



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

THIRD SECTION

CASE OF MOLLA MOLLA BLEDAR AND OTHERS v. GREECE

(Application no. 868/16)

JUDGMENT

STRASBOURG

24 September 2026

This judgment is final but it may be subject to editorial revision.

In the case of Molla Molla Bledar and Others v. Greece,

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

Úna Ní Raifeartaigh, *President*,

Canòlic Mingorance Cairat,

Vasilka Sancin, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having deliberated in private on 3 September 2026,

Delivers the following judgment, which was adopted on that date:

PROCEDURE

1. The case originated in an application against Greece lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 23 December 2015.

2. The applicants listed under nos. 1, 2, 4, 6, 7 and 10 in the appended table, were represented by Ms X. Moysidou, a lawyer practising in Thessaloniki, and the applicants, listed under nos. 3, 5, 8, 9, and 11-15 in the appended table, were represented by both Ms X. Moysidou and Ms E.-L. Koutra, lawyers practising in Athens.

3. The Greek Government (“the Government”) were given notice of the application.

THE FACTS

4. The list of applicants and the relevant details of the application are set out in the appended table.

5. The applicants complained of the inadequate conditions of their detention in the Amfissa prison. Some applicants also raised other complaints under the provisions of the Convention.

THE LAW

I. STRIKING OUT OF THE COMPLAINTS LODGED BY THE APPLICANTS A. DIMITROPOULOS AND S. MUSTAFA (OR MOUSTAFA)

6. By a letter dated 3 October 2025, sent via the Court’s Electronic Communication Service (eComms), the applicants were requested to inform the Court of any important factual developments in their case that may have taken place since their last correspondence with the Court. They were notified that their reply should be accompanied by a recent detention certificate and any other relevant documents. The applicants’ attention was drawn to the fact that if the requested information was not received within the indicated

time-limit, the Court may conclude that they no longer wished to pursue their application and decide to strike it from its list of cases. In her reply to that request sent on 14 January 2026, the representative did not provide any information regarding the applicant S. Mustafa (or Moustafa), indicated under no. 13 in the appended table, nor she submitted any proof that she was still in contact with him. In the same letter, the representative submitted that the applicant A. Dimitropoulos, indicated under no. 5 in the appended table, had died. She, however, did not forward any accompanying documents, such as a death certificate and a certificate of next of kin, to the Court. No heirs or close family members of the applicant expressed their willingness to pursue the application.

7. In the light of the foregoing, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention and the Protocols thereto, the Court, in accordance with Article 37 § 1 (a) of the Convention, considers that it is no longer justified to continue the examination of the application in the part lodged by the applicants indicated under nos. 5 and 13 in the appended table.

8. Accordingly, the case should be struck out of the list with respect to these two applicants.

II. ALLEGED VIOLATION OF ARTICLE 3 OF THE CONVENTION ON ACCOUNT OF THE CONDITIONS OF DETENTION

9. The remaining applicants, indicated under nos. 1-4, 6-12 and 14-15 in the appended table, complained under Article 3 of the Convention of the inadequate conditions of detention in the Amfissa prison.

A. Applicants A. Didaskalou, S. Georgopoulos, A. Kamperis and D. Zafeiropoulos

10. The Government submitted that the applicants A. Didaskalou, S. Georgopoulos, A. Kamperis and D. Zafeiropoulos, indicated under nos. 4, 8, 10 and 15 in the appended table, had either been transferred to a different prison facility or had been released prior to lodging their application with the Court and had, thus, failed to exhaust the remedy provided for under Article 105 of the Introductory Law to the Civil Code.

11. The Court notes that the applicants S. Georgopoulos and D. Zafeiropoulos, listed under nos. 8 and 15 in the appended table, had already been released from detention on 7 July and 11 June 2015, respectively, that is prior to lodging their application with the Court on 23 December 2015. In addition, the applicants A. Didaskalou and A. Kamperis, listed under nos. 4 and 10 in the appended table, had been transferred to different prison facilities on 20 and 6 October 2015, respectively, before they lodged their application with the Court. It follows

that when they lodged their applications with the Court, the applicants were no longer detained in the conditions of which they complained. Furthermore, the applicants did not raise any complaints concerning the conditions of their detention in the subsequent detention facilities. In that regard, these applicants failed to substantiate that the conditions of detention in the detention facilities to which they had been transferred were essentially the same as those in the Amfissa Prison. There is therefore no indication that their subsequent detention should be treated by the Court as the “continuing situation” to the period of their detention under consideration.

