



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

## THIRD SECTION

### **CASE OF A.M. AND OTHERS v. GREECE**

*(Applications nos. 11022/17 and 3 others –  
see appended list)*

JUDGMENT

STRASBOURG

24 September 2026

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



**In the case of A.M. 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 applications against Greece lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on the various dates indicated in the appended table.

2. The Court decided not to have the applicants’ names disclosed as specified in the appended table.

3. The applicants were represented by the lawyers as indicated in the appended table.

4. The Greek Government (“the Government”) were given notice of the applications.

## THE FACTS

5. The list of applicants and the relevant details of the applications are set out in the appended table.

6. The applicants complained of the reception and living conditions to which they had been subjected as asylum-seekers. In applications nos. 18179/20, 48822/20 and 1880/21 the applicants also raised other complaints under the provisions of the Convention.

## THE LAW

### I. JOINDER OF THE APPLICATIONS

7. Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single judgment.

## II. ALLEGED VIOLATION OF ARTICLE 3 OF THE CONVENTION CONCERNING LIVING CONDITIONS IN THE RECEPTION CENTRES

8. The applicants complained of the reception and living conditions to which they had been subjected as asylum-seekers in various facilities and during the periods, as set out in the appended table. They relied, expressly or in substance, on Article 3 of the Convention.

9. The Court reiterates that ill-treatment must attain a minimum level of severity in order to fall within the scope of Article 3 of the Convention. The assessment of that level depends on all the circumstances of the case, including the duration of the treatment, its physical or mental effects and the personal situation of the individuals concerned (see *M.S.S. v. Belgium and Greece* [GC], no. 30696/09, § 219, ECHR 2011). It has held that asylum-seekers constitute a particularly vulnerable group requiring special protection and that the conditions of their reception must be compatible with respect for human dignity (*ibid.*, § 251).

10. In so far as the complaints concern the living conditions in a hotel in Isthmia (Korinthos) (application no. 11022/17), in Nea Kavala Camp (application no. 48822/20), and in the Mavrovouni and PROKEKA (pre-removal detention centre) facilities in Lesvos (application no. 1880/21), the Court notes that the applicants' allegations are either not sufficiently substantiated or are not supported by the material before it. In particular, the applicants have not provided concrete and detailed information concerning their personal situation or the duration and specific nature of the alleged shortcomings. Furthermore, the available material does not demonstrate that the conditions complained of attained the minimum level of severity required to fall within the scope of Article 3 of the Convention. Accordingly, the applicants have failed to discharge the burden of proof incumbent upon them. It follows that this part of the applications is manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 (a) and 4 of the Convention.

11. In application no. 11022/17, the Government raised two preliminary objections. Firstly, they argued that the application should be struck out of the list under Article 37 of the Convention on account of a loss of contact with the applicants. Secondly, the Government submitted that the applicants had failed to exhaust domestic remedies, arguing that they could have lodged a claim for compensation under Article 105 of the Introductory Law to the Civil Code. In support of this argument, they relied on judgments nos. 842/2023 and 988/2023 of the Athens Administrative Court. As regards the first objection, the Court notes, that the applicants' representative provided proof of continued contact on 22 May 2025. Regarding the second objection, the Court observes, that those cases concerned the death of asylum seekers and are therefore not comparable to the present case. In the absence of relevant examples demonstrating the effectiveness of such a remedy in

circumstances similar to those of the present case, their objections must be dismissed. In application no. 18179/20, the Government raised the same objection, arguing that the applicant had failed to exhaust domestic remedies. In particular, they submitted that he had not raised his complaints before the competent administrative authorities and that, in the event of a refusal, he could have challenged it before the administrative courts or sought interim protection under Articles 682-683 of the Code of Civil Procedure or Article 210 of the Code of Administrative Procedure. The applicant contested that argument, maintaining that the remedies relied upon by the Government were not effective in practice. He argued, in particular, that under the applicable legal framework the authorities were under a positive obligation to ensure adequate reception conditions and that no specific remedy existed in domestic law allowing individuals to challenge a failure to comply with that obligation. He further submitted that the remedies referred to by the Government were either not applicable in his situation or incapable of providing timely and effective redress, and that the Government had failed to demonstrate their effectiveness by reference to the relevant case-law. The Court reiterates that it is for the Government claiming non-exhaustion to demonstrate that the remedy relied upon was effective in theory and in practice, that is to say, accessible, capable of providing redress and offering reasonable prospects of success (see *Selmouni v. France* [GC], no. 25803/94, §§ 76-77, ECHR 1999-V). In the present case, the Court observes that the Government have not identified a remedy specifically designed to address complaints concerning the failure to provide adequate reception conditions, nor have they provided sufficient examples of domestic case-law demonstrating the effectiveness of the remedies relied upon. The Government's objection of non-exhaustion should therefore be dismissed. In application no. 48822/20 the Government raised two objections as to admissibility. Firstly, they argued that the applicant could no longer claim to be a victim within the meaning of Article 34 of the Convention, submitting that her reception conditions had been adequate, that her medical needs had been addressed and that she had been transferred to appropriate accommodation within a short period of time. Secondly, they submitted that the applicant had failed to exhaust domestic remedies. To the extent that the Government raised that this objection is closely linked to the substance of the applicant's complaint under Article 3 of the Convention. It therefore joins it to the merits. As regards the second objection, the applicant contested that argument, maintaining that the remedies relied upon by the Government were largely theoretical and not effective in her particular circumstances. In line with its findings above, the objection must also be dismissed.

