

# Controlled and Confined: Unveiling the Impact of Technology in the Samos Closed Controlled Access Centre



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“I was running for freedom and came to a prison.”

“You go in there a normal person but after everything that happens you come out like a washed soul.”



**I Have Rights** is a Samos based human rights organisation. Since March 2022, I Have Rights has provided specialised legal support to around 1,000 clients and legal information to nearly 2,000 people through its information hotline. I Have Rights documents human rights violations and hate crimes against people on the move, advocates for policy change and litigates against human rights violations. I Have Rights is a member of the Border Violence Monitoring Network.

**The Border Violence Monitoring Network (BVMN)** is an independent, horizontally-organised coalition of grassroots organisations dedicated to exposing pushbacks, human rights abuses, and violence against people on the move at and within European borders. BVMN advocates for an end to violence against people on the move and calls for institutions that uphold human rights, dignity, and the rule of law with full accountability.

## **Acknowledgements**

We extend our heartfelt gratitude to the respondents, including people on the move and workers, who placed their trust in us and generously shared their experiences. Your openness was instrumental in shaping this research, and we are deeply appreciative of the time and insights you provided.

We also wish to express our sincere thanks to the Digital Freedom Fund for their invaluable support and funding of this project. Their commitment to advancing digital rights and their belief in our work made this research possible.

To everyone who contributed, thank you.

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**I HAVE  
RIGHTS.**



Border Violence Monitoring Network

## Introduction

This report examines the deployment and impact of surveillance technology in the EU-funded Samos Closed Control and Access Centre (CCAC). This report aims to bring to light the human impact of the use of technology in Samos, including the removal of people on the move's phones, CCTV, drones, motion recognition analytics and biometric data processing. Through interviews with people on the move and people who work in the CCAC, this report highlights the implications of the use of technology on privacy, autonomy, and fundamental freedoms.

The report begins with an overview of the Samos CCAC and the authorities' use of technology within the facility. The methodology is then outlined and followed by Section 1 which examines the practice of removing mobile phones from people on the move and its impact on their lives. Section 2 focuses on the deployment of the EU-funded high-tech surveillance and security systems, Centaur and Hyperion, highlighting the lack of information provided by the authorities to people on the move and workers on these technologies. Section 3 explores the overall impact of technology on people on the move and workers within the CCAC. The report concludes by identifying key areas of concern and makes recommendations for action.

### The Samos CCAC

The EU-funded Samos CCAC, opened in September 2021, is located in a remote, north-western area of Samos, 6.9 km from the nearest town and essential services. The current population of the facility is around 4,303 people, 118% over the official capacity of the facility.<sup>1</sup>

CCACs, implemented after an agreement between the EU Commission and the Greek Government in 2020, were claimed to bring "into practice the New Pact's principles",<sup>2</sup> in "suitable and futureproof facilities that would be up to EU standards".<sup>3</sup> CCAC-like reception structures will likely be replicated across the EU under the New Pact.<sup>4</sup> The Samos CCAC therefore holds strategic relevance as the EU's testing ground for its future bloc-wide migration policies. This includes the implementation of surveillance technology.

The Samos CCAC resembles a prison. Accommodation and services are in containers, separated with checkpoints, surrounded by multiple layers of barbed wire fencing, and heavily policed by Hellenic Police, border force, and G4S, a private security firm.<sup>5</sup> Services are shared and scarce.<sup>6</sup>

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<sup>1</sup> Hellenic Ministry of Migration. 2025. NSP Eastern Aegean 14.01. Available [here](#).

<sup>2</sup> European Commission. 2020. Migration: Commission and Greece agree joint plan for a new reception centre in Lesbos. Available [here](#).

<sup>3</sup> *Ibid.*

<sup>4</sup> Gustavo de la Orden Bosch. 2024. Pre-Entry Screening and Border Procedures as New Detention Landscape in the EU Pact on Migration and Asylum. The Spanish Borders as a Laboratory for Immobility Policies. Available [here](#); Kilian Schayani and Max Maydell. 2023. Inhuman and Degrading 'Hotspots' at the EU Borders: An Analysis of How the ECtHR Rejects the Attempt to Push Asylum Seekers Into De Facto Legal Vacuums at the Borders of the EU. Available [here](#); Marco Gerbaudo. 2022. The European Commission's Instrumentalization Strategy : Normalising Border Procedures and De Facto Detention. Available [here](#); Jean-Pierre Cassarino and Luisa Marin. 2022. The Pact on Migration and Asylum: Turning the European Territory into a Non-Territory? Available [here](#); Lyra Jakulevičienė. 2022. Pre-Screening at the Border in the Asylum and Migration Pact: A Paradigm Shift for Asylum, Return and Detention Policies? Available [here](#); European Commission. 2020. Proposal for a Regulation Introducing a Screening of Third Country Nationals at the External Borders. Available [here](#).

<sup>5</sup> I Have Rights. 2023. The EU-Funded Closed Controlled Access Centre - the De Facto Detention of People Seeking Safety on Samos. Available [here](#). Page 19-26.

<sup>6</sup> I Have Rights. 2023. Unlawful detention and worsening conditions: over 4,000 asylum seekers unlawfully detained on Samos and Lesbos. Available [here](#).

To enter or pass through the different zones of the CCAC, people must go through check-points manned by security staff, fences, turnstiles, magnetic gates, x-ray machines and a two-factor identification process which, as our research demonstrates, can include scanning a biometric identification card and their fingerprints.<sup>7</sup>

According to the EU Ombudsman in 2023:

*The external fencing and surveillance infrastructure do not create a physical environment conducive to wellbeing and are, rather, reminiscent of detention facilities [...] It is questionable how respect for human dignity and protection of the best interest of the child and of vulnerable individuals can be ensured if residents are forced to stay in such an environment.*<sup>8</sup>

This concern was reaffirmed in 2024 by the UN Special Rapporteur on Trafficking in Persons, Siobhán Mullally, in a letter of allegation to the Greek authorities expressing alarm over the treatment of vulnerable groups in the CCAC:

*The highly securitised environment of the CCAC, coupled with its isolated location, restrictions on movement, and lack of services, is not conducive to psychological, physical or social recovery of victims of trafficking.*<sup>9</sup>

The CCAC operates within the wider context of the Greek authorities' deterrence and isolation policy, which includes the systematic practice of illegal pushbacks. As affirmed by the European Court of Human Rights in January 2025, there is substantial evidence to show the authorities' generalised practice of illegal and violent pushbacks.<sup>10</sup> After Lesbos, Samos sees the second highest rate of pushbacks in the Aegean.<sup>11</sup>

If not pushed back, upon arrival to Samos people on the move first have their phones removed without explanation (for more information on the removal of phones see Section 1). People on the move are then automatically *de facto* detained in the CCAC. This regime of default *de facto* detention is the basis of current infringement proceedings against Greece launched by the EU Commission due to its non-compliance with EU law.<sup>12</sup>

Individuals remain *de facto* detained until identification procedures have been completed. Independent experts have raised concerns that the restriction of movement in CCACs is *de facto* detention for persons not holding an asylum seekers card, leaving around half of the population detained at a time.<sup>13</sup> During this time, access to medical care is extremely limited. There is no

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<sup>7</sup> Oxfam and the Greek Council for Refugees. 2022. Lesbos Bulletin Update on Lesbos and the Aegean Islands, by the Greek Council for Refugees & Oxfam. Available [here](#). Page 3.

<sup>8</sup> EU Ombudsman. 2023. Decision in strategic inquiry OI/3/2022/MHZ on how the European Commission ensures respect for fundamental rights in EU-funded migration management facilities in Greece. Available [here](#). Para 48.

<sup>9</sup> The letter of allegation follows a series of complaints made by clients at I Have Rights. UN Special Rapporteur on Trafficking in Persons. 2024. AL GRC 3/2024. Available [here](#). Page 8.

<sup>10</sup> *G.R.J. v. Greece*. 2025. No. 15067/21 and *A.R.E. v. Greece*. 2025. No. 15783/21.

<sup>11</sup> We Are Solomon. 2022. Dark Waters of the Aegean: 1,018 illegal pushbacks carried out by the Greek state. Available [here](#).

<sup>12</sup> European Council on Refugees and Exiles (ECRE). 2023. Greece: Infringement Letters from the European Commission, NGOs Urge More Oversight on Greek Islands, Joint Civil Society Rule of Law Submission, Hundreds of Thousands 'Prevented' Entry. Available [here](#).

<sup>13</sup> Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). 2023. (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of

full-time state appointed doctor at the site. Vulnerability assessments usually do not take place, if at all, until many weeks after arrival. These assessments have been described by people on the move as “rushed” and “a tick box exercise”.<sup>14</sup> Access to a psychologist is highly restricted. There is only one available in the CCAC for a population of currently 4,303 people, raising serious concerns about the rigourness of vulnerability assessments and opportunities for the identification of vulnerable persons.<sup>15</sup> This leaves people deprived of their liberty, without their vulnerabilities identified, without access to essential services and their needs overlooked.<sup>16</sup>

Once identification procedures are complete, people are only permitted to access limited zones of the CCAC and are subject to a strict curfew. Overall, the effects of *de facto* detention, lack of privacy, intrusive surveillance, isolation and lack of access to essential services, results in a deleterious impact on the physical and mental health of people held in the facility.

### Technology in the Samos CCAC

The Samos CCAC is equipped with at least four IT systems: Centaur, Hyperion, Rea and Alkioni. According to Eleftherios Chelioudakis, Executive Director of the Greek digital rights civil society organisation Homo Digitalis, Greece has adopted “an EU-funded, AI-led surveillance ecosystem”.<sup>17</sup> The Greek Ministry of Migration and Asylum describes the security and surveillance infrastructure in the Samos CCAC as:

*The whole new closed controlled centre is surrounded by a double NATO-type security fence, which in combination with the installation at the entrance of the necessary control systems, such as turnstiles, magnetic gates, x-rays, two-factor access control system (identity and fingerprint), ensures secure and controlled entry and exit from the access center to whoever is entitled to it.*

*[...] Additionally, the installation of a Closed Surveillance System (CCTV) is provided throughout the Closed Controlled Access Center, with the use of “smart” software, in order to alert in time of any emergencies, while it is capable of giving notifications and images to the Local Event Center, to the Center for Management of Events & Emergencies (KERANIS building) and to the Control Centers of other involved bodies (for instance the Hellenic Police).<sup>18</sup>*

The removal of people on the move’s phones and the “high-tech” surveillance infrastructure in place in the Samos CCAC (Section 1 and 2 of this report respectively) is part of the EU’s increasing attempts to identify, track, and control people on the move through technology and surveillance.<sup>19</sup> The migration-technology nexus includes the increased collection of people on the move’s data, the interoperability of Europe-wide databases, the development and deployment of

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the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) on Greece. Available [here](#). Para 342.

<sup>14</sup> I Have Rights. 2022. AYS Special from Greece: Protests on Samos CCAC shed light on procedural violations. Available [here](#).

<sup>15</sup> I Have Rights. 2023. Unidentified, unrecognised and denied support Survivors of human trafficking in the Samos Closed Controlled Access Centre. Available [here](#). Page 28-30.

