



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

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SECOND SECTION

Application no. 54634/20
İsmail AYDIN against Türkiye
and 6 other applications
(see list appended)
communicated on 3 July 2025

SUBJECT MATTER OF THE CASES

The applications mainly concern the applicants' allegations of ill-treatment due to strip searches conducted by the prison authorities. One of the applications (no. 54634/20) further concerns the monitoring of a meeting of the first applicant with his lawyer. Another application (no. 14762/21) also concerns the fourth applicant's inability to have telephone calls with his school-age children at weekends.

At the time of the events, the applicants were detained in different prisons (see the appendix). The first, fourth and seventh applicants submit that they were subjected to systematic strip searches on their return to prison from the courthouse or after the weekly open visits. The second, third, fifth and sixth applicants claim that they were subjected to a strip search once, during their admission to a new prison following their transfer.

On various dates, the domestic courts rejected the applicants' complaints concerning the alleged unlawfulness of the strip searches, the monitoring of the first applicant's meeting with his lawyer, and the restriction on the fourth applicant's ability to have weekend telephone calls with his children. The Constitutional Court found all the applicants' individual applications inadmissible for being manifestly ill-founded.

All the applicants allege that the prison authorities conducted strip searches without putting forward any legitimate purpose. In that regard, the first, second, third, fourth, fifth and sixth applicants rely on Article 3 of the

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Convention and the seventh applicant relies on Articles 3 and 8 of the Convention. The first, second, third, fourth, fifth and seventh applicants also invoke Articles 6 and/or 13 of the Convention, arguing that the investigations into their claims were not effective.

Relying on Article 8 of the Convention, the first applicant further argues that his meeting with his lawyer was arbitrarily subjected to audio and video recordings, and the fourth applicant alleges that his right to respect for private and family life was violated on account of the prison authorities' restriction on his ability to have telephone calls with his school-aged children at weekends.

QUESTIONS TO THE PARTIES

1. Have the applicants been subjected to inhuman or degrading treatment in violation of Article 3 of the Convention on account of the strip searches carried out by the prison authorities? In particular, have the authorities put forward any legitimate purpose for the applicants' strip searches (see *Frérot v. France*, no. 70204/01, §§ 35-48, 12 June 2007, and *Roth v. Germany*, nos. 6780/18 and 30776/18, §§ 64-72, 22 October 2020)?

The Government are invited to provide information on the nature of the strip searches carried out by the prison authorities, as well as the number of such searches the applicants went through.

2. Alternatively, has there been an interference with the applicants' right to respect for their private life, within the meaning of Article 8 § 1 of the Convention, on account of the strip searches carried out by the prison authorities? If so, was that interference justified in terms of Article 8 § 2 of the Convention (see *Dejnek v. Poland*, no. 9635/13, §§ 70-77, 1 June 2017)?

3. Has there been a violation of the first applicant's right to respect for his private life contrary to Article 8 of the Convention, on account of the monitoring and/or recording of his consultation with his lawyer (see *Canavci and Others v. Türkiye*, nos. 24074/19 and two others, §§ 91-109, 14 October 2023)?

4. Has the fourth applicant's right to respect for his private and family life, within the meaning of Article 8 of the Convention, been infringed by the restrictions placed on his ability to have telephone calls with his school-age children at weekends? Did the national authorities adopt all the measures that

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could reasonably be required of them to ensure that a fair balance was struck between the various interests at stake in the case (see *Subaşı and Others v. Türkiye*, nos. 3468/20 and 18 others, §§ 105-09, 6 December 2022)?

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APPENDIX

No.	Application no.	Case name	Lodged on	Applicant Year of Birth Place of Residence Nationality	Prison
1.	54634/20	Aydın v. Türkiye	20/11/2020	İsmail AYDIN 1980 Karabük Turkish	Zonguldak M-Type Prison
2.	6297/21	Karahasanoğlu v. Türkiye	07/12/2020	Mehmet Yücel KARAHASANOĞLU 1973 Ankara Turkish	Kars T-Type Prison
3.	14167/21	Taş v. Türkiye	26/02/2021	Ali TAŞ 1969 İzmir Turkish	Eskişehir L-Type Prison
4.	14762/21	Saracoğlu v. Türkiye	17/02/2021	Fatih SARACOĞLU 1978 Ankara Turkish	Marmara* 7th L-Type Prison
5.	39596/21	Fındık v. Türkiye	30/06/2021	Dursun FINDIK 1985 Balıkesir Turkish	Kars T-Type Prison
6.	6851/22	Anıt v. Türkiye	23/12/2021	Esabil ANIT 1977 Osmaniye Turkish	Osmaniye 2nd T-Type Prison
7.	9789/23	Güney v. Türkiye	07/02/2023	Hami GÜNEY 1967 İstanbul Turkish	Marmara* 8th L-Type Prison

* Formerly known as Silivri Prison.