12. In the leading cases of *M.S.S.* [GC], cited above, *Khlaifia and Others v. Italy* [GC], no. 16483/12, 15 December 2016 and *Tarakhel v. Switzerland* [GC], no. 29217/12, ECHR 2014 (extracts), the Court already found a violation in respect of issues similar to those in the present case.

13. Having regard to its findings below under Article 3 of the Convention, the Court dismisses the Government's objection concerning the applicant's victim status. Having examined all the material submitted to it, the Court has not found any fact or argument capable of persuading it to reach a different conclusion on the admissibility and merits of these complaints. Having regard to its case-law on the subject, and given the specific description provided in the appended table to that effect, the Court considers that in the instant case the applicants in application no. 11022/17 in Ritsona camp and in applications nos. 18179/20, 48822/20 and 1880/21 in Lesvos Reception and Identification Centre (Moria) found themselves in extremely poor living conditions during the periods indicated in the appended table.

14. These complaints are therefore admissible and disclose a breach of Article 3 of the Convention.

### III. OTHER ALLEGED VIOLATIONS UNDER WELL-ESTABLISHED CASE-LAW

15. In applications nos. 18179/20 and 48822/20, the applicants submitted other complaints which also raised issues under the Convention, given the relevant well-established case-law of the Court (see appended table). These complaints are not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention, nor are they inadmissible on any other ground. Accordingly, they must be declared admissible. Having examined all the material before it, the Court concludes that they also disclose violations of the Convention in the light of its findings in *Mamatkulov and Askarov v. Turkey* [GC], nos. 46827/99 and 46951/99, § 128, ECHR 2005-I; and *Murray v. the Netherlands* [GC], no. 10511/10, §§ 106, and 113-27, 26 April 2016.

### IV. REMAINING COMPLAINTS

16. The applicants in applications nos. 18179/20, 48822/20 and 1880/21 made additional complaints under Articles 8 and 13 of the Convention. Having regard to the facts of the case, the submissions of the parties, and its findings above, the Court considers that it has dealt with the main legal questions raised by the case and that there is no need to examine the remaining complaints (see *Centre for Legal Resources on behalf of Valentin Câmpeanu v. Romania* [GC], no.47848/08, § 156, ECHR 2014).

17. The applicant in application no. 1880/21 also complained under Article 3 of the Convention that he had not benefited from appropriate medical assistance. The Court observes that, although the applicant suffers from chronic conditions, the material before it does not indicate that he was denied appropriate care or that his state of health deteriorated as a result of any delay in treatment. It follows that this part of application no. 1880/21 is

manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 (a) and 4 of the Convention.

18. Finally, the applicant in application no. 18179/20 complained under Article 3 of the Convention about the conditions of his stay in the Lesvos Reception and Identification Centre (Moria) during another period, namely between 2 October 2019 and 17 January 2020, preceding his stay in the same facility which had already been the subject of the Court's examination (see paragraphs 11-14 above and the appended table). The application was lodged on 17 September 2020. Accordingly, in so far as the complaint relates to the applicant's stay in Moria between 2 October 2019 and 17 January 2020, it was introduced outside the six-month time-limit applicable at the material time. It follows that this part of the application must be rejected pursuant to Article 35 §§ 1 and 4 of the Convention.