<sup>16</sup> *Ibid.*

<sup>17</sup> Eleftherios Chelioudakis. 2024. Unpacking AI-enabled border management technologies in Greece: To what extent their development and deployment are transparent and respect data protection rules? Available [here](#). Page 4.

<sup>18</sup> Hellenic Ministry of Migration and Asylum. Closed Controlled Access Center of Samos. Available [here](#).

<sup>19</sup> Petra Molnar. 2020. Technological testing grounds: Migration management experiments and reflections from the ground up. Available [here](#).



new technologies to monitor people and AI-based automated decision-making technologies for an integrated EU smart border management system.

The growing use of technology in the migration context has created greater uncertainty regarding legal responsibilities and means of redress. As Petra Molnar, lawyer and anthropologist specialising in migration and human rights, puts it:

*The creation of legal black holes in migration management technologies is very deliberate to allow for the creation of opaque zones of technological experimentation that would not be allowed to occur in other spaces.<sup>20</sup>*

This is particularly true for the Greek migration context, which serves as a central testing ground for European migration policies and high-tech surveillance systems.<sup>21</sup> Migration surveillance technology in the EU is a billion-euro business, with security and technology companies profiting from this growing field.<sup>22</sup> Moreover, digital securitisation reflects the EU's broader securitisation agenda, which ties public security to policing and militarisation while leveraging security threats to justify increased surveillance and criminalisation.<sup>23</sup>

The EU's AI Act, which came into effect in August 2024, includes national security exemptions that will likely allow authorities to extensively use AI-based technologies in migration management, border control, and law enforcement.<sup>24</sup> Matija Kontak, PhD researcher at Zagreb University specialised in European law, algorithms and biometrics in migration, argues that the AI Act grants migration authorities broad powers, without offering meaningful improvements for asylum seekers.<sup>25</sup> In the same way, Petra Molnar, emphasises that the AI Act offers “no incentive to put strong protections in place to open up the ambit for stronger legal protections”.<sup>26</sup> The EU therefore permits Member States, such as Greece, to ramp up their use of securitised migration facilities, as evidenced by the “model” CCAC on Samos.

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<sup>20</sup> Petra Molnar. 2020. Technological testing grounds: Migration management experiments and reflections from the ground up. Available [here](#). Page 34.

<sup>21</sup> *Ibid.*

<sup>22</sup> Eleftherios Chelioudakis. 2024. Unpacking AI-enabled border management technologies in Greece: To what extent their development and deployment are transparent and respect data protection rules? Available [here](#). Page 4.

<sup>23</sup> Sarah Chander and Assoc. Prof. Seda Gürses. 2024. V. From Infrastructural Power to Redistribution: How the EU's Digital Agenda Cements Securitization and Computational Infrastructures (and How We Build Otherwise). Available [here](#).

<sup>24</sup> For a concise analysis, see Algorithm Watch. 2024. A guide to the AI Act, the EU's new AI rulebook. Available [here](#).

<sup>25</sup> Expert Interview with Matija Kontak.

<sup>26</sup> Expert Interview with Petra Molnar.

## Methodology

This report stems from a year-long research project funded by the Digital Freedom Fund. It employs a mixed-methods approach that combines qualitative and document-based research techniques. The research uses four primary methods:

1. **Review of Publicly Available Documents:** Relevant papers, reports, and publications from governments, international organisations, and academic sources were analysed.
2. **Freedom of Information (FOI) Requests:** FOI requests were submitted to public bodies to access unpublished documents related to the deployment of technology in the Samos CCAC. 12 FOI requests and request for information emails were sent between January 2024 and September 2024 to the Directorate of Home Affairs of the European Commission, the Greek Ministry of Migration and Asylum, Frontex, the Hellenic Police and the General Asylum System.

Two FOIs were partially denied, four responses were outside of legal time limits and five requests did not receive a response.<sup>27</sup> In response, we filed multiple confirmatory applications and made a complaint to the EU Ombudsman against the European Commission for their non-response to our request.

3. **Data Subject Access Requests (DSARs):** We filed four DSARs on behalf of five individuals, seeking access to their data and information on how their personal data had been processed. In two out of the four DSARs, we were granted access to video footage taken in the CCAC.
4. **Interviews:** Semi-structured interviews were conducted with three key groups; (i) **people on the move**, who were or had been in the Samos CCAC; (ii) **workers**, who attend the CCAC as part of their job; and (iii) **journalists, scholars and other professionals** to gain insights into broader trends, ethical concerns, and policy implications.

i) Interviews with people on the move

Between February and September 2024, a team of 13 volunteer caseworkers and interpreters conducted 59 interviews with people on the move who were living or had lived in the Samos CCAC. The interviews took place in I Have Rights' office or, for those who had since left Samos, by phone. The 59 respondents were accommodated in the CCAC from December 2022 to September 2024.

46 (78%) were men.<sup>28</sup> While the high representation of male respondents is comparatively high to the general asylum seeking population on Samos which ranged from 42% to 63% during the interview period, it is more representative of I Have Rights' client base which was 68% male between December 2022 and September 2024.

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<sup>27</sup> Requests for Information under Article 5(1) of the Code of Administrative Procedure (Law 2690/1999) must be satisfied/rejected with reason within 20 days, according to par.6 of the article.

<sup>28</sup> Note: in this report, every percentage is rounded to the nearest unit.

50 respondents (85%) were aged between 18 and 34 years old at the time the interviews were conducted. 25 (42%) were 18-24 years old and 25 (42%) were 25-34 years old. Six (10%) were aged 35-44, two (3%) were between 55 and 64 years old, and one respondent (2%) was aged between 45 and 54 years old.

17 nationalities are represented in the interview sample. 24 (41%) were from Sierra Leone, eight (14%) from Afghanistan and four (7%) from Syria.<sup>29</sup> From December 2022 to September 2024, the nationalities most represented within the Samos CCAC were Syrian, Afghan, Palestinian, Sierra-Leonean, Somali and Eritrean. From December 2022 to September 2024, the top five nationalities represented among I Have Right's clients were Sierra Leoneans (26%), Syrians (17%), Afghans (12%), Somalians (11%) and Palestinians (6%).

## ii) Workers

Seven interviews were conducted with people who work in the Samos CCAC. All seven (100%) worked for non-state actors. Despite being approached, no one who worked for EU or state authorities agreed to be interviewed.

## iii) Interviews with journalists, scholars and other professionals

Interviews were conducted with nine journalists, scholars and other professionals specialised in EU migration law, human rights law, technology and surveillance between April and October 2024: Lydia Emmanouilidou, Prof. Iris Goldner Lang, Alexandra Karaiskou, Matija Kontak, Ana Kršinić, Petra Molnar, Oyidiya Oji, Mona Shtaya and Dr. Niovi Vavoula.

## Limitations

To protect the privacy and safety of respondents, the report does not personalise quotes from people on the move or workers by using names or initials. We accept that using anonymised quotes may contribute to the depersonalisation of people on the move. The authors acknowledge and regret this limitation.

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<sup>29</sup> Afghan, Cameroonian, Congolese, Djiboutian, Egyptian, Guinean, Iranian, Iraqi, Ivorian, Liberian, Malian, Palestinian, Sierra Leonean, Sudanese, Syrian, Yemeni, Stateless

## Section 1 The Removal of Phones

### Introduction

The authorities routinely remove the phones of people on the move when they arrive in Samos. As the legal basis of this removal is unclear, the report refers to the “removal” of phones and does not use terminology like “confiscation” or “seizure” as the latter terms suggest the existence of a clear legal basis for the practice and the adherence to principles prescribed by law.

On 24 May 2024, I Have Rights emailed the Hellenic Police on Samos asking for clarification on the legal basis for the removal of phones. On 14 June 2024, the Hellenic Police responded and denied the practice, writing that “no mobile phones have been confiscated by police officers” [unofficial translation from Greek, see letter overleaf].

The response of the Hellenic Police can be contrasted with correspondence from Frontex. On 16 July 2024, around a month after the Hellenic Police denied the practice, a Fundamental Rights Monitor at Frontex informed I Have Rights by email that the removal of phones is “prescribed in the Operation Plan” agreed between Frontex and Greece and is covered by national law [see email overleaf].

Interestingly, the Fundamental Rights Monitor reported that the removal of phones is part of investigating unauthorised entry, treated as an *in flagrante delicto* crime when individuals are encountered during or immediately after their arrival on Samos. If this is the legal basis, it is important to emphasise that the Hellenic Code of Criminal Procedure provides for the lawful procedure for the confiscation of belongings and digital data as part of an investigative act performed in the pre-trial stage.<sup>30</sup> In particular, the lawful confiscation of phones requires that investigating authorities follow a clear procedure, including *inter alia* completing a written form,<sup>31</sup> providing information to the suspect,<sup>32</sup> and compliance with basic legal principles such as the principle of proportionality.<sup>33</sup> As this section details, it is unlikely that these standards are met when phones are removed on Samos.

As described in January 2025 by *Solomon* it appears that the legal procedure is indeed not followed:

*Three young Syrian asylum seekers interviewed in Samos said that their phones, as well as those of everyone they knew, had been seized by the authorities and returned later without explanation or any suspicion of them being involved in criminal activities. They were never told why their phones had been taken, did not sign any consent forms, and were not told when their devices might be returned.<sup>34</sup>*

Section 1 first details the practice of phone removal before analysing the information provided to people on the move about why their phones were taken. The section ends by analysing the impact of this practice on people on the move.

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<sup>30</sup> Articles 245 paras 1 and 2 and 260 et seq. Law 4620/2019.

<sup>31</sup> Article 241 and 280 Law 4620/2019.

<sup>32</sup> Article 244 para 1 Law 4620/2019.

<sup>33</sup> Article 251 Law 4620/2019.

<sup>34</sup> Giorgos Christides et al. 2025. Invisible Walls: How AI Tech at Europe’s Borders Threatens People Seeking Refuge. Available [here](#).



ΕΛΛΗΝΙΚΗ ΔΗΜΟΚΡΑΤΙΑ  
ΕΛΛΗΝΙΚΗ ΑΣΤΥΝΟΜΙΑ  
ΓΕΝ.ΠΕΡ. ΑΣΤΥΝ.Δ/ΝΣΗ ΒΟΡ. ΑΙΓΑΙΟΥ  
ΔΙΕΥΘΥΝΣΗ ΑΣΤΥΝΟΜΙΑΣ ΣΑΜΟΥ  
ΕΠΙΤΕΛΕΙΟ/ΓΡΑΦ. ΑΣΦΑΛΕΙΑΣ & ΑΛΛΟΔΑΠΩΝ  
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Σάμος, 14 Ιουνίου 2024

Π Ρ Ο Σ:  
Μ.Κ.Ο. «I HAVE RIGHTS»  
(email: [legal@ihaverights.eu](mailto:legal@ihaverights.eu))

- ΚΟΙΝΟΠΟΙΕΙΤΑΙ:
- 1) Α.Ε.Α./ΔΙΕΥΘΥΝΣΗ ΔΙΑΧΕΙΡΙΣΗΣ ΜΕΤΑΝΑΣΤΕΥΣΗΣ
  - 2) ΓΕ.Π.Α.Δ.Β.ΑΙΓΑΙΟΥ

ΘΕΜΑ: "Αίτημα πρόσβασης σε διοικητικά έγγραφα."