12. Hence, by lodging an application with the Court the applicants did not seek to put an end to an ongoing violation, but to obtain a subsequent ruling on an alleged past violation of Article 3 on account of the conditions of their detention in prison and, if appropriate, to receive just satisfaction for non-pecuniary damage. Therefore, an action under Article 105 of the Introductory Law to the Civil Code constituted a domestic remedy which should have been used (see *Papadakis and Others v. Greece*, no. 34083/13, §§ 47-48, 25 February 2016, and *Zabelos and Others v. Greece*, no. 1167/15, § 54, 17 May 2018, with further references).

13. In view of the above, the Court upholds the Government’s objection and finds that the applicants, listed under nos. 4, 8, 10 and 15 in the appended table, have failed to exhaust domestic remedies, and thus their complaints about poor detention conditions must be rejected in accordance with Article 35 §§ 1 and 4 of the Convention.

B. The remaining applicants

14. The applicants indicated under nos. 1-3, 6-7, 9, 11-12 and 14 in the appended table maintained that they had been detained in conditions of severe overcrowding. They submitted that they had always been detained with at least 28 detainees and that they had had less than 3 sq. m of personal space during their detention in the dormitories.

15. The Government argued that, since the entry into force of Law no. 4322/2015 on 27 April 2015 pertaining to criminal procedure and prison reform, the problem of overcrowding prevailing in the Amfissa prison had substantially improved, thus the application had been lodged out of time. They further submitted that the overall conditions of the applicants’ detention did not attain the minimum level of severity required to fall within the scope of Article 3 of the Convention. In particular, they submitted that the applicants had been detained in dormitories measuring 76.04 sq. m (dormitories nos. 1, 3, 4 and 6) and 59.60 sq. m (dormitories nos. 2 and 5), accommodating up to 27 and 22 detainees, respectively, and that the prison’s official capacity had been exceeded only occasionally and by a negligible margin.

16. The Court refers to the principles established in its case-law regarding inadequate conditions of detention (see, for instance, *Muršić v. Croatia* [GC], no. 7334/13, §§ 96-101, ECHR 2016). It reiterates in particular that a serious lack of space in a prison cell weighs heavily as a factor to be taken into account for the purpose of establishing whether the detention conditions described are “degrading” from the point of view of Article 3 and may disclose a violation, both alone or taken together with other shortcomings (see *Muršić*, cited above, §§ 122-41, and *Ananyev and Others v. Russia*, nos. 42525/07 and 60800/08, §§ 149-59, 10 January 2012).

17. The Court observes that the applicants’ conditions of detention varied over the course of their detention in Amfissa Prison. In particular, the Government produced official tables indicating the minimum and maximum number of detainees accommodated in each dormitory on a monthly basis for the years 2015 and 2016. These tables show that, during certain months, the maximum occupancy substantially exceeded the level compatible with ensuring a personal living space of 3 sq. m per detainee, whereas during other months occupancy was sufficiently low to ensure each detainee at least 3 sq. m of personal living space. As regards the period from 2017 to 2021, the Government produced tables showing the overall prison population based on headcounts carried out twice a month, on the 1st and 15th of each month. Those figures indicate that the prison population consistently exceeded the prison’s official capacity. Moreover, the Government did not produce any documentary evidence indicating the number of detainees accommodated in each dormitory during that period.

18. It follows from the above that, as regards certain months in 2015 and 2016, as well as the period from 2017 to 2021, the Government failed to substantiate their contention that the applicants had not been subjected to overcrowding. In particular, the absence of detailed records indicating the number of detainees accommodated in each dormitory during the period from 2017 to 2021 cannot be regarded as capable of refuting the applicants’ allegation that they had been afforded less than 3 sq. m of personal living space throughout their detention in the dormitories. The same conclusion applies to those months in 2015 and 2016 during which the maximum occupancy of the dormitories substantially exceeded the level compatible with ensuring 3 sq. m of personal living space per detainee.