## V. APPLICATION OF ARTICLE 41 OF THE CONVENTION

19. Regard being had to the documents in its possession and to its case-law (see, in particular, *H.A. and Others v. Greece*, no. 19951/16, § 217, 28 February 2019, *A.I. and Others v. Greece* [Committee], nos. 11588/20 and 2 others, § 15, 19 June 2025, and *M.A. and Others v. Greece* [Committee], nos. 15192/20 and 3 others, § 30, 3 October 2024), the Court considers it reasonable to award the sums indicated in the appended table in respect of non-pecuniary damage.

20. The applicants in application no. 11022/17 claimed 2,000 euros (EUR) and the applicant in application no. 18179/20 claimed EUR 500 for costs and expenses. According to the Court's settled case-law, an applicant is entitled to the reimbursement of costs and expenses only in so far as it has been shown that these have been actually and necessarily incurred and are reasonable as to quantum (see *Buzadji v. the Republic of Moldova* [GC], no. 23755/07, § 130, 5 July 2016). In the present cases the applicants did not submit documents showing that they had paid or were under a legal obligation to pay the fees charged by their representatives or the expenses incurred by them. In the absence of such documents, the Court finds no basis on which to accept that the costs and expenses claimed by the applicants have actually been incurred by them. It follows that their claims must be rejected.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;
2. *Declares* the complaints concerning the reception and living conditions of the applicants, as asylum-seekers, in the facilities and during the periods indicated in the appended table, and other complaints raised under the well-established case-law of the Court (as indicated in the appended table) admissible, *finds* that it is not necessary to examine separately the complaints raised in applications nos. 18179/20, 48822/20 and 1880/21 under Articles 8 and 13 of the Convention, and *dismisses* the remaining complaints as inadmissible;
3. *Holds* that these applications disclose a breach of Article 3 of the Convention concerning the reception and living conditions of the applicants, as asylum-seekers, in the facilities and during the periods indicated in the appended table;
4. *Holds* that there has been a violation of the Convention as regards the other complaints raised under the well-established case-law of the Court (see appended table);
5. *Holds*
  - (a) that the respondent State is to pay the applicants, within three months, the amounts indicated in the appended table;
  - (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;
6. *Dismisses* the remainder of the applicants' claims 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

List of applications raising complaints under Article 3 of the Convention  
(reception and living conditions of asylum-seekers)

| No. | Application no.<br>Date of introduction  | Applicant's name<br>Year of birth                                                                                                | Representative's<br>name and<br>location | Facilities and<br>dates                       | Reception conditions and<br>vulnerability factors                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Interim measure<br>indicated by the<br>Court | Other relevant information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Other complaints under<br>well-established case-law | Amount awarded for<br>non-pecuniary damage<br>per applicant<br>(in euros) <sup>1</sup>                                                    |
|-----|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1.  | 11022/17<br>31/01/2017<br>(5 applicants) | <b>A.M.</b><br>1962<br><br><b>AL.M.</b><br>1986<br><br><b>G.M.</b><br>1988<br><br><b>I.M.</b><br>1991<br><br><b>S.M.</b><br>2000 | Koutra Electra-<br>Leda<br>Athens        | Ritsona<br>Camp:<br>16/03/2016-<br>26/09/2016 | Two of the applicants were adults with severe disabilities. They were wheelchair users and dependent on others for their daily care; overcrowding, lack of access to sanitary facilities, electricity and potable water. These allegations were not contested by the Government; on the contrary, the Government confirmed that, during the initial period of operation of the camp, significant infrastructural deficiencies existed. In particular, according to the Government's observations, the camp initially lacked connection to basic networks such as water, electricity and sewage. The provision of water and the construction of septic tanks were completed on 06/07/2016. Furthermore, the basic electricity |                                              | 07/07/2016: registration by Aylum Mobile Unit (pre-registration exercise);<br>28/09/2016 A.M. and S.M. application for international protection/ relocation;<br>28/12/2016 relocation request sent to German authorities;<br>24/01/2017 request accepted;<br><br>26/09/2016 AL.M. application for international protection/ relocation;<br>28/12/2016 relocation request sent to German authorities;<br>24/01/2017 request accepted;<br><br>26/09/2016 G.M. application for international protection/ relocation;<br>28/12/2016 relocation request sent to German authorities;<br>24/01/2017 request accepted; |                                                     | 3,000 to applicants:<br>A.M., I.M. and S.M.<br>jointly,<br><br>3,000 to the applicant<br>AL.M.,<br><br>and 3,000 to the<br>applicant G.M. |

<sup>1</sup> Plus any tax that may be chargeable to the applicants.

