blaško, *Section Registrar*.

The decision is available only in English.

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