ΣΧΕΤ.: α) Η υπ' αριθ. 1604/24/1207286 από 11/06/2024 Διαταγή της Α.Ε.Α./Διεύθυνση Διαχείρισης Μετανάστευσης,  
β) Η υπ' αριθ. 8431/24/1210133 από 12/06/2024 Διαταγή της ΓΕ.Π.Α.Δ.Β.ΑΙΓΑΙΟΥ,  
γ) Το από 24/05/2024 έγγραφο ηλεκτρονικής αλληλογραφίας (email) της Μ.Κ.Ο. «I Have Rights»

Σε εκτέλεση ανωτέρω (α) και (β) σχετικών και σε απάντηση ανωτέρω (γ) σχετικής σας γνωρίζουμε ότι, όπως μας ανέφεραν οι αρμόδιες υφιστάμενες μας Υπηρεσίες Υποδιεύθυνση Ασφάλειας Σάμου και Τμήμα Διαχείρισης Μετανάστευσης Σάμου, δεν έχουν γίνει από αστυνομικούς των Υπηρεσιών τους κατασχέσεις κινητών τηλεφώνων ή άλλων φορητών συσκευών επικοινωνίας, καταγραφής εικόνας και ήχου από νεοαφιχθέντες αλλοδαπούς στην περιοχή δικαιοδοσίας μας και ως εκ τούτου δεν υπάρχουν διοικητικά έγγραφα ή αρχεία για τα οποία αιτείσθε να λάβετε γνώση.

Οι Α.Ε.Α./Διεύθυνση Διαχείρισης Μετανάστευσης και ΓΕ.Π.Α.Δ.Β.ΑΙΓΑΙΟΥ στις οποίες κοινοποιείται το παρόν παρακαλούνται για την ενημέρωσή τους.  
Παρακαλούμε για την ενημέρωσή σας.

**Title:** Answer from the Hellenic Police to I Have Rights' email which asked for "information in relation to the temporary seizure of mobile phones and other portable communication, image and sound recording devices of newly arrived asylum seekers on the Aegean islands, in particular on Samos".

## RE: [EXTERNAL] Follow-up & questions



From [REDACTED]@frontex.europa.eu  
To [REDACTED]@ihaverights.eu  
Copy [REDACTED]  
Date 2024-07-16 19:16

Dear [REDACTED]

Thank you for reaching out.

I indeed inquired on the issue of the mobiles phones upon arrival. My colleagues in the field reported that this is prescribed in the Operational Plan, and it's related to the collection of evidence in the context of an authorised entry. Kindly note that the Operational Plan is a legally binding document agreed by Frontex and the hosting Member State.

Regarding the national legal basis, I have been informed that the main pieces of legislation concerning the entry of third country nationals in Greece are L. 3385/2006 (as amended) with particular reference to Art. 83, L. 3731/2008, L. 3875.2010, L. 3907/2011 and L. 4249/2014.

Linked to the above, the unauthorised entry is treated as a case caught in *flagrante delicto*, and a specific procedure has to be followed as defined in the Code of Criminal Procedure (particularly Art. 275 et seq.).

**Title:** Answer from a Frontex Fundamental Rights Monitor to the question "Do you have any information on the legal basis used by the Greek authorities to take asylum seekers' phones upon arrival on Samos?".

## Interviews

### The practice

52 people on the move (88%) reported that their phone was removed upon arrival to Samos. Four (7%) reported that they did not have a phone when they arrived, but recalled that the phones of others in their arrival group were taken. One respondent (2%) did not have a phone upon arrival and could not recall whether the others in their arrival group were required to hand over their phone. Only two respondents (3%) reported that they had a phone upon arrival and were not asked to hand it over to the authorities.

“They took all the phones for one week. We don’t know what they did with them. The police picked us from the bush, then they brought us to the camp, there they brought us to the new arrivals zone, they gave us food, then they called us one by one to get registered and there the police took the phone and put our name on it.”

“The police took our phones as soon as we arrived to the island and gave it back when we arrived to the camp, around one day later.”

“When we arrived to Samos, the police took our phones. They took them on route to the camp on the bus. We knew it would happen so we erased all of our messages.”

30 respondents (58% of the 52 respondents who reported their phone was removed) reported they were required to share their passcode or pattern with the authorities and/or unlock their phone when handing it over.<sup>35</sup> Ten (19%) reported that they were neither asked for their passcode nor required to unlock their phone. Seven (13%) explained they had no passcode on their phone (six already prior to the phone removal and one because they did not want to disclose their passcode to the police and therefore preemptively removed it).<sup>36</sup>

“When we arrived, the first thing the police did was to take the phones away. When they took us to the camp they asked for the passcode [...] They write it at the back of the phone on a white sticker [...] My phone was dead but the others they checked their phones.”

“The police came to get us when we were in the bush [the forest]. From there they took all our phones, put them in a bag and took us to the camp [...] We were asked for our passcodes in the camp.”

Of the 52 respondents who reported their phone was removed, 46 (88%) reported that either the Hellenic Police, or someone wearing a police uniform, removed their phones. Four (8%) could not recall who removed their phones. Two (4%) reported that people who work in the CCAC took their phones.

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<sup>35</sup> 21 respondents reported they were requested to give their passcode, mostly by writing it down on a piece of paper stuck to the back of their device, six had to give their passcode and unlock their phone, three had to unlock their phone without providing a passcode.

<sup>36</sup> The five remaining respondents (8% of the 52 respondents whose phones were taken) reported that their phone was broken and not switching on.

“When we arrived to the island we called the police to come and they took our phones [...] When we arrived at the camp they came and asked for the code.”

“They identified themselves as police.”

“The police took it after we came out of the bush [the forest]. They collected all of our phones in one bag.”

“When they came to take us to the cars, they were wearing uniforms.”

“They were wearing police uniforms.”

Of the 52 respondents who reported their phones were removed, 33 (63%) reported that their phone was taken upon arrival to Samos, before they reached the CCAC, i.e. in the forested area, in a police escorted bus, or in a police car. 18 (35%) reported that their phone was taken inside the Samos CCAC. One respondent (2%) explained their phone was taken twice: before they reached the CCAC and a second time when they arrived at the CCAC.

“The police checked us on route on the police bus, they did a screening, found the phones and confiscated them.”

“When we first arrived when they took our phones at the mountains, they took them from us, but they asked to unlock them when we arrived at the camp.”

All 52 (100%) reported that their phone was later returned to them. 26 (50%) recalled being given their phone back after one to two days. Nine others (17%) reported it took three to four days. Seven (13%) reported their phone was returned within the same day. Six (12%) reported that it took five days to two weeks. The remaining four respondents (8%) could not recall the exact time period.

Upon being returned, some devices reportedly showed signs of use. Seven respondents (13%) reported their devices were connected to the CCAC Wi-Fi. Seven respondents (13%) reported a decrease in their device battery, being either low or empty, leading the respondents to suspect that the device had been used during the period it was removed. Two respondents (4%) reported their devices had a higher battery then when they were handed over.

Five respondents (10%) reported noticing apps had been accessed. For example, one respondent reported that when they opened their phone, the photo gallery was open suggesting someone had been looking through their photos. The same respondent also reported checking the application manager on their phone which showed that their messaging app had been opened while their phone had been removed. Additionally, one respondent reported photos had been deleted from their phones. Another respondent reported a new issue with the USB port. One respondent reported seeing members of the Hellenic Police examine their device. The respondent was reportedly asked by the Hellenic Police to open the deleted pictures folder. Another respondent suspected that data from their Google Account had been downloaded, explaining “everything was

open on Google” when they got their phone back. From the interviews conducted, we gathered the following testimonies about how people’s phones were returned to them:

- Phones were returned to respondents in the CCAC.
- Respondents reported that phones were returned by the Hellenic Police or CCAC “staff”.
- In some cases, phones were lined up on a table and respondents were required to identify their device.
- In other cases, respondents were called by the number written on the back of their phone, which matched a number written on a paper wristband which they had been required to wear upon entering the CCAC.
- In other cases, respondents were asked for their name and had to provide the password or code for their device to recover it.

“Some people lost everything”. [For those who said they forgot their passwords, the police reset their phones].

“I realised it was connected to the computer because my phone was out of battery and when they gave it back it was fully charged [...] When we received the phone back, there were some numbers on the back of the phone. My phone did not have a password, only a pattern. The piece of paper on the back of my phone had English letters and some numbers.”

“For one of my friends her phone was broken. For another person it took three days, he/she went to ask for the phone many times. If there were some photos from the captain or people on the boat, they would take the person and the phone at the same time. [...] The one who gave back the phone was a police officer. They called our names and gave back the phone.”

“It [the phone] felt heavier to use, the system was slower.”

“It was returned two days later. I don’t remember who gave it back, it was given back in the office. I did not notice anything changed.”

“They gave it back to us after two days. Nothing was damaged or broken, it was in the same condition. They did not delete any photo, it [the photo gallery] was just open.”

“One of my friends noticed that the microphone was activated, so they [the persons in possession of the phone] might have downloaded an application that uses the microphone.”

“When I was arriving the phone was in my pocket and it was wet and when they gave it back to me it was still wet [...] I think they didn’t check it.”



While we cannot determine when the removal of people on the move's phones began on Samos, respondents' reports suggest this has been a routine practice since at least December 2022. Publicly available information on this practice is scarce. Back in July 2023, 22 civil society organisations highlighted the issue in a public statement, noting that, on Samos, "mobile phones and passcodes are taken by police upon arrival for several days, resulting in a violation of applicants' privacy and hindering their access to essential support."<sup>37</sup>

According to a January 2025 Inkstick article:

*Greek law enforcement officials admitted even private photos and other data are sometimes accessed. Even when they had been deleted from their original device, they could still be accessed from the cloud storage system.*<sup>38</sup>

As almost every respondent reported their phones were taken upon arrival, our research suggests that phones are likely being removed without specific suspicion as is required by national and EU law.<sup>39</sup> The blanket and indiscriminate removal of phones without specific suspicion also raises questions as to proportionality of the practice.<sup>40</sup>

### Information provided

Of the 52 respondents who reported their phones were removed, 50 (96%) reported that they were not informed why their phones were taken. Two (4%) recalled being given some information: one recalled that they were told by the authorities that their phone was taken according to the legal procedure, without further information, while the other reported they were told their phone was removed for their safety, without further explanation.

"They didn't ask or answer any question. People were asking among themselves why they were collecting our phones, but no one had any answer. We really don't know what is the reason, if you know please let us know."

"They were only shouting, no explanation, they said 'put your phone, I shouldn't find any in your stuff, if I do it would be the worst thing for you'."

"They took all the phones without explaining anything."