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| No. | Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Representative's<br>name and<br>location | Facilities and<br>dates                                                         | Reception conditions and<br>vulnerability factors                                                                                                                                                                    | Interim measure<br>indicated by the<br>Court                                                                                                                                                                                                                                                                     | Other relevant information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Other complaints under<br>well-established case-law                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Amount awarded for<br>non-pecuniary damage<br>per applicant<br>(in euros) <sup>1</sup> |
|-----|-----------------------------------------|-----------------------------------|------------------------------------------|---------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
|     |                                         |                                   |                                          |                                                                                 | supply source was completed on<br>06/04/2016                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                  | 26/09/2016 I.M. application for<br>international protection/<br>relocation;<br>21/10/2016 relocation request<br>sent to German authorities;<br>25/11/2016 request accepted;<br>07/03/2017 all applicants<br>transferred to Germany                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                        |
| 2.  | 18179/20<br>17/09/2020                  | <b>M.A.</b><br>1985               | Tzeferakou<br>Ioanna Maria<br>Athens     | Lesvos RIC<br>Moria:<br>20/02/2020-<br>06/06/2020,<br>23/06/2020-<br>06/07/2020 | overcrowding, lack of access to<br>sanitary facilities, lack of access<br>to basic necessities.<br>The applicant is a victim of<br>torture, suffering from symptoms<br>of PTSD, depression and reactive<br>psychosis | 06/05/2020:<br>guarantee to the<br>applicant living<br>conditions<br>compatible with<br>Article 3 of the<br>Convention<br>having regard to<br>his state of health<br>and to provide the<br>applicant with<br>adequate<br>healthcare<br>compatible with<br>his state of health.<br>26/09/2025 lift of<br>measures | October- November 2019: several<br>visits to NGO KITRINOS in<br>Moria, identified as suffering<br>from psychological problems,<br>experiencing crises and<br>presenting suicidal ideation;<br>28/11/2019 application for<br>international protection;<br>03/12/2019 the applicant started<br>treatment in the clinic of<br>Medecins Sans Frontieres (MSF)<br>in Moria, where he was<br>confirmed to be a victim of<br>torture.<br>17/1/2020 resigned from<br>application or international<br>protection;<br>20/1/2020 first medical screening;<br>26/1/2020 solemn declaration<br>stating that he wants to continue<br>with the asylum procedure;<br>27/1/2020 accepted in MSF<br>rehabilitation programme in<br>Athens;<br>29/1/2020 the applicant was<br>transferred to Hospital of | Art. 34 - Right of<br>individual application<br>without hindrance - After<br>indication of an interim<br>measure the applicant<br>remained in the same<br>facility and the same<br>conditions and was later<br>subsequently detained in<br>Lesvos police station and<br>in the pre-removal<br>detention centre (see<br>above),<br><br>Art. 3 - inadequate medical<br>treatment in detention -<br>In the present case, the<br>applicant's allegations of<br>torture and his fragile<br>psychological condition<br>were brought to the<br>attention of the authorities<br>at an early stage.<br>Nevertheless, the material<br>before the Court does not | 8,000                                                                                  |

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| No. | Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Representative's<br>name and<br>location | Facilities and<br>dates | Reception conditions and<br>vulnerability factors | Interim measure<br>indicated by the<br>Court | Other relevant information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Other complaints under<br>well-established case-law                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Amount awarded for<br>non-pecuniary damage<br>per applicant<br>(in euros) <sup>1</sup> |
|-----|-----------------------------------------|-----------------------------------|------------------------------------------|-------------------------|---------------------------------------------------|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
|     |                                         |                                   |                                          |                         |                                                   |                                              | <p>Mytilene and the doctors proposed that the applicant conducts a neurological examination;</p> <p>05/02/2020 registration of his subsequent asylum claim;</p> <p>05/02/2020-10/02/2020 the applicant submitted his medical papers;</p> <p>14/02/2020 issuance of first instance decision, rejecting his asylum application as inadmissible;</p> <p>17/02/2020 Administrative Court of First Instance ordered his release;</p> <p>20/02/2020 released by decision of the General Police Director;</p> <p>09/04/2020 issuance of second instance decision, upholding the first instance decision notified on 21/05/2020;</p> <p>06/05/2020 RIC referral to UNHCR to include the applicant in the "ESTIA" accommodation scheme;</p> <p>07/05/2020 application to lift geographical restriction;</p> <p>13/05/2020 reassessment by Hellenic National Public Health Organization (EODY);</p> <p>04/06/2020 suicide attempt and transfer to hospital;</p> <p>06/06/2020 rearrested;</p> | <p>indicate that a structured vulnerability assessment was promptly carried out or that he was referred without delay to specialised rehabilitation services tailored to victims of torture. In the absence of evidence demonstrating that the authorities ensured specialised, trauma-informed care, the applicant was left without the level of protection required in light of his particular vulnerability. Having regard to his status as a torture victim, the shortcomings in access to specialised treatment reached the threshold of severity required under Article 3 of the Convention. There has accordingly been a violation of that provision.</p> |                                                                                        |