19. Having regard to its case-law on the subject, to all the available material and the parties’ arguments, the Court considers that the conditions of detention in the dormitories of the applicants, indicated under nos. 1-3, 6-7, 9, 11-12 and 14 in the appended table, were inadequate during the periods specified in the annex. Therefore, their complaints about the general conditions of detention in the Amfissa prison in respect of the periods indicated in the appended table are admissible and disclose a violation of Article 3 of the Convention.

III. REMAINING COMPLAINTS

20. The applicants further complained under Article 13 of the Convention that they did not have at their disposal an effective domestic remedy with respect to their Article 3 complaints.

21. Having regard to the facts of the case, the submissions of the parties, and its findings above, the Court considers that it has examined the main legal question raised in the present application and that there is no need to give a separate ruling on that complaint under Article 13 of the Convention (see *Centre for Legal Resources on behalf of Valentin Câmpeanu v. Romania* [GC], no. [47848/08](#), § 156, ECHR 2014).

22. Finally, some of the applicants raised other complaints under various Convention provisions about the very fact of their detention, as well as about the quality of the medical care in the Amfissa Prison and conditions of their detention in the same facility during some other periods.

23. The Court has examined the complaints and considers that, in the light of all the material in its possession and in so far as the matters complained of are within its competence, these complaints either do not meet the admissibility criteria set out in Articles 34 and 35 of the Convention or do not disclose any appearance of a violation of the rights and freedoms enshrined in the Convention or the Protocols thereto.

24. It follows that these complaints must be rejected in accordance with Article 35 § 4 of the Convention.

IV. APPLICATION OF ARTICLE 41 OF THE CONVENTION

25. Regard being had to the documents in its possession and to its case-law (see, in particular, *Muršić*, cited above), the Court considers it reasonable to award to the applicants, listed under nos. 1-3, 6-7, 9, 11-12 and 14, the sums indicated in the appended table, in respect of non-pecuniary damage, plus any tax that may be chargeable.

26. As regards costs and expenses, the Court notes that the applicants' claim is not accompanied by any supporting documents and therefore should be dismissed (see *Merabishvili v. Georgia* [GC], no. 72508/13, §§ 370-73, 28 November 2017, and *Altay v. Turkey* (no. 2), no. 11236/09, §§ 87-89, 9 April 2019).

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to strike the application out of its list of cases in the part lodged by the applicants, A. Dimitropoulos and S. Mustafa (or Moustafa), listed under nos. 5 and 13 in the appended table;

2. *Declares* the complaints of applicants nos. 1-3, 6-7, 9, 11-12 and 14 in the appended table raised under Article 3 of the Convention concerning the conditions of their detention in the Amfissa prison for the periods indicated in the appended table admissible, *finds* that it is not necessary to examine separately the complaint under Article 13 of the Convention and *dismisses* the remainder of the application as inadmissible;
3. *Holds* that there has been a violation of Article 3 of the Convention in respect of the applicants, listed under nos. 1-3, 6-7, 9, 11-12 and 14 in the appended table, due to the inadequate conditions of their detention in Amfissa prison for the periods indicated in the appended table;
4. *Holds*
 - (a) that the respondent State is to pay the applicants, listed under nos. 1-3, 6-7, 9, 11-12 and 14 in the appended table, within three months, the amounts indicated in the appended table in respect of non-pecuniary damage, plus any tax that may be chargeable;
 - (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.
5. *Dismisses* the remainder of the applicants' claim for just satisfaction.

Done in English, and notified in writing on 24 September 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Úna Ní Raifeartaigh
President

APPENDIX

Application raising complaints under Article 3 of the Convention
(inadequate conditions of detention)