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<sup>37</sup> In 2023, 22 civil society organisations issued a joint statement to draw attention to worsening conditions in Samos and Lesbos, including the removal of asylum seeker's phones. Legal Centre Lesbos et al. 2023. Unlawful Detention and Worsening Conditions. Available [here](#).

<sup>38</sup> Katy Fallon et al. 2025. For Migrants, Artificial Intelligence Becomes a Roadblock to Europe. Available [here](#).

<sup>39</sup> For example Court of Justice of the European Union (CJEU), Case C-511/18, La Quadrature du Net and Others v. Premier ministre and Others, 6 October 2020; CJEU, Joined Cases C-293/12 and C-594/12, Digital Rights Ireland Ltd v Minister for Communications, Marine and Natural Resources and Others and Kärntner Landesregierung and Other, 4 April 2014.

<sup>40</sup> For example European Court of Human Rights (ECtHR), Joined Cases Nos. 58170/13, 62322/14 and 24960/15, Big Brother Watch and Others v. United Kingdom, Grand Chamber, 25 May 2021; ECtHR, Case No. 37138/14, Szabó and Vissy v. Hungary, 12 January 2016. On a national basis, Germany's highest Federal Administrative Court ruled in a landmark judgement of 2023 (BVerwG 1 C 19.21) that the indiscriminate analysis of asylum seekers' mobile phone data without a sufficient legal basis was unlawful.

Of the 52 respondents who reported their phones were removed, 47 (90%) reported that they could not refuse to hand over their phone. Two respondents (4%) were unsure as to whether they would have been able to refuse. Two others (4%) could not answer the question. One respondent (2%) reported that while they did hand over their phone they think they could have refused.

“They [the police] were really pushy, you could not say no. When they arrived they were screaming and giving orders, as if we were arrested.”

“They do not give the feeling that you can refuse anything you ask for. They don’t ask for it. They put you in front of it and they make you feel you have to do it.”

“I don’t think there is any problem [meaning in refusing] but at the time you are afraid so when they ask for something you just do it.”

None of the respondents were lawfully informed as to why their phones were removed, likely placing the practice in variance with the Hellenic Code of Criminal Procedure<sup>41</sup> and GDPR.<sup>42</sup> The interview results also indicate that the respondents did not consent to their phones being removed.

This stands in contrast with claims by the authorities, detailed in a January 2025 *Solomon* article, that “migrants had offered their passwords ‘voluntarily’.”<sup>43</sup>

### **Impact**

Of the 52 respondents who reported their phones were removed, 28 (54%) described feeling afraid, powerless, stressed, worried, distressed and/or uncomfortable.

“Don’t know, they took the phones so we have no video of how they treat us, of course it impacted me, it is personal, why take it from me? Of course, it is my privacy.”

“We thought it was just how the process works, they have to search us, it is an obligation or a rule and that’s why we had to respect it, but of course I felt like a prisoner, I was thinking this is the punishment for having come illegally.”

“It tortures your mind. Maybe I will be sent back to Turkey or to my country, that is torture.”

“I feel bad, I don’t know why [they do it], in the centre you meet new people, you can’t contact them, phone is company [...] I am not okay with the phone being taken.”

<sup>41</sup> Article 244 Law 4620/2019.

<sup>42</sup> Articles 5 para 1(a), 12 para 1, and 13 Regulation (EU) 2016/679 (GDPR).

<sup>43</sup> Giorgos Christides et al. 2025. Invisible Walls: How AI Tech at Europe’s Borders Threatens People Seeking Refuge. Available [here](#).

21 respondents (40%) however, felt indifferent about their phone being taken. Three (6%) expressed positive feelings.

“Having a place was more important than having a phone. So we didn’t care about it at the time.”

“I don’t feel bad. They take it for security reasons. I seek protection and they protect me that way.”

“We were pretty tired, so it didn’t bother us, but after, in quarantine it did bother us a bit.”

“For us it is kind of acceptable because of all the things we have been through [...] We have been through different countries [...] There is nothing we can complain about. Maybe for people who live here it is a difficult thing to ask but for us it is nothing.”

People on the move interviewed found the removal of phones to be the most invasive and upsetting use of technology on Samos, even more so than the use of CCTV, drone and biometric surveillance (see Section 2).

Removing people’s phones impacts their ability to contact loved ones and for some intensified or fostered feelings of distrust and insecurity. The practice is highly invasive and has been referred to in other contexts as a “digital strip search”.<sup>44</sup> Despite the authorities denying this practice to date, we suspect that phones are removed and likely searched to gather data on people’s journeys to Samos, including routes, contacts and other information. The practice therefore not only poses risks to the person whose phone is searched, but also to others whose information is stored on these devices, through contacts, photos, and messages.

The practice also results in people being deprived of their phones during the initial days of their *de facto* detention in the CCAC. This exacerbates their isolation, heightens their vulnerability to human rights violations, limits their ability to gather evidence on potential mistreatment and obstructs their access to critical resources, including important information and medical or legal support.

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<sup>44</sup> Digital Freedom Fund. UK Police ‘Digital Strip Search’. Available [here](#).

## Section 2 Technology in the Samos CCAC

### Introduction

The EU-funded Centaur and Hyperion systems promise a new high-tech approach to migration management in Greece.<sup>45</sup> Centaur deploys motion analysis algorithms and transmits CCTV and drone footage to a control room at the Ministry of Migration and Asylum.<sup>46</sup> Hyperion uses biometric data to monitor movement in and out of the CCAC.<sup>47</sup>

In April 2024, the Hellenic Data Protection Authority fined the Ministry of Migration and Asylum €175,000 for substantial GDPR breaches in the Centaur and Hyperion systems.<sup>48</sup> The Hellenic Data Protection Authority found data processing practices were unclear, mandatory Data Protection Impact Assessments lacked coherence, and found serious transparency issues.<sup>49</sup> Additionally, the Hellenic Data Protection Authority described the Ministry of Migration and Asylum's cooperation with its investigations as "difficult", marked by vague and contradictory responses.<sup>50</sup> For example, the Ministry of Migration and Asylum refused to share contracts with data processors violating Article 28 of the GDPR, which requires transparent data processing agreements.<sup>51</sup>

In addition to GDPR, as EU-funded systems, Centaur and Hyperion must be implemented in compliance with fundamental rights standards.<sup>52</sup> With the systems' management under a "shared management framework", the Greek authorities are primarily responsible for investigating the systems' fundamental rights compliance.<sup>53</sup> The Ministry of Migration and Asylum, the same body that was fined for substantial GDPR breaches, is thus the responsible authority mandated to both oversee the system's management and to monitor its compliance with fundamental rights.

This section presents our research on the Centaur and Hyperion systems. Beginning with Centaur, it analyses the interview responses from people on the move and workers, focusing on the use of cameras and drones, information provided, and the human impact of the Centaur system. The section then turns to Hyperion, examining the practice of biometric data collection, information provided on the purpose and use of biometric data, and Hyperion's human impact.

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<sup>45</sup> This is under Greece's 2014-2020 National Programme. European Commission. 2022. Answer given by Ms Johansson on behalf of the European Commission on 22 December 2022. E-003094/2022. Available [here](#).

<sup>46</sup> Stavros Malichudis. 2022. Asylum Surveillance Systems Launched in Greece without Data Safeguards. Available [here](#).

<sup>47</sup> *Ibid.*

<sup>48</sup> Homo Digitalis. 2024. The Hellenic Data Protection Authority fines the Ministry of Migration and Asylum for the "Centaurus" and "Hyperion" systems with the largest penalty ever imposed to a Greek public body. Available [here](#).

<sup>49</sup> Hellenic Data Protection Authority. 2024. Ministry of Migration and Asylum receives administrative fine and GDPR compliance order following an own-initiative investigation by the Hellenic Data Protection Authority. Available [here](#).

<sup>50</sup> Hellenic Data Protection Authority. 2024. Decision 13/2024. Available [here](#). Page 44.

<sup>51</sup> *Ibid.*

<sup>52</sup> In September 2022, Members of the European Parliament [questioned](#) the European Commission on the compliance of EU-funded systems with fundamental rights. The Commissioner [affirmed](#) that EU-funded activities must fully respect the Charter of Fundamental Rights.

<sup>53</sup> EU fund management operates in three modes: I. Shared Management: The European Commission and Member States manage programs jointly, with national authorities selecting projects and handling daily operations. II. Indirect Management: The Commission delegates program implementation to external entities, commonly used in humanitarian aid. III. Direct Management: The Commission fully manages all program steps, from proposal calls to payments.

# Centaur

## Introduction

Centaur deploys CCTV cameras and aerial drones to collect image, video, and, according to the Ministry, audio data in the CCAC.<sup>54</sup> Centaur likely uses AI motion analytics, rather than behavioural analytics algorithm (due to conflicting information on the Ministry’s website this is unclear), that monitors data, and claims to flag movements, such as potentially aggressive or hostile actions, to alert the authorities.<sup>55</sup> Camera feeds are accessed remotely in the control room of the Ministry in Athens.<sup>56</sup> At least three Greek and two Israeli companies are involved in the system: ESA Security, Space Hellas, Adaptit, ViiSights<sup>57</sup> and Octopus.<sup>58</sup>



Title: Photos of CCTV cameras in the Samos CCAC, including spaces used for accommodation (see centre left). Credit I Have Rights.

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<sup>54</sup> Ministry of Migration and Asylum. 2024. Privacy Notice for the processing of Personal Data by means of Video Surveillance System [CCTV], Available [here](#). Page 1; Ministry of Migration and Asylum. 2024. Centaur Privacy Policy – Video Surveillance & Security Camera System in the MMA’s Accommodation Facilities. Available [here](#). Page 5.

<sup>55</sup> Kostas Zafeiropoulos et al. 2022. Digital Fortress Europe #3: Automation and surveillance in Fortress Europe. Available [here](#); Lydia Emmanouilidou. 2023. Greek data watchdog to rule on AI systems in refugee camps. Available [here](#).

<sup>56</sup> Lydia Emmanouilidou, Katy Fallon. 2021. With drones and thermal cameras, Greek officials monitor refugees. Available [here](#).

<sup>57</sup> I Have Rights learnt about the involvement of ViiSights in Centaur through submitting Data Subject Access Requests to obtain video footage. The footage obtained was marked with “ViiSIGHTS” and is similar to examples of camera feeds featured on ViiSight’s website. Available [here](#). ViiSights website details that they work in “refugee camps in Greece”. Available [here](#).

<sup>58</sup> Lydia Emmanouilidou uncovered the involvement of Octopus following an in person visit to the control centre in the Ministry of Migration and Asylum.

## Interviews

### The practice

57 (97%) out of 59 people on the move interviewed reported the presence of CCTV cameras in the Samos CCAC.

“For sure. We have drones, cameras all around. Yes for sure I was thinking about it.”

“There’s cameras everywhere. Next to our rooms, next to the entrance. Everywhere.”

“If the cameras are outside it is fine, when it is inside the room you cannot do anything, you have the feeling you are observed. In the dining room and big saloon where there are many people, the cameras are there and clearly visible. In the container sections, there are cameras outside, not inside.”