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| No. | Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Representative's<br>name and<br>location | Facilities and<br>dates | Reception conditions and<br>vulnerability factors | Interim measure<br>indicated by the<br>Court | Other relevant information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Other complaints under<br>well-established case-law | Amount awarded for<br>non-pecuniary damage<br>per applicant<br>(in euros) <sup>1</sup> |
|-----|-----------------------------------------|-----------------------------------|------------------------------------------|-------------------------|---------------------------------------------------|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|----------------------------------------------------------------------------------------|
|     |                                         |                                   |                                          |                         |                                                   |                                              | <p>09/06/2020 the Greek Ombudsman intervened in order to secure the execution of interim measure;</p> <p>12/06/2020 the applicant submitted before police authorities requests of release because of his mental situation/ danger of committing suicide and because of the pending execution of the interim measures;</p> <p>17/06/2020 official medical certificate issued by Mytilene Hospital confirming a diagnosis of post-traumatic stress disorder (PTSD);</p> <p>23/06/2020 released from detention;</p> <p>06/07/2020 moved to Korinthos camp on his own initiative;</p> <p>20/07/2020 the applicant attended the General Hospital of Korinthos, where the psychiatric department diagnosed him with post-traumatic stress disorder (PTSD), suicidal ideation and psychosis, and recommended hospitalisation and treatment under medication;</p> <p>29/07/2020 – 11/08/2020 the applicant was hospitalized in the Psychiatric Department of Korinthos Hospital;</p> <p>20/02/2021 recognised as refugee</p> |                                                     |                                                                                        |

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| No. | Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Representative's<br>name and<br>location | Facilities and<br>dates                           | Reception conditions and<br>vulnerability factors                                                                                                                                                                                                                                                                 | Interim measure<br>indicated by the<br>Court | Other relevant information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Other complaints under<br>well-established case-law                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Amount awarded for<br>non-pecuniary damage<br>per applicant<br>(in euros) <sup>1</sup> |
|-----|-----------------------------------------|-----------------------------------|------------------------------------------|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 3.  | 48822/20<br>29/10/2020                  | <b>R.M.</b><br>1986               | Kriona Saranti<br>Elli<br>Athens         | Lesvos RIC<br>Moria:<br>19/12/2019-<br>03/05/2020 | overcrowding, lack of access to<br>necessities, lack of heating,<br>inadequate access to sanitary<br>facilities, inappropriate and<br>inadequate food, lack of access to<br>medical care.<br>The applicant contracted HIV as a<br>result of a rape. The medical<br>documents indicate that she is<br>HIV positive |                                              | 22/12/2019 seen by medical NGO<br>'Boat Refugee Foundation'<br>(‘BRF’), and referred to EODY in<br>order to be provided with the<br>necessary HIV medication;<br>24/12/2019 the applicant lodged<br>her asylum application and<br>informed the competent asylum<br>authorities of her HIV-positive<br>status;<br>20/01/2020 identification as a<br>vulnerable person;<br>30/12/2019 examination from<br>another medical NGO and<br>referral to EODY scheduled for<br>30/01/2020;<br>05/02/2020 blood sample was<br>taken at Mytilene Hospital,<br>confirming that the applicant was<br>HIV-positive;<br>12/02/2020 further blood sample<br>was collected;<br>05/03/2020 the applicant was<br>informed of the results of the<br>blood tests, which confirmed her<br>HIV-positive status, and it was<br>recommended that she be<br>transferred to a Special Infections<br>Unit (“SIU”) in a hospital in<br>Athens for further monitoring and<br>treatment;<br>05/03/2020 lift of geographical<br>restriction; | Art. 3 - inadequate medical<br>treatment in detention -<br>The applicant's HIV-<br>positive status was<br>confirmed on 05/03/2020.<br>It was also decided that she<br>required prompt referral to<br>a specialised unit for the<br>initiation of antiretroviral<br>therapy (ART). However,<br>ART was not commenced<br>until 09/07/2020, more<br>than four months after the<br>confirmation of her<br>diagnosis. During that<br>period, although certain<br>administrative steps were<br>taken — including the<br>lifting of the geographical<br>restriction and<br>arrangements for<br>specialised follow-up —<br>the applicant's access to<br>essential treatment appears<br>to have been delayed. The<br>Government have not<br>provided a justification<br>explaining why the<br>initiation of ART could not<br>occur earlier, nor have they<br>demonstrated that the delay<br>was compatible with<br>established clinical<br>protocols for the<br>management of HIV. | 8,000                                                                                  |

