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The conditions to be met in detention are defined in the recast Reception Conditions Directive, while international and European legal frameworks on human rights provide additional standards and guarantees to protect against inhuman and degrading treatment.

Growing concerns about conditions in detention centres and the use of de facto detention were raised for example for Greece,839 Italy,840 Lithuania,841 Malta842 and Poland. To accommodate a larger number of detainees, as an emergency solution, the minimum space per person was temporarily reduced from 4 sqm to 2 sqm in Poland on the basis of the Ordinance of the Minister of the Interior and Administration.843 All detention centres for families and single women were returned to 4 sqm on 25 April 2022, and the centre in Wędrzyn returned to 4 sqm on 6 June 2022. In Malta, the Council of Europe's Commissioner for Human Rights was also struck by the deplorable situation in Block A in the Safi Detention Centre, despite the efforts made by the authorities to improve the living conditions.844 Thus, the Commissioner strongly urged the authorities to take immediate action to ensure dignified conditions.

Other deficiencies were noted especially concerning the provision of health care to people in detention,845 the use of cameras and a lack of a complaint system (in Cyprus 846 and Finland), lack of access to exercise and the provision of recreational activities (in Finland 847 and Croatia 848), absence of legal representation (in Switzerland) 849 *(see Section 4.10)* and restrictions on the use of mobile phones. In Greece, Refugee Support Aegean noted that the number of medical staff and interpreters in pre-removal centres remained worryingly low.850

In Finland, the CPT had no critical remarks to make on material conditions, but a few minor deficiencies were identified.851 The Finnish government presented answers to the CPT following its visit in September 2020.852 The government provided information on access to medical treatment, psychological support and psychiatric treatment in the detention facilities for foreigners in Metsälä and Joutseno. The Metsälä facility (Helsinki detention facility) will be moved to a new building in 2024. The Ombudsperson noted privacy issues in the Joutseno detention unit with the use of cameras in specific areas. It also lacked a complaint system that is accessible, confidential and functional, where complaints and action taken must be recorded. 853

The impact of COVID-19 measures continued to impede access to detention facilities,854 and consequently, access to legal assistance, social and health support, and communication.855 For example, JRS Europe observed the continuation of some of these specific challenges in 2021 as well.856 Social distancing and quarantine obligations led to capacity adjustments in Sweden and transfers to other locations to address shortages in Netherlands.

- 839HumanRights360. (2022). Input to the Asylum Report 2022. https://euaa.europa.eu/sites/default/files/2022-03/helsinki_foundation_for_human_rights.docx
- 840Global Detention Project. (2021, August 30). Italy Immigration Detention Profile: COVID-19 Updates. https://www.globaldetentionproject.org/countries/europe/italy#covid-19-updates
- 841Office of the Seimas Ombudsmen | Lietuvos Seimo Kontrolieriai. (2022, January 24). Ataskaita dėl užsieniečių žmogaus teisių ir laisvių užtikrinimo Valstybės sienos apsaugos tarnybos prie Lietuvos Respublikos vidaus reikalų ministerijos Kybartų užsieniečių registracijos centre [Report on ensuring the human rights and freedoms of foreigners at the Kybartai Foreigners Registration Centre of the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania]. https://www.lrski.lt/wp-content/uploads/2022/01/Final_Ataskaita_Kybartai_2021.pdf; Global Detention Project, & Human Rights Monitoring Institute. (2021, October 18). Lithuania: Submission to the UN Committee Against Torture 72nd Session, November-December 2021: Issues Related to Migrants, Refugees, People Seeking Asylum, and Immigration Detention. https://www.globaldetentionproject.org/joint-submission-to-the-committee-against-torture-lithuania
- 842Council of Europe, European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. (2021, March 10). Council of Europe’s anti-torture Committee calls on Malta to improve the treatment of detained migrants. https://www.coe.int/en/web/cpt/-/council-of-europe-s-anti-torture-committee-calls-on-malta-to-improve-the-treatment-of-detained-migrants; See also: Netherlands, Council of State [Afdeling Bestuursrechtspraak van de Raad van State], State Secretary v Applicant, 202003913/1/V3, ECLI:NL:RVS:2021:199, 02 February 2021. Link redirects to the English summary in the EUAA Case Law Database. Netherlands, Court of The Hague [Rechtbank Den Haag], Applicant v State Secretary for Justice and Security, No NL21.5187, ECLI:NL:RBDHA:2021:9533, 16 August 2021. Link redirects to the English summary in the EUAA Case Law Database. Netherlands, Court of The Hague [Rechtbank Den Haag], Applicant (Sudan) v State Secretary for Security and Justice (Staatssecretaris van Justitie en Veiligheid), NL21.136, NL:RBDHA:2021:3858, 19 April 2021. Link redirects to the English summary in the EUAA Case Law Database.
- 843Rozporządzenie Ministra Spraw Wewnętrznych i Administracji z dnia 13 sierpnia 2021 r. zmieniające rozporządzenie w sprawie strzeżonych ośrodków i aresztów dla cudzoziemców [Regulation of the Minister of the Interior and Administration 13 August 2021 amending the regulation on guarded centres and arrests for foreigners]. https://dziennikustaw.gov.pl/DU/2021/1482
- 844Council of Europe, Commissioner for Human Rights. (2021, October 18). Reforms needed to better protect journalists’ safety and the rights of migrants and women in Malta.

