



## Grand Chamber hearing concerning Turkish authorities' refusal to give a prisoner photocopies or printouts sent to him by post

The European Court of Human Rights is holding a **Grand Chamber** hearing today **Wednesday 4 March 2026 at 9.15 a.m.** in the case of **Tergek v. Türkiye** (application no. 39631/20).

The case concerns the prison authorities' withholding of photocopied or printed documents sent by post to Mr Tergek while he was serving a sentence in a high-security prison.

*After the hearing the Court will begin its deliberations, which will be held in private. Its ruling in the case will, however, be made at a later stage. A recording of the hearing will be available this afternoon on the Court's internet site ([www.echr.coe.int](http://www.echr.coe.int)).*

The applicant, Abdül Samed Tergek, is a Turkish national who was born in 1989 and was at the relevant time serving a prison sentence in a Kocaeli T-Type (high security) Prison (Türkiye) following a conviction for membership of an armed terrorist organisation described by the Turkish authorities as the "Fetullahist Terror Organisation/Parallel State Structure".

While serving his sentence in 2018, Mr Tergek challenged decisions by the prison authorities refusing to hand over two letters sent to him by his relatives. The correspondence consisted of handwritten notes, photographs, photocopies and printed material from internet websites.

One of his objections was successful, while the other – relating to photocopies annexed to the second letter – was dismissed. The handwritten note and photographs enclosed in this second letter were ultimately given to Mr Tergek, but the photocopied material was not.

He went on to lodge an individual application with the Constitutional Court, arguing that the delayed delivery of the first letter and seizure of the photocopies enclosed in the second letter breached his right to respect for correspondence, his right to a fair trial, his right to an independent and impartial tribunal and his freedom of thought and freedom of expression.

His individual application was dismissed as manifestly ill-founded in 2020. The Constitutional Court relied on a leading judgment – *Diyadin Akdemir* – in another case setting out the criteria for the prison authorities to consider when examining photocopies and printouts sent to prisoners, including notably the rights of prisoners to access information, the workload of the prison authorities and security risks.

### Procedure

The application was lodged with the European Court of Human Rights on 3 December 2020.

In his complaint to the European Court, Mr Tergek complains in particular that he was refused access to the documents enclosed in his letter.

On 8 June 2023 the Government of Türkiye was given [notice](#)<sup>1</sup> of the application, with questions from the Court.

<sup>1</sup> In accordance with Rule 54 of the Rules of Court, a Chamber of seven judges or the President of the Section may decide to bring to the attention of a Convention State's Government that an application against that State is pending before the Court (the so-called

In its [judgment](#) of 29 April 2025, the Court held, by four votes to three, that there had been no violation of Article 10 (freedom of expression, which includes the right to receive information or ideas) of the European Convention on Human Rights.

On 15 September 2025 the case was referred to the Grand Chamber at the applicant's request<sup>2</sup>.

*La Clinique de droit international d'Assas* was granted leave to intervene in the written proceedings as a third party.

## Composition of the Court

The case will be heard by a Grand Chamber, composed as follows:

Mattias **Guyomar** (France), *President*,  
Ivana **Jelić** (Montenegro),  
Lado **Chanturia** (Georgia),  
Ioannis **Ktistakis** (Greece),  
Kateřina **Šimáčková** (the Czech Republic),  
Faris **Vehabović** (Bosnia and Herzegovina),  
Georgios A. **Serghides** (Cyprus)  
Lətif **Hüseynov** (Azerbaijan),  
Péter **Paczolay** (Hungary),  
Saadet **Yüksel** (Türkiye),  
Andreas **Zünd** (Switzerland),  
Frédéric **Krenc** (Belgium),  
Oddný Mjöll **Arnardóttir** (Iceland),  
Anne Louise **Bormann** (Denmark),  
Gediminas **Sagatys** (Lithuania),  
Úna Ní **Raifeartaigh** (Ireland),  
Anna **Adamska-Gallant** (Poland), *judges*,  
Canòlic **Mingorance Cairat** (Andorra),  
Sebastian **Rădulețu** (Romania),  
Vasilka **Sancin** (Slovenia), *substitute judges*,

and also Marialena **Tsirli**, *Registrar*.

## Representatives of the parties

### Government

Abdullah **Aydın**, *Co-Agent*,  
Ali **Emrah Bozbayındır**, *Counsel*,  
Yasin **Bulut**, Ahmet **Metin Gökler** and Mehmet **Yılmaz**, *Advisers*;

### Applicant

Hakan **Kaplankaya**, Levent **Mazılıgüney** and Alex **Tinsley**, *Counsels*.

---

"communications procedure"). Further information about the procedure after a case is communicated to a Government can be found in the Rules of Court.

2. Under Article 43 of the European Convention on Human Rights, within three months from the date of a Chamber judgment, any party to the case may, in exceptional cases, request that the case be referred to the 17-judges Grand Chamber of the Court. In that event, a panel of five judges considers whether the case raises a serious question affecting the interpretation or application of the Convention or its protocols, or a serious issue of general importance, in which case the Grand Chamber will deliver a final judgment. If no such question or issue arises, the panel will reject the request, at which point the judgment becomes final. Otherwise Chamber judgments become final on the expiry of the three-month period or earlier if the parties declare that they do not intend to make a request to refer.