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| No. | Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Representative's<br>name and<br>location | Facilities and<br>dates                                                                                     | Reception conditions and<br>vulnerability factors                                                                                                                                                                   | Interim measure<br>indicated by the<br>Court                                                                                             | Other relevant information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Other complaints under<br>well-established case-law                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Amount awarded for<br>non-pecuniary damage<br>per applicant<br>(in euros) <sup>1</sup> |
|-----|-----------------------------------------|-----------------------------------|------------------------------------------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
|     |                                         |                                   |                                          |                                                                                                             |                                                                                                                                                                                                                     |                                                                                                                                          | <p>23/04/2020 issuance of asylum seeker's card without geographic restriction;</p> <p>05/05/2020 request was addressed to the EODY clinic seeking information on the commencement of antiretroviral therapy (ART);</p> <p>12/05/2020 the applicant's lawyer sent an e-mail to EODY, requesting her immediate access to appropriate healthcare and reception conditions;</p> <p>20/05/2020 applicant was transferred to a hospital in Kilkis, where she spent the night;</p> <p>01/06/2020 the camp's Protection Office informed the applicant that an apartment had been found for her in Thessaloniki and, on 03/06/2020, that an appointment had been scheduled for her at the SIU in "AHEPA" University Hospital on 24/06/2020;</p> <p>09/07/2020 she started receiving ART treatment</p> | <p>Persons living with HIV require continuous and timely medical treatment and that a failure to ensure effective access to such treatment may, depending on the circumstances, attain the threshold of severity under Article 3 of the Convention. In the present case, given the applicant's recognised vulnerability and her dependent position as an asylum seeker within the reception system, the delay in initiating ART cannot be regarded as a mere administrative inconvenience. In the absence of convincing justification, the authorities failed to ensure timely access to essential medical care.</p> |                                                                                        |
| 4.  | 1880/21<br>08/01/2021                   | A.L.<br>1988                      | Bia Margaux<br>Bruxelles                 | Lesvos RIC<br>Moria, living<br>in a tent<br>inside and<br>outside of the<br>camp.<br>Unspecified<br>date in | <p>overcrowding and lack of access to sanitary facilities in Lesvos RIC Moria.</p> <p>The applicant suffers from chronic Hepatitis B, post-traumatic stress disorder and various other mental health conditions</p> | <p>20/01/2021 -</p> <p>a) guarantee to the applicant a medical assessment by a gastroenterologist-hepatologist;</p> <p>b) ensure, if</p> | <p>05/06/2019 - registered as an asylum seeker</p> <p>05/06/2020 - diagnosed positive for Hepatitis B;</p> <p>07/08/2020 - geographical restriction lifted</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 3,000                                                                                  |

A.M. AND OTHERS v. GREECE JUDGMENT

| No. | Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Representative's<br>name and<br>location | Facilities and<br>dates | Reception conditions and<br>vulnerability factors | Interim measure<br>indicated by the<br>Court                                                                                                                                                                                                             | Other relevant information | Other complaints under<br>well-established case-law | Amount awarded for<br>non-pecuniary damage<br>per applicant<br>(in euros) <sup>1</sup> |
|-----|-----------------------------------------|-----------------------------------|------------------------------------------|-------------------------|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|-----------------------------------------------------|----------------------------------------------------------------------------------------|
|     |                                         |                                   |                                          | 09/2020 -<br>27/01/2021 |                                                   | necessary, his<br>medical treatment;<br>and c) guarantee<br>to the applicant<br>living conditions<br>compatible with<br>Article 3 of the<br>Convention and<br>his state of health.<br>On 01/12/2025 the<br>interim measure<br>was lifted by the<br>Court |                            |                                                     |                                                                                        |