Applicant's name Year of birth	Representative's name and location	Facility Start and end date of detention in conditions of overcrowding Duration	Specific grievances	Amount awarded for non- pecuniary damage per applicant (in euros) ¹
1. Bledar Molla MOLLA MOLLA BLEDAR 1974	X. Moysidou, Thessaloniki	Amfissa prison Dormitory no. 6: 21/01/2015-31/10/2015 9 months and 11 days	Overcrowding, inadequate temperature, mouldy or dirty cells, inadequate hygienic facilities, infestation of cell with rodents	3,000
2. Ioannis CHRISTOPOULOS 1978	X. Moysidou, Thessaloniki	Amfissa prison Dormitory no. 3: 01/09/2015-30/09/2015, 01/11/2015-31/12/2015, 01/02/2016-31/03/2016, 01/05/2016-30/09/2016 10 months		3,300
3. Yulivan DANCHEV 1964	X. Moysidou, Thessaloniki and E.-L. Koutra, Athens	Amfissa prison Dormitory no. 4: 27/11/2014-30/06/2015, 01/09/2015-31/10/2015, 01/06/2016-31/07/2016, 01/01/2017-29/03/2022 6 years and 2 months and 5 days		9,400
4. Anastasios DIDASKALOU 1983	X. Moysidou, Thessaloniki	Amfissa prison Dormitory no. 4: 05/04/2015-20/10/2015 6 months and 16 days		N/A
5. Athanasios DIMITROPOULOS 1982	X. Moysidou, Thessaloniki and E.-L. Koutra, Athens	Amfissa prison Dormitory no. 3: 17/11/2014-28/07/2015 8 months and 12 days		N/A

¹ Plus any tax that may be chargeable to the applicants.

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Applicant's name Year of birth	Representative's name and location	Facility Start and end date of detention in conditions of overcrowding Duration	Specific grievances	Amount awarded for non- pecuniary damage per applicant (in euros) 1
6. Atanas DINEV 1982	X. Moysidou, Thessaloniki	Amfissa prison Dormitory no. 3: 01/09/2015-30/09/2015, 01/11/2015-31/12/2015, 01/02/2016-31/03/2016 5 months		1,900
7. Ilya GEORGIEV 1978	X. Moysidou, Thessaloniki	Amfissa prison Dormitory no. 6: 23/04/2014-30/06/2015, 01/08/2015-31/10/2015 1 year and 5 months and 9 days		4,800
8. Stylianos GEORGOPOULOS 1988	X. Moysidou, Thessaloniki and E.-L. Koutra, Athens	Amfissa prison Dormitory no. 3: 28/07/2014-07/07/2015 11 months and 10 days		N/A
9. Astrit HALIM 1979	X. Moysidou, Thessaloniki and E.-L. Koutra, Athens	Amfissa prison Dormitory no. 6: 13/10/2014-30/06/2015, 01/08/2015-23/10/2015 11 months and 10 days Dormitory no. 3: 01/11/2015-31/12/2015, 01/02/2016-31/03/2016, 01/05/2016-02/09/2016 8 months and 3 days		5,200
10. Athanasios KAMPERIS 1990	X. Moysidou, Thessaloniki	Amfissa prison Dormitory no. 5: 21/08/2014-06/10/2015 1 year and 1 month and 16 days		N/A
11. Anestis KOLYVAS 1978	X. Moysidou, Thessaloniki and E.-L. Koutra, Athens	Amfissa prison Dormitory no. 4: 12/09/2014-30/06/2015, 01/09/2015-31/10/2015 11 months and 20 days		3,800

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Applicant's name Year of birth	Representative's name and location	Facility Start and end date of detention in conditions of overcrowding Duration	Specific grievances	Amount awarded for non- pecuniary damage per applicant (in euros) 1
12. Theofilos KOUTRAS-KOUTROPOULOS 1992	X. Moysidou, Thessaloniki and E.-L. Koutra, Athens	Amfissa prison Dormitory no. 3: 01/09/2015-30/09/2015, 01/11/2015-31/12/2015, 01/02/2016-31/03/2016, 1/005/2016-30/9/2016, 01/01/2017-03/01/2018 1 year and 10 months and 3 days		5,900
13. Sirouad MOUSTAFA OR MUSTAFA 1976	X. Moysidou, Thessaloniki and E.-L. Koutra, Athens	Amfissa prison Dormitory no. 1: 03/10/2013-27/09/2016 2 years and 11 months and 25 days		N/A
14. Vasileios NTANOS 1982	X. Moysidou, Thessaloniki and E.-L. Koutra, Athens	Amfissa prison Dormitory no. 2: 01/07/2015-31/12/2015, 01/02/2016-31/08/2016 1 year and 1 month		4,000
15. Dimitrios ZAFEIROPOULOS 1977	X. Moysidou, Thessaloniki and E.-L. Koutra, Athens	Amfissa prison Dormitory no. 3: 07/04/2015-11/06/2015 2 months and 5 days		N/A