Respondents reported that cameras are in spaces where people live and sleep:

“For one and a half months we were in a public space with no bathroom, in a very difficult situation, it was not comfortable. I noticed there were a lot of cameras, you couldn’t understand why. When they gave us a container, in the place the containers are, there are no cameras.”

“When we arrived we were in a kitchen, we were forced to sleep there for two months. Cameras were inside and when there were fights the police still did not know who was involved.”

“Even in the hall we were sleeping there was a camera.”

All seven workers (100%) reported the clear presence of cameras in the facility.

“I know there are but I don’t know how many and if they’re all working.”

“I don’t know where they are but people talk about it [...] When an incident is taking place I know they can see what has happened if it is outside a container [...] In all other areas there is surveillance.”

“To be honest I think there are cameras all around.”

Of the people on the move interviewed, 37 (63%) respondents reported having seen or heard drones surveille the Samos CCAC.

“I haven’t seen them but I heard them. Most of the times I hear them in the morning, it happens often around 9 am. Outside the containers we can see them but inside the container we can only hear them.”

“When there are fights or a demonstration that’s when it happens, I don’t know exactly, but they stay on for around 5-10 minutes.”

“It was small, not flying very close to us, high in the sky. I saw it from a far distance.”

Of the seven workers interviewed, six (86%) reported they had not seen nor heard drones fly near the Samos CCAC, while only one (14%) recalled seeing drones surveille the facility.

“Until now I didn’t know there was drones.”

“No, I haven’t seen one, I don’t remember if I have heard it cause the camp is not very quiet.”

On 16 June 2022, the EU’s Fundamental Rights Agency in an informal impact assessment (obtained by I Have Rights through a FOI) raised serious concerns about the necessity and proportionality of installing CCTV in areas used to accommodate people.<sup>59</sup> In its correspondence with the Directorate for Economic and Financial Affairs of the European Commission on 3 December 2021 (obtained by I Have Rights through a FOI), the Ministry of Migration and Asylum claimed that accommodation areas are not directly monitored by CCTV cameras. Likewise, in its 2024 “Centaur Privacy Policy” the Ministry claims: “There are no cameras elsewhere where privacy is expected, such as individual offices, leisure areas, toilet facilities etc.”

Despite the Ministry’s assurances, respondents reported CCTV cameras are in spaces “where privacy is expected” such as in spaces where people sleep including corridors and canteens which are frequently used for the accommodation of dozens of people at a time, due to routine severe overcrowding in the CCAC. The placement of cameras in accommodation areas was also found in a 2021 report which detailed the presence of cameras in the corridor of containers, suggesting that the movements of people are closely monitored within their living spaces.<sup>60</sup>

Notably, 63% of people on the move, compared to just 14% of workers interviewed, reported seeing or hearing drones surveilling the CCAC. This discrepancy may indicate that drones are used more frequently at night, when workers are no longer present on site.

### **Information provided**

Of the people on the move interviewed, 54 respondents (92%) reported they were not informed by the authorities that the Samos CCAC was monitored by CCTV cameras.

<sup>59</sup> See also the work of Lydia Emmanouilidou. 2023. Greek data watchdog to rule on AI systems in refugee camps. Available [here](#).

<sup>60</sup> Lydia Emmanouilidou, Katy Fallon. 2021. With drones and thermal cameras, Greek officials monitor refugees. Available [here](#).

“No information was given. No one told me about any cameras, I only knew about them because I saw them [the cameras].”

“They never explained about the cameras.”

“My friends told me, not the authorities.”

“They never told me about cameras.”

“Actually no one provides information. No one explains the camp.”

“They did not explain what the cameras were for.”

“When we arrived to the camp they have informed us that the camp had surveillance cameras all around.”

“When we enter, they give us a police text in Greek and English. On that paper, they write that there are cameras monitoring our movement.”

On the presence of signs, 50 (85%) reported that they had not seen a single sign in the facility providing information about the use of CCTV cameras. Five (8%) reported they had seen signs informing about the presence of CCTV cameras. The four remaining respondents (7%) could not answer the question.

All seven workers interviewed (100%) said they had not received any information from the Greek authorities about the CCTV cameras in the facility. All seven (100%) reported that they could not recall seeing signs in the CCAC providing information about the use of CCTV cameras.

“For sure not leaflets. For sure there is no long explanation document.”

“I have not noticed [referring to signs].”

All 37 people on the move who reported seeing or hearing drones surveil the CCAC reported that they had not been provided with information by the authorities that the centre was surveilled by drones. This is consistent with the responses from workers, as all seven (100%) reported that they were not informed by the Greek authorities about the fact that the Samos CCAC is monitored by drones.

The lack of clear and accessible information regarding surveillance is a significant concern raised by both the Hellenic Data Protection Authority and the European Union Agency for Fundamental Rights. In the abovementioned April 2024 decision, the Hellenic Data Protection



Authority criticised the Ministry of Migration and Asylum’s failure to inform individuals about their rights, the legal basis for data collection, and the purposes of data processing. Similarly, already in 2022, the European Union Agency for Fundamental Rights recommended that the Greek authorities install visible signs to inform residents and staff about surveillance infrastructure in place and provide clear, accessible information on data processing practices.

According to the Ministry of Migration and Asylum’s 2024 Centaur Privacy Policy, the main or general legal basis for the processing of the video surveillance is the performance of a task carried out in the public interest in the exercise of official authority (Article 6 (1)(e) GDPR) while the processing of special categories of (biometric) data takes place for reasons of substantial public interest (Article 9 (2)(g) GDPR). The legal basis for the processing of special categories of data for law enforcement purposes, the handover of data to law enforcement authorities (e.g. during an investigation), is the legal obligation under Article 6(1)(c).<sup>61</sup>

However, in response to feedback from the European Commission in 2022, the Ministry also claimed that consent is the legal basis used, stating that individuals are required to sign a “Declaration of Non-Objection to Disclosure”. Interviews suggest that the majority of people on the move and all workers interviewed report that they have not received any information. This therefore undermines arguments that the processing of data is based on consent. This, in turn, raises concerns about the legality of the data processing but also poses serious questions about the respect for privacy and the fundamental rights of individuals detained in the facility.

According to the Ministry of Migration and Asylum, consent for processing is given upon signing a Personal Data Registration form that is provided to all people.<sup>62</sup> I Have Rights observed that from 2021 to mid-2023 this registration document did not mention surveillance measures in the CCAC. In mid-2023, a *single sentence* was added to the registration form, “I am informed that I have entered a controlled accessed and CCTV surveilled area and I consent to the collection of my face image and/ or my fingerprint data in order to safeguard and protect my vested interests from illicit acts”. Despite this inclusion, not one interview respondent was aware that this sentence was on their registration form.

One sentence on a registration form does not absolve the Ministry of its GDPR obligation for clear and transparent information. For example, the sentence lacks important material, for example on the signatories’ rights. In addition, it is provided only in Greek and English language, without interpretation, while using complex technical or legal terms, contravening the obligation for clarity and accessibility. The Hellenic Data Protection Authority also came to these conclusions in its 2024 decision.<sup>63</sup> This therefore suggests that illegal data processing is taking place in the CCAC.

Information directly provided by the Ministry of Migration and Asylum to I Have Rights is also unclear. For example, in follow up correspondence to a Data Subject Access Request made by an I Have Rights client to the Ministry of Migration and Asylum requesting video footage of the entrance of the CCAC following an alleged incident of the use of police force, the Data Protection Officer at the Ministry suggested that the CCTV cameras that monitor the entrance and perimeter of the Samos CCAC fall within the responsibility of the Hellenic Police, rather than the Ministry of Migration and Asylum:

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<sup>61</sup> Ministry of Migration and Asylum. 2024. Centaur Privacy Policy – Video Surveillance & Security Camera System in the MMA’s Accommodation Facilities. Available [here](#). Page 2.

<sup>62</sup> Hellenic Data Protection Authority. 2024. Decision 13/2024. Available [here](#). Page 8.

<sup>63</sup> *Ibid.* Page 36 para 19.

*Further, per your email of Tue 8/20/2024 4:01 PM an alleged incident occurred outside the entrance gate of the Samos Closed Controlled Access Centre (CCAC) on 29/7/2024, between 8:00 AM and 2:30 PM.*

*The Ministry's responsibility is limited to the spaces within the CCAC's.*

*Any occurrence out of CCAC and the outer perimeter is Greek Police's duty of care.<sup>64</sup>*

The Data Protection Officer used this basis as a justification for not providing I Have Rights with the video footage. This is despite the Ministry providing I Have Rights with video footage of the entrance of the Samos CCAC in another request.

In response I Have Rights asked:

*In reference to your previous email, you mention that the Ministry's responsibility is confined to areas within the CCAC. Am I correct in understanding that the cameras installed in the Samos CCAC that cover the area outside the entrance gate of the facility are the responsibility of the Hellenic Police? Could you kindly confirm this?*

*If this is the case I would be grateful to understand why a DSAR sent [redacted for confidentiality] to the Ministry resulted in [the Ministry] sending me video footage which shows the main entrance and outside area of the facility.*

*Lastly, which Samos CCAC cameras are the responsibility of the Hellenic Police? How do these cameras interact with the fact that the entire area of the Samos CCAC is under the responsibility of the Ministry of Migration and Asylum?*

In response to the questions the Data Protection Officer simply wrote:

*Public order and security outside CCAC's gates and the outer perimeter remains Hellenic's Police duty of care and Responsibility [sic].<sup>65</sup>*

This correspondence is just one example of confusing and often contradictory information provided by the Ministry on the use of cameras and data processing of the Centaur system.

## **Impact**

When asked about the impact of CCTV surveillance, of the 57 respondents who were aware of the CCTV in the facility, 26 (46%) expressed feeling safer and protected by the presence of cameras. 15 (26%) expressed feeling nervous, stressed and/or scared. Eight (14%) expressed feelings of indifference. Two (3%) expressed mixed feelings. Two (3%) did not know how to feel, while another two (3%) thought the cameras were useless and so expressed feelings of indifference. Finally, two respondents (3%) could not answer the question.

“I don't have any specific idea, maybe it is good, maybe it is bad. It is more for the security, for the refugees not to do something wrong.”

<sup>64</sup> Data Protection Officer at the Ministry of Migration and Asylum. 30 August 2024. Email to lawyer at I Have Rights.

<sup>65</sup> Data Protection Officer at the Ministry of Migration and Asylum. 8 September 2024. Email to lawyer at I Have Rights.

“The cameras, the drones, the high security, the camp itself, it’s just like a prison [...] I don’t believe this is a refugee camp, this is not a camp. This is prison [...] How come in a camp there are so many cameras? [...] The high level of control to enter and leave. I really didn’t like that [...] The reason I don’t leave to another European country is I don’t want to experience a camp again. It was the worst experience.”

“If they are using it to ensure our security and protection, it is obviously a good thing. If they are using it against us, not to be sure our rights are protected, it is a bad thing.”

“I think it’s for a security reason and it’s a good idea, I feel protected.”

“They are there to keep an eye on us, it makes you feel uncomfortable because at any moment you are being watched.”

