Please cite as: EUAA, '4.7.3.2. Freedom of movement' in *Asylum Report 2023*, Μάιος 2023.

4.7.3.2. Freedom of movement

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Courts continued to examine the line between limitations on the freedom of movement and detention *(see Section 4.8)* and the grounds for limiting an applicant's freedom of movement.

The Maltese Court of Magistrate concluded that an applicant was not detained but his freedom of movement was restricted when receiving medical care for a contagious disease. The case was brought before the ECtHR and was still pending.

The Supreme Administrative Court in Lithuania confirmed that the sole fact that the applicant entered the country in an irregular manner cannot be considered as an indication that he did not cooperate with the authorities and cannot serve as a basis to extend the restriction on his freedom of movement beyond 6 months. In another case, it concluded that limiting the freedom of movement to the territory of the reception facility cannot be considered as an alternative to detention.

Civil society organisations from Greece observed that applicants are only permitted to leave the CCACs in Samos and Kos after 25 days, in addition to the at least 5-day quarantine period.660

- 660Greek Council for Refugees | Ελληνικό Συμβούλιο για τους Πρόσφυγες. (2023). Input to the Asylum Report 2023. https://euaa.europa.eu/sites/default/files/2023-02/greek_council_for_refugees.pdf; Network for Children's Rights | Δίκτυο για τα Δικαιώματα του Παιδιού. (2023). Input to the Asylum Report 2023. https://euaa.europa.eu/sites/default/files/2023-02/network_for_children_rights.pdf

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