

Date 24-04-2019

PRESS RELEASE

European Court of Human Rights judgment on the detention of unaccompanied minors in police stations

The European Court of Human Rights (ECtHR) found Greece in violation of Articles 3, 5 (1), 4 and 13 of the European Convention on Human Rights (ECHR), in connection with the detention of unaccompanied minors in police stations until suitable accommodation has been found.

The judgment was based, inter alia, on a letter sent by the Ombudsman on 30 March 2016 to the Ministers of Citizens' Protection, Migration Policy and the Alternate Minister for Labour, Social Security and Social Solidarity. The letter described the increased flows of unaccompanied minors during the first three months of 2016, as opposed to the small number of places available for their safekeeping, while calling for continuity and enhancement of the specialised host structures. This shortage resulted in the retention of several unaccompanied minors in police stations until suitable space has been found.

For this reason, the Ombudsman in its capacity as Monitoring Mechanism for Children on the move, in cooperation with the United Nations Children's Fund/UNICEF, carried out in 2017 inspections in police stations in Prefecture of Thessaloniki, and visited centres in Northern Greece where minor migrants and refugees were hosted to ascertain the conditions of detention.

Its findings were included in a press release (31-2017) on which the decision is based, pointing out that conditions in police stations and pre-departure centres are totally inappropriate, which constitutes a violation of the rights of minors. The Ombudsman called for the creation of more hospitality venues, where minors will be safely kept once they have been identified, in a way that guarantees the protection of their rights.

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