“People are always nervous and anxious if they do something wrong and they are being observed.”

“They are there to keep an eye on us, it makes you feel uncomfortable because at any moment you are being watched.”

“Like I said it’s a feeling of frustration. You understand that you’re in prison. You’re told you’re free, but you’re not. It’s a facade of freedom.”

Of the workers interviewed, all seven (100%) reported that the presence of cameras, and the general infrastructure of the CCAC, did not make them feel safer in the CCAC.

“I feel it’s too much control over people. It’s like they are dealing not even with kids, with animals.”

“No, not at all. On the contrary, it makes me feel like I’m being surveilled, like I’m in a high-security prison.”

“In general you feel you are more watched.”

On whether the presence of cameras in their work place impacted their job, six workers (86%) explained the cameras do not impact their work but still led them to feel uncomfortable, surveilled or watched. One worker (14%) reported cameras impact their work in terms of confidentiality with beneficiaries.

“The CCAC is terrifying at first, it feels like you are entering a jail, a high security one. I felt bad for our beneficiaries who had to live there. I had to find a balance between knowing I am supervised but not being paranoid about it.”

“For me they [the cameras] don’t [have an impact on the respondent’s work] [...] I don’t feel really comfortable [...] The security guards have more impact than me.”

“Not the cameras *per se* but you do feel surveilled.”

“Me personally not so much [...] But of course if I want to talk to someone in the [redacted for confidentiality] I wouldn’t do it in the middle [...] I don’t know if the cameras have microphones.”

“Not so much [...] The only thing is that sometimes I forget about it and then it pops out again and I am more self-conscious [...] I may think ‘if I take a picture maybe I am not allowed to’, something like that [...] It pops up to me randomly.”

Regarding drone surveillance, among the 37 people on the move who were aware of the presence of drones, 11 (30%) felt indifferent, six (16%) felt worried, upset and/or scared, six (16%) felt surveilled and watched, and another six (16%) felt safe and protected. Eight respondents (22%) either said they did not know how to feel or did not answer the question.

“We are in a prison. It should not feel like a prison place. This is the first thing that comes to your mind. This is inhumanity. It limits your freedom, even your movement is limited.”

“I don’t feel weird or panicked, I feel protected.”

“Sometimes I’m scared.”

“I don’t have any specific feeling..”

“I feel like people are watching me.”

“I really didn’t like it. [...] They were there to treat us like bandits and delinquents, like we are doing bad things.”

“It just confirms that we are watched and controlled at every moment.”

“I don’t mind, I have no problem with that.”

“I feel normal, they are a safety measure around the camp.”

As for the one respondent who works inside the CCAC who recalled seeing drones, they reported feeling frustrated that funding was used for surveillance over securing basic living standards in the CCAC, especially due to the fact there is a lack of running water in the facility.

“It tells a lot about the priorities.”

Interview results indicate that the placement of cameras had varying impacts on people. While some respondents thought that cameras might be necessary for security purposes, respondents generally expressed discomfort with the fact that cameras were near or even in the accommodation areas.

The interview findings also suggest that people experienced more discomfort with drones than with CCTV cameras. For those who reported seeing drones, their presence seemed to exacerbate feelings of surveillance and insecurity.

Both the cameras and drones may influence how people behave within the CCAC. As Mona Shtaya, Palestinian digital rights defender and 2024 Migration Tech Monitor Fellow, explains, continuous surveillance can create a panoptic environment that limits personal autonomy and encourages self-censorship:

*In Palestine, we are living in a panopticon, we get the feeling that we are always watched, we are always surveilled, so we behave “at our best”. Even if you’re angry with your family, you try to suppress your emotions [...] Even when you have phone calls and you’re interacting online, you filter your words, because you feel the impact of the panopticon. We live under the same kind of intensity here as in the CCAC.<sup>66</sup>*

The knowledge of being constantly surveilled can lead individuals to alter their actions which can further contribute to feelings of anxiety and a loss of autonomy. In the same way, all workers recalled feeling uncomfortable, surveilled and having to think about the CCTV cameras while in their work place.

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<sup>66</sup> More information about Migration & Tech Monitor available [here](#). Quote from expert Interview with Mona Shtaya.

# Hyperion

## Introduction

Hyperion uses biometric data to control entry and exit from the CCAC. People on the move are required to scan their fingerprints and biometric ID card to enter, exit and sometimes to move through the facility. In contrast, of the NGO workers interviewed, none were required to provide their fingerprints to enter the facility. Instead the authorities allowed them to enter and exit by checking their national (non-biometric) ID cards.



Title: Screenshots from a video sent by an asylum seeker to I Have Rights in August 2024 showing the procedure to enter the Samos CCAC (left: 1-scanning of the person's biometric card, right: 2-scanning of their fingerprint). Credit I Have Rights.



Title: Photos from the outside fences of the Samos CCAC with CCTV video surveillance and fingerprint entrance structure. Credit I Have Rights.

## Interviews

### The practice

Of the 59 people on the move interviewed, 57 (97%) reported that they had to provide their fingerprints to the authorities in the CCAC. 54 (91%) reported that they could not refuse to provide their fingerprints.

“Once, they took the fingerprint from the whole hand, even the palm and each of the fingers. After that, they only asked for the fingerprints. I have a problem in my hand, so for me it was only one hand, for other people, they took from both hands.”

51 respondents (86%) reported they were required to provide their fingerprint to enter and exit the CCAC. Six respondents (10%) reported they did not have to provide their fingerprints to enter or exit the CCAC.

“From the 11th of March [2024] there is a new rule: you need to scan your card and fingerprint to be able to enter or exit. Without that, the gate won’t open. Whenever you exit or enter, it should also be registered in the computer [referring to computers used by G4S, a private security company, at the gate].”

At the time of the writing, it appears that people on the move in the CCAC are required to scan their fingerprints and biometric ID card to enter and exit the facility.

“There is a place where you put your red card to scan it, at the same time you must put the finger to scan it as well. Once both are scanned, a green light appears and the door opens automatically.”

“The main door only works with our finger: we need to scan our finger, then our card and then the door will open. It is the same to enter in and exit from the camp.”

“You still need fingerprint, even if you have a card.”

In addition to scanning their fingerprint and biometric ID card, to enter the CCAC, people on the move reported having to go through airport-style security checks to enter the facility:

“They check the whole body, clothes, backpack, check thoroughly what we take out or bring in [...] When we are leaving they do not check the body, they do when we come back.”

“When I enter I wait one minute or two, the security opens the door, I give my red card and enter for the security check. I have to take out my stuff and enter the scanner. After that they check my bags and after that scan they ask us also to take our shoes off.”

Of the people on the move interviewed, 13 (22%) reported that they have to scan their fingerprints to move between sections within the Samos CCAC. However, such a practice seems

to vary as 44 respondents (74%) explained they never had to provide their fingerprints to move within the facility. One respondent (2%) could not recall, while another respondent (2%) did not answer the question.

We were unable to clarify why some respondents reported being required to scan their fingerprints to move between sections within the facility and others did not. Those who had to scan their fingerprints to move within the facility were in the facility during the same time and were accommodated in the same sections as those who reported they did not have to scan their fingerprints. Of the 13 respondents who reported scanning their fingerprints to move within the facility, seven arrived in Samos throughout 2023 while six arrived between March and May 2024.

None of the workers interviewed reported being required to scan their fingerprints at any stage including to enter, exit or move within the CCAC. In fact, all seven workers (100%) reported they had refused to register their fingerprints to access the CCAC, explaining that using their fingerprint to access their work place would violate their rights. Indeed, many NGOs have negotiated exemptions from biometric fingerprint scanning due to such concerns.

“No I didn’t want to [register my fingerprint] [...] I don’t want to be so controlled. I don’t think it’s necessary [...] I think in the beginning of the functioning of the CCAC there was a discussion about it [whether the workers would have to scan their fingerprints] [...] I think it’s not easier it’s just stupid.”

In its 2024 decision, the Hellenic Data Protection Authority concluded that while the Government’s objectives of securing asylum centres were legitimate, the implementation of the Hyperion system raised significant privacy concerns.<sup>67</sup> The authority questioned the necessity and proportionality of biometric data processing, particularly for vulnerable groups such as asylum seekers. It suggested that less intrusive alternatives, such as identification cards, could achieve the Ministry’s stated security goals. While the Ministry argued that fingerprints are more secure than ID cards, in its Data Protection Impact Assessment and communications with the Hellenic Data Protection Authority, it failed to clearly communicate the legal basis for and data subject rights related to biometric processing.

Moreover, official statements from the Ministry of Migration and Asylum on the matter contradict practices observed in the CCAC. On 3 July 2024, the Ministry stated that the provision of biometric data would not be made a mandatory condition for accessing services.<sup>68</sup> However, the overwhelming majority of respondents reported that they felt they could not refuse to provide their fingerprints.

Likewise, both national and EU bodies, including the Greek Ombudsman and the European Union’s Fundamental Rights Agency, criticised the disproportionate collection of biometric data, advocating for more proportionate and less intrusive alternatives. Both bodies pointed to an inadequate assessment of privacy implications and non-compliance with fundamental principles, such as data minimisation and transparency. In 2024, the Greek Ombudsman found that:

<sup>67</sup> Hellenic Data Protection Authority. 2024. Decision 13/2024. Available [here](#). Page 33 Para 16 and Page 40 Para 23.

<sup>68</sup> Ministry of Migration and Asylum. 2024. Privacy Policy for the Processing of Biometric Data. Available [here](#). Page 6.



*While some form of control at entry and exit points is necessary for the safety of residents and workers, there are significant concerns about the proportionality of the measures applied. Surveillance systems, controls, and high concrete or barbed wire fences create conditions of confinement that are inconsistent with the status of the residents, who are a vulnerable population group. The appearance, particularly of the RIC and CCAC is more akin to a detention centre than to a reception and accommodation area for newly arrived residents.<sup>69</sup>*

Likewise, the European Union’s Fundamental Rights Agency expressed serious concerns about the necessity and proportionality of collecting sensitive data after its visit to Samos in May 2023. In an informal input (obtained by I Have Rights through an FOI request) the Agency questioned the proportionality, necessity and impact on fundamental rights of the “regular processing of sensitive personal data, e.g. fingerprints to identify a person at the entrance when the identity of residents can be checked using ID cards and less intrusive means”.<sup>70</sup> The Ministry of Migration and Asylum, in its 2024 “Privacy Policy for the Processing of Biometric Data” asserts that biometric data processing does not exceed “what is required in relation to the specific purposes”.<sup>71</sup> This stands in contrast with opinions from the Hellenic Data Protection Authority and European Union’s Fundamental Rights Agency that fingerprinting is disproportionate to the aim of securing entry and exit of the facility.

As we were unable to interview people who work for the Greek or EU authorities on Samos, we are unable to conclude whether all workers have been able to refuse to provide their fingerprints to enter the facility.

### **Information provided**

Of the 59 people on the move interviewed, 42 (71%) reported that they were not informed why they had to provide their fingerprints. 17 (29%) said they were provided with information.

