

(English version)

**Priority question for written answer P-001784/24
to the Commission
Afroditi Latinopoulou (Pfe)
(23 September 2024)**

Subject: Closed migrant detention centres in the EU

The uncontrolled influx of illegal migrants represents a serious threat to the EU's security, social cohesion and economic stability. As Europe's bulwark, Greece suffers a disproportionate burden as a result of the mass migratory flows, which undermine national sovereignty and drain the country's resources. The immediate adoption of strict measures, such as closed detention centres, is an urgent step in preventing illegal entry and protecting European borders and values.

In view of the above:

1. Are closed migrant detention centres permitted to operate in the EU, including in Greece? If so, subject to which conditions?
2. How does the Commission view the impact of closed detention centres on the management of migrant flows and the prevention of illegal entry into the EU?
3. Are there EU funds available to finance such establishments in Greece and other Member States? If so, how much funding is available and what are the conditions for its provision?

Submitted: 23.9.2024

**Answer given by Ms Johansson on behalf of the European Commission
(21 November 2024)**

EU provisions specify situations in which third-country nationals can be detained ⁽¹⁾. EU law does not permit detention of persons solely because they are applicants for international protection ⁽²⁾.

To ensure the non-arbitrariness of detention and the respect of fundamental rights, detention can only be applied for the reasons provided for in the applicable provisions, with defined detention grounds in law, on the basis of an individual assessment, when less coercive measures are not possible, and subject to judicial scrutiny ⁽³⁾.

The Commission works to prevent irregular migration, notably by assisting Member States in the effective management of the EU's external borders, improving cooperation with the countries of origin and transit on countering migrant smuggling, ensuring effective procedures for the return of those with no right to stay and offering legal pathways that provide safe alternatives to dangerous journeys.

The EU supports the establishment and operation of detention facilities in Greece and other Member States through the Asylum, Migration and Integration Fund (AMIF) in line with the provisions of the AMIF Regulation ⁽⁴⁾ and of the Return Directive ⁽⁵⁾.

AMIF contributes, among other things, to the objective of enhancing effective safe and dignified return, by focusing on implementing measures ensuring the uniform application of the EU *acquis* and policy priorities regarding infrastructure, procedures and services ⁽⁶⁾.

Under the Greek AMIF national programme ⁽⁷⁾, Greece has allocated EUR 96 million to the returns component.

⁽¹⁾ Detention of applicants for international protection, detention in order to prevent irregular entry into the territory of EU Member States and detention of irregular migrants involved in return proceedings. See Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) and Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals.

⁽²⁾ Art. 26 of Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast).

⁽³⁾ Art. 8 and Art. 9 of Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) and Art. 15 of Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals.

⁽⁴⁾ Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund.

⁽⁵⁾ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals.

⁽⁶⁾ For the programming period 2021-2027, EUR 420 million have been made available to Greece under the AMIF national programme.

⁽⁷⁾ <https://tamey.gov.gr/amif2021-2027/>