https://www.coe.int/en/web/commissioner/-/reforms-needed-to-better-protect-journalists-safety-and-the-rights-of-migrants-and-women-in-malta

- 845Asylex. (2022). Input to the Asylum Report 2022. https://euaa.europa.eu/sites/default/files/2022-03/asylex.pdf
- 846Commissioner for Administration and Human Rights | Επίτροπος Διοικήσεως και Προστασίας Ανθρωπίνων Δικαιωμάτων. (2021, December 31). Εκθεση σχετικά με την επίσκεψη ημερομηνίας 20 Σεπτεμβρίου 2021 στο χώρο κράτησης απαγορευμένων μεταναστών στη Μενόγεια (ΧΩΚΑΜ) [Report of the visit on 20 September 2021 at the detention centre of illegal migrants at Menogeia (DCIM)]. http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/All/FB1778C45E7E5870C22587D400
- 847Parliamentary Ombudsman | Eduskunnan oikeusasiamies. (2021, October 5). Tarkastus: Joutsenon säilöönottoyksikkö 16.6.2021 [Audit: Joutseno detention facility, 16 June 2021]. EOAK/4149/2021. https://www.oikeusasiamies.fi/r/fi/ratkaisut/-/eoar/4149/2021
- 848Council of Europe. (2021, December 3). Report to the Croatian Government on the visit to Croatia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 14 August 2020. CPT/Inf (2021) 29. https://rm.coe.int/1680a4c199
- 849Swiss Refugee Council | Schweizerische Flüchtlingshilfe | Organisation suisse d’aide aux réfugiés. (2022). Input to the Asylum Report 2022. https://euaa.europa.eu/sites/default/files/2022-03/swiss_refugee_council.pdf
- 850Refugee Support Aegean. (2021, July 30). Immigration detention in the first half of 2021: Systematic deprivation of liberty and inaccessibility of remedies. https://rsaegean.org/en/detention-stats-first-half-2021/
- 851Council of Europe, European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. (2021, May 5). Report to the Finnish Government on the visit to Finland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 7 September to 18 September 2020. CPT/Inf (2021) 7. https://rm.coe.int/1680a25b54
- 852Ministry of the Interior | Sisäministeriö. (2021, September 24). Suomi on antanut selvityksensä kidutuksen vastaiselle komitealle [Finland has submitted its report to the Committee against Torture]. https://intermin.fi/-/1410853/suomi-on-antanut-selvityksensa-kidutuksen-vastaiselle-komitealle
- 853Parliamentary Ombudsman | Eduskunnan oikeusasiamies. (2021, October 5). Tarkastus: Joutsenon säilöönottoyksikkö 16.6.2021 [Audit: Joutseno detention facility, 16 June 2021]. EOAK/4149/2021. https://www.oikeusasiamies.fi/r/fi/ratkaisut/-/eoar/4149/2021
- 854Jesuit Refugee Service Europe. (2022). Input to the Asylum Report 2022. https://euaa.europa.eu/sites/default/files/2022-03/jesuit_refugee_service_jrs_europe.pdf
- 855Commissioner for Administration and Human Rights | Επίτροπος Διοικήσεως και Προστασίας Ανθρωπίνων Δικαιωμάτων. (2021, December 31). Εκθεση σχετικά με την επίσκεψη ημερομηνίας 20 Σεπτεμβρίου 2021 στο χώρο κράτησης απαγορευμένων μεταναστών στη Μενόγεια (ΧΩΚΑΜ) [Report of the visit on 20 September 2021 at the detention centre of illegal migrants at Menogeia (DCIM)]. http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/All/FB1778C45E7E5870C22587D400
- 856Jesuit Refugee Service Europe. (2022). Input to the Asylum Report 2022. https://euaa.europa.eu/sites/default/files/2022-03/jesuit_refugee_service_jrs_europe.pdf

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