“They never explained. Whatever happens in the camp, no one explains. No one knows any information, whether someone had an interview, no one explains something. Everyone is very anxious there.”

“They don’t give us any explanations, they just tell us to put the fingerprints on [...] There are services where we just take the 10 fingers, but not the palm.”

“They told us it was for security measures, to sort out the papers.”

The GDPR mandates that data subjects are informed why their personal data is collected and processed, as well as their rights.<sup>72</sup> The legal basis for the use of biometric data in Hyperion is

<sup>69</sup> The Greek Ombudsman. 2024. The Challenge of Migratory Flows and Refugee Protection: Reception Conditions and Procedures. Available [here](#). Page 41.

<sup>70</sup> Fundamental Rights Agency. 30.03.2023. Informal input from the mission to Athens and Samos, 23-24 May 2023. Ref. Ares (2023)2297424. Received through an FOI request.

<sup>71</sup> Ministry of Migration and Asylum. 2024. Privacy Policy for the Processing of Biometric Data. Available [here](#). Page 5.

<sup>72</sup> Article 13 paras 1(c) and 2 Regulation (EU) 2016/679 (GDPR).

unclear. Despite this, whether the legal basis for data processing is, for example, consent or national security, it remains essential for people to be informed. If consent is the basis, people must understand that they are voluntarily providing their data, and they should be aware of the rights and consequences of withdrawing their consent.<sup>73</sup> On the other hand, if national security is cited as the legal basis, people have the legal right to know why their data is being collected and how it will be used.<sup>74</sup> The lack of information provided by the authorities, as detailed by respondents, leaves people unaware of their rights or the implications of the data collection, including whether their biometric data is shared with third parties.

Dr. Niovi Vavoula, expert in EU migration law, security, and technology and Associate Professor and Chair in Cyber Policy at the University of Luxembourg, is concerned of the growing normalisation of biometric data processing, often without a legal basis:

*The processing of biometric data has become a banality, without due regard to the principles of necessity and proportionality. In my view, a key reason why this is the case is the limitations of Article 9 of the EU GDPR, which designates biometric data as a special category of personal only when these are processed “for the purpose of uniquely identifying a natural person”, thus for one-to-many searches and not for verifying their identity (one-to-one searches). The emergence of biometric surveillance in respect of some of the most vulnerable groups of people was not properly assessed in terms of whether other alternative systems without a similar effect were feasible.<sup>75</sup>*

### **Impact**

When asked how scanning their fingerprints made them feel, 24 out of 59 people on the move interviewed (41%) expressed indifference. 15 respondents (25%) reported feeling uncomfortable, frustrated or annoyed by the process. Ten respondents (17%) explained feeling good or okay with such procedures. Seven respondents (12%) did not answer the question. Finally three respondents (5%) explained feeling safe with this practice.

“Imagine you have appointments [...] it gets you late, you miss the bus, so you come back and go again for them to write your name.”

“Not good, made me feel surveilled [...] It made me feel like a bandit.”

“I find it weird because we’re not explained why.”

“It is part of the law. We have to give our fingerprints. We don’t feel like it’s illegal. We feel like we need to get help to receive this facility. We accept it’s fine.”

“It’s the process, so I’m good.”

<sup>73</sup> Articles 4 para 11, 7 and Preamble 42 Regulation (EU) 2016/679 (GDPR).

<sup>74</sup> Articles 13 and 23 Regulation (EU) 2016/679 (GDPR).

<sup>75</sup> E-Mail correspondence with Dr. Niovi Vavoula on 2 December 2024.

“I feel safe.”

When asked about the impact of fingerprint scanning in their workplace, five workers (71%) did not respond, as they were not required to comply with this practice. One worker expressed that the practice felt disproportionate and unfair, while another mentioned that although they were not obligated to participate, they could imagine feeling uncomfortable if they were required to comply.

“I wouldn’t want to do this.”

While people appeared to find fingerprinting less problematic than the removal of phones or surveillance via CCTV cameras and drones, 25% of people on the move still expressed feeling discomfort with the procedure. This is noteworthy when compared with the workers, all of whom refused to provide their fingerprints.

Many respondents, including both people on the move and workers, also spoke more broadly about the time-consuming nature of entering and exiting the facility. They voiced frustration at the entry and exit procedure including queuing for extended periods, being subjected to multiple security checks, including airport-style body scans, strict restrictions on items brought into the facility, and bag searches. When taken in isolation, scanning fingerprints did not seem to cause as much concern. However, when placed in the context of a laborious entry and exit process, as well as within the wider security and control context of the facility, many respondents expressed frustration, with some likening the experience to being in prison.

### Section 3 General Observations

When asked about the overall impact of technologies on their experience at the Samos CCAC, 20 out of 59 people on the move interviewed (34%) stated that the presence of technologies made them feel safe or had a positive impact. 13 respondents (22%) reported that the technologies had no impact on their stay in the centre. Ten respondents (17%) expressed feeling imprisoned, surveilled, controlled, or having their privacy invaded by the technologies. Five respondents (8%) were unsure how to feel about the different technologies used, and another five (8%) could not answer the question. Four respondents (7%) said their feelings depended on the type of technology being used. One respondent (2%) was surprised by the amount of technology in the camp, and one respondent (2%) gave an unclear response that could not be analysed.

“The important thing for me was that I could save my family’s life and that we go to a safe place. So the technologies, the cameras or whatever they do it’s not something that is important for me or that affects my situation.”

“Yes, it’s a question of safety, it’s for our own good to be watched.”

“It made me panic, I went through YouTube videos talking about Samos. I saw that in the administration office they have these big screens. There are places where I knew they were cameras they were hidden. They can also listen what you say [...] I felt like I was being watched [...] I always felt like I was being watched, even inside my room. It doesn’t matter anymore if you have cameras or drones. You feel like the place is controlled.”

“In certain moments it’s suffocating [...] It has a psychological impact [...] when you see all this you know you’re not free [...] it’s not far from prison: you know you have the possibility of getting out but psychologically it’s not very far.”

“If there is a place which is safe, there shouldn’t be any cameras, it shouldn’t be necessary to have cameras.”

“We don’t have any problems with fingerprints, for example, but the fact that they take the phone means we’re no longer comfortable with it anymore afterwards, we don’t trust it [...] Apart from the phone, it doesn’t bother me.”

Of the 59 people on the move, 14 respondents (24%) described feeling like prisoners in the Samos CCAC. When clarifying what in the CCAC made them feel like prisoners, the respondents referred to one or more of the following aspects: seven respondents referred to their overall experience in the CCAC, six referred to the use of technology, five pointed explicitly to the pervasive presence of cameras, and three referred to fingerprint scanning.

“The cameras, the drones, the high security, the camp itself, it’s just like a prison [...] I don’t believe this is a refugee camp...this is not a camp. This is prison [...] How come in a camp there are so many cameras? [...] The high level of control to enter and leave. I really didn’t like that [...] The reason I don’t leave to another European country is I don’t

want to experience a camp again. It was the worst experience.” [About the presence of cameras]

“We are in a prison. It should not feel like a prison place. This is the first thing that comes to your mind. This is inhumanity. It limits your freedom, even your movement is limited.” [On the presence of drones]

“I felt terrible, I was running for freedom and came to prison, no freedom of speech, you cannot express anything, cameras are everywhere.”

“We thought it was just how the process works, they have to search us, it is an obligation or a rule and that’s why we had to respect it, but of course I felt like a prisoner, I was thinking this is the punishment for having come illegally.” [About the removal of the phones]

“At first it seems a sufficient place to live, but it’s like prison-like-community. [...] You feel you have no rights there, you feel like you have committed a crime and you are punished for it.” [About their general experience in the CCAC]

“Like I said, it’s a feeling of frustration. You understand that you’re in prison. You’re told you’re free, but you’re not. It’s a facade of freedom.” [About the presence of cameras]

“I can say there’s not a lot of things to do in the camp, but everyday we have to stand on the line for food, but for myself I go around to talk with people, and it feels like we live in the prison, also because of the closing time of the camp, we can’t get out like after 7 pm, we can’t get out. For example I know here is better than Afghanistan but at least I have the freedom to get out whenever I want [in Afghanistan].” [About their general experience in the CCAC]

“I did not mind the cameras, but in addition to other issues, [...] it is like you are living in a prison.” [About the impact of technologies on their experience in the CCAC]

The results from interviews with people on the move can be contrasted with those of the workers, all of whom reported that technology did not make them feel safer in the facility. Indeed, when asked if the surveillance infrastructure of the CCAC made them feel safe, the workers answered:

“Not so much. Generally I don’t feel very safe around police.”

“Frustrating, annoying [...] In general you feel you are more watched.”

“No, not at all. On the contrary, it makes me feel like I’m being surveilled, like I’m in a high-security prison.”

“No. More controlled.”

When asked about what the respondents would like to change within the CCAC, and the most frequently mentioned issues were as follows:

- The quality and distribution of food (15 respondents)
- Delays in procedures and transfers (seven respondents)
- Access to and quality of drill water (five respondents)
- Maintenance of the containers (five respondents)
- The prison-like structure and detention system (five respondents)

Several other concerns were also highlighted:

- Access to healthcare (four respondents)
- Exit and entry procedures (four respondents)
- Discipline within the CCAC (three respondents)
- Access to basic furniture like stoves (three respondents)
- Organisation of container sections (three respondents)
- Insect infestations (two respondents)

Lastly, the following issues were mentioned once each: laundry facilities, the asylum interview process, access to interpretation services, general living conditions, access to job opportunities, the CCAC's location, the ability to stay longer after an asylum decision, treatment by authorities, and internet access.

“Speaking for all the people in the camp, the use of technology, we do not see it as a big deal. The big deal for us is the procedure, the fact that it is taking too much time compared to other islands. Asylum seekers need faster procedures.”

“I have a lot of things I would like to change, first the location, it is very far from the city, also food, water, there is a lot of waiting.”

“You go in there a normal person but after everything that happens you come out like a washed soul.”

“Everything needs to be changed. [...] This is mistreatment. We cannot communicate or ask for information.”

“The process of entering, I would change that because I wouldn't like to feel like a prisoner there.”

“Only that security check procedure, the hours of staying outside, that I have to go back at 5pm.”

“Lots of things to change. [...] Last time we complained about the gas cookers, just because of that we have to leave our section to cook somewhere else. [...] It was broken and the authorities never responded. [...] lots of cockroaches.”

## **Rights implications**

In the CCAC, people on the move, and to a lesser extent workers, are subjected to intrusive surveillance and collection of their personal data. In addition to data protection violations, the removal of people on the move’s phones and the implementation of Centaur and Hyperion in the CCAC may violate fundamental rights. While space precludes a detailed analysis of the potential violations of human rights, this report concludes by highlighting key areas of concern focusing on impacts on the right to privacy, information, human dignity and non-discrimination.

### **Impact on the right to privacy**

Our research findings indicate potential violations of the right to privacy. Phones store extensive, intimate details of people’s lives, and their removal without clear legal safeguards can lead to unwarranted surveillance and misuse of sensitive information. Cameras and drones also increase surveillance and data collection without individuals’ knowledge or consent. Additionally, fingerprints are unique, sensitive biometric identifiers.

People on the move in the CCAC believe they could not refuse data processing. According to Prof. Dr. Goldner Lang, expert in European Union law, it must be seriously questioned whether individuals reliant on accessing protection can genuinely provide meaningful consent or exercise free choice regarding the sharing of their data, given the precarious circumstances they find themselves in.<sup>76</sup> As also detailed by Petra Molnar, there is a clear “power differential between those imposing technology and those on the receiving end.”<sup>77</sup>

### **The right to information**

Our research findings indicate a lack of transparency and the lack of information provided to people who are subjected to surveillance in the CCAC. Both people on the move and workers are unaware of how their data is processed. For the removal of phones, almost all people on the move reported that they did not receive information as to why their phones were taken. For Centaur, our research suggests no clear information is provided on camera and drone numbers, locations, purpose, legal basis and data processing. For Hyperion, people in the CCAC are often unaware of why or how their biometric data is processed.

The right to information requires that people have access to information held by public authorities and institutions. In the context of the CCAC Samos, Dr. Vavoula details:

*The right of information is completely disregarded in violation of the GDPR, which clearly lists in its Article 13 the minimum pieces of information that individuals whose personal data are processed must receive. The right to information is a prerequisite for individuals to exercise other individual rights under EU data protection law and seek extra-judicial and judicial remedies. Therefore its violation constitutes a major challenge not only for fundamental rights protection, but also for safeguarding the rule of law, of which effective judicial protection constitutes an integral element.*<sup>78</sup>

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<sup>76</sup> Expert Interview with Prof. Dr. Iris Goldner Lang.

<sup>77</sup> Expert Interview with Petra Molnar.

<sup>78</sup> E-Mail correspondence with Dr. Niovi Vavoula on 2 December 2024.

Indeed, our interviews indicate that both people on the move and workers alike were unsure of their rights and how to access their data. Insufficient disclosure regarding how data is collected, processed, shared and how people can gain access to their data prevents people from understanding how their data is used and exercising their rights.

### **Impact on human dignity**

Our research findings highlight concerns regarding the impact of surveillance technologies on the sense of dignity among people on the move. The pervasive nature of surveillance, combined with the carceral architecture of the CCAC creates an environment of discomfort and anxiety for many respondents.

This is confirmed by the UN Special Rapporteur on Trafficking in Persons, Siobhán Mullally, who in November 2024 published a letter of allegation against the Greek Government for their treatment of victims of trafficking in the Samos CCAC, detailing in particular that:

*I would like to express grave concern that for victims of trafficking to be subject to intense surveillance and tracking infrastructure risks retraumatizing them and strip them of their dignity.<sup>79</sup>*

As of January 2025, the Greek Government has not responded to the Rapporteur's concerns.

The removal of phones, in particular, left most respondents feeling scared, powerless, and like their privacy had been violated. Additionally, many but not all respondents, expressed unease and distress about the constant surveillance within the centre, with cameras near and in accommodation areas and drones contributing to a pervasive sense of being surveilled that heightened tension and unease. Respondents often noted that being under constant watch limited their freedom and curtailed their movement, leaving them feeling exposed and controlled. These experiences were further exacerbated by a sense of powerlessness, with some comparing their time in the facility to being in a prison, illustrating the profound emotional and psychological toll of these practices.

### **Impact on the right to equality and non-discrimination**

Both the indiscriminate removal of phones and the deployment of AI-driven and biometric surveillance technologies raise broader questions regarding equality and non-discrimination.<sup>80</sup> The CCAC is part of a wider context of neo-colonial bordering practices,<sup>81</sup> where racialised people

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<sup>79</sup> UN Special Rapporteur on Trafficking in Persons. 2024. AL GRC 3/2024. Available [here](#). Page 8.

<sup>80</sup> “The principle of equality [...] combines formal equality before the law with equal protection of the law, with substantive or de facto equality in the enjoyment and exercise of human rights as the aim to be achieved by the faithful implementation of its principles.” UN Committee on the Elimination of Racial Discrimination. 2009. General Recommendation No. 32: The meaning and scope of special measures in the International Convention on the Elimination of All Forms Racial Discrimination. CERD/C/GC/32. Available [here](#). Para. 6; “Non-discrimination and equality are fundamental components of international human rights law and essential to the exercise and enjoyment of economic, social and cultural rights.” UN Committee on Economic, Social and Cultural Rights. 2009. General Comment No. 20: Non-discrimination in economic, social and cultural rights. UN Doc. E/C.12/GC/20. Available [here](#). Para. 2; “Non-discrimination, together with equality before the law and equal protection of the law without any discrimination, constitute a basic and general principle relating to the protection of human rights.” UN Human Rights Committee. 1989. General comment No. 18: Non-discrimination UN Doc. HRI/GEN/1/Rev.1. Available [here](#). Para. 1.

<sup>81</sup> For the concept of the “colonial legacy of bordering Europe” in the CCAC Samos see Ellen Allde. 2023. ‘Sanctioned Ignorance’ and the detention of people seeking asylum in the EU-funded CCAC on



on the move are framed foremost as a security risk and put into prison-like facilities upon arrival. For example, the fact that mostly white Ukrainian asylum seekers were not placed in such facilities raises questions around discriminatory treatment of different protection seekers.

A further concern is the use of discriminatory algorithms in the technology deployed at the CCAC. According to the former UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Tendayi Achiume, digital technologies are capable of perpetuating “racial and ethnic exclusion in systemic or structural terms”.<sup>82</sup> Algorithms, if trained on data under-representing marginalised communities and over-representing certain groups can lead to biased outcomes.<sup>83</sup> In the case of Centaur, this could disproportionately impact racialised people in the CCAC, who may be flagged as a “threat” due to algorithmic biases. According to Mona Shtaya, “technology is used to exacerbate the existing equity crisis by automating discrimination.”<sup>84</sup>

Available data on similar technologies, along with a growing body of evidence, highlights a significant risk that algorithms disproportionately target individuals based on racial or ethnic characteristics and ultimately amplify discriminatory patterns.<sup>85</sup> The European Commission’s High-Level Expert Group on Artificial Intelligence emphasised that “[d]ata sets used by AI systems (both for training and operation) may suffer from the inclusion of inadvertent historic bias, incompleteness and bad governance models.”<sup>86</sup>

The European Union’s Fundamental Rights Agency also raised concerns about Centaur’s algorithm, urging the Greek Ministry of Migration and Asylum to disclose more details to prevent discrimination. In a 2022 informal impact assessment, the Agency not only recommended that high-risk artificial intelligence systems like Centaur undergo thorough fundamental rights impact assessments but also called for the Ministry to engage with external experts, stakeholders, and oversight bodies. This engagement would help ensure transparency, particularly regarding Centaur’s data sources, training methods, and safeguards against discrimination.

However, it appears that these recommendations have not been implemented. To date, no detailed information about Centaur’s development, data sources, or operational methods has been made publicly accessible. For example, we were only able to learn about the involvement of ViiSights, an Israeli start up, by gaining access to video footage in the CCAC through a Data Subject Access Request. Beyond the companies involved, a significant challenge lies in acquiring information about algorithms, primarily due to the constraints imposed by intellectual property

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Samos. Available [here](#). Page 18. For further reflections on racialised border practices see also E. Tendayi Achiume. 2022. Racial Borders. Available [here](#).

<sup>82</sup> E. Tendayi Achiume, UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance. 2020. Racial discrimination and emerging digital technologies: a human rights analysis. A/HRC/44/57. Available [here](#). Para. 38–43.

<sup>83</sup> See for example Joy Buolamwini, Timnit Gebru. 2018. Gender Shades: Intersectional Accuracy Disparities in Commercial Gender Classification. Available [here](#).

<sup>84</sup> Expert interview with Mona Shtaya.

<sup>85</sup> EU Fundamental Rights Agency. 2022. Bias in algorithms - Artificial intelligence and discrimination. Available [here](#); Nani Jansen Reventlow. 2021. Automated racism: How tech can entrench bias. Available [here](#); E. Tendayi Achiume, UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance. 2021. Racial and xenophobic discrimination and the use of digital technologies in border and immigration enforcement. A/HRC/48/76. Available [here](#); European Digital Rights (EDRI). 2020. Structural Racism, Digital Rights and Technology. Available [here](#); Patrick Williams and Eric Kind. 2019. Data-driven policing: The hardwiring of discriminatory policing practices across Europe. Available [here](#).

<sup>86</sup> European Commission. 2019. Ethics Guidelines for Trustworthy AI, High-Level Expert Group on Artificial Intelligence (AI HLEG). Available [here](#). Page 18.

rights. The recently adopted EU AI Act will only require companies to disclose minimal data. According to Oyidiya Oji, digital rights expert at the European Network Against Racism with a focus on an anti-racist and social justice perspectives:

*[...] there will still be a lack of transparency with the AI Act. For example the algorithms being used, there is no access to these algorithms. We know how algorithms can be discriminatory, people who developed them are male white people and they come from specific universities. Social perspectives are lacking. In many cases they blame the data - and yes the data is biased - but it's because people are biased.<sup>87</sup>*

This lack of transparency impedes efforts to assess the system's compliance with principles of equality and non-discrimination, raising concerns about accountability and legality. Regrettably, the secrecy and confidentiality shrouding the systems deployed in the Samos CCAC mean that independent parties have not been able to verify whether the data fed into the Centaur and Hyperion systems is free from discriminatory bias.

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<sup>87</sup> Expert Interview with Oyidiya Oji. See also Algorithm Watch. 2024. A guide to the AI Act, the EU's new AI rulebook. Available [here](#); Ashwini K.P, UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance. 2024. Racism and AI: "Bias from the past leads to bias in the future". Available [here](#).

## **Recommendations**

To address the concerns raised in this report and to foster the protection of fundamental rights, the following recommendations are made to the European Union and Greek authorities:

### 1. Transparency and Accountability

- ❖ Investigate whether the Hellenic Police are removing the phones of people on the move upon arrival to Samos and clarify the legal basis for this removal.
- ❖ Make the technical specifications, data sources, and operational methods of Centaur and Hyperion publicly available.
- ❖ Conduct and publish detailed fundamental rights impact assessments for all high-risk technologies used in Closed Control and Access Centres.

### 2. Protection of Rights for People on the Move

- ❖ Cease the removal of mobile phones from individuals arriving at Samos, as this practice violates privacy and hinders access to essential support.
- ❖ Provide clear, accessible information to people on the move and workers in the CCAC about the surveillance technologies in use, including their purpose, legal basis, and data processing methods.
- ❖ Replace invasive fingerprinting with less intrusive methods, such as ID cards, to facilitate entry and exit while respecting personal dignity.

### 3. Safeguards Against Discrimination

- ❖ Ensure that AI algorithms used in Centaur and other systems are free from bias by implementing comprehensive testing and external review processes.
- ❖ Publish regular reports assessing the impact of these technologies on vulnerable populations, including safeguards to prevent discrimination.

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I HAVE  
RIGHTS.



Border Violence Monitoring Network