



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

THIRD SECTION

CASE OF MELLIOU v. GREECE

(Application no. 15807/19)

JUDGMENT

STRASBOURG

22 September 2026

This judgment is final but it may be subject to editorial revision.

In the case of Melliou v. Greece,

The European Court of Human Rights (Third Section), sitting as a Committee composed of:

Peeter Roosma, *President*,

Ioannis Ktistakis,

Lətif Hüseyinov, *judges*,

and Olga Chernishova, *Deputy Section Registrar*,

Having regard to:

the application (no. 15807/19) against the Hellenic Republic lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 8 March 2019 by a Greek national, Ms Kalliopi Melliou (“the applicant”), who was born in 1958, lives in Athens and was represented by Ms I. Kourtovik, a lawyer practising in Athens;

the decision to give notice of the application to the Greek Government (“the Government”), represented by their Agent, Ms N. Marioli, President of the State Legal Council, and their Agent’s delegates, Ms Z. Chatzipavlou and Ms I. Krompa, Senior Advisors at the State Legal Council;

the observations submitted by the respondent Government and the observations in reply submitted by the applicant;

the comments submitted by the interregional non-governmental organisation “CREW AGAINST TORTURE”, which was granted leave to intervene by the President of the Section;

Having deliberated in private on 1 September 2026,

Delivers the following judgment, which was adopted on that date:

SUBJECT MATTER OF THE CASE

1. The application concerns the applicant’s full strip-search following her transfer to the Attica General Police Directorate (*ΓΑΔΑ*) for identification purposes (*προσαγωγή*). This raises issues under Articles 3 and/or 8 of the Convention.

THE FACTS

2. On the evening of 27 February 2013 the applicant, a photojournalist involved in political activity, was walking home when she encountered four police officers of the “DELTA Team” (rapid response unit) riding motorcycles and patrolling the Exarcheia neighbourhood in Athens. The applicant noted down their licence plate numbers on a piece of paper, thinking that a violent incident or arbitrary police action had taken place.

3. The police officers spotted the applicant, stopped her and asked for her identification. She replied by requesting that they show her their badges first. Following this exchange, the applicant was transferred in a police car to the

Security Directorate of the Attica General Police Directorate – located on the sixth floor of the building – for identification purposes.

4. At the Security Directorate, the applicant had her mobile phone taken away and was asked to hand over her identity card. She was also asked to answer a series of questions about the incident and to hand over the written note with the officers' licence plate numbers.

5. The applicant was then informed that she was to undergo a body search.

6. Eventually, the duty officer took the applicant to his office and called a female police officer, ordering her to carry out a body search of the applicant. In his instructions to the female officer, he used the phrase “do not inspect the anus or vagina, only inspect the bum cheeks and... you know...” (« μην κάνεις πρωκτικό και κοιλικό, κάνε μόνο κωλομάγουλα και... ξέρεις εσύ... »). He then left the applicant alone with the female officer.

7. The female officer ordered the applicant to remove all her clothes – including her underwear – and proceeded to conduct a full strip-search by visually inspecting her. Following the search, the applicant got dressed and was given back her personal belongings, including her identity card and mobile phone. She was then allowed to leave.

8. On 25 April 2013 the applicant submitted a criminal complaint and on 22 December 2014 a criminal investigation was opened against the head of the Security Directorate, the duty officer on the night in question, and the officer who had conducted the full strip-search.

9. By judgment no. 19158/2015 of 30 April 2015, the Athens Criminal Court for misdemeanours acquitted the officer who had conducted the full strip-search of the applicant and sentenced the head of the Security Directorate and the duty officer to a suspended prison term of three years for serious violation of the applicant's dignity.

10. In particular, the court found that the applicant had presented her identity card upon her arrival at the Attica General Police Directorate and that she had not been arrested or charged with a criminal offence. A simple pat-down search of the applicant's clothes by a female officer would have been sufficient to determine whether she had been carrying any suspicious items. It thus found that the search had been unnecessary.

11. The court considered that the applicant had been subjected to a search for the sole purpose of intimidating and punishing her. It based this conclusion on its finding that the duty officer had used insulting and degrading language in his loud instructions, which had frightened the applicant.

12. Lastly, the court held that the applicant had been subjected to a full strip-search in a brightly lit office with a window facing the street and the blinds open, meaning that they had been visible from outside.

13. The two police officers lodged an appeal against the judgment.

14. By judgments nos. 5465a/2017, 6041a/2017 and 256/2018 of 15 January 2018, the Athens Criminal Court of Appeal found that the

applicant had provided her identification details and handed over the written note only when she had been informed that she would be prosecuted under the *flagrante delicto* procedure for giving false unsworn testimony, that there had been serious suspicions that she had been involved in preparing an act of terrorism, and that it had been necessary to verify whether she had been carrying sharp objects, pills or other items, given that she had entered the Attica General Police Directorate building without passing through a body scanner or metal detector. It thus held that the full strip-search of the applicant had been necessary as a preventive measure.

15. Furthermore, the court found that the search had been carried out in a closed office in the presence of a single female officer and without any physical contact. The blinds on the office window had been closed at the time of the search and, in any event, it had not been established whether the office was visible from the street or the buildings opposite. The search had lasted only as long as was absolutely necessary – that is, about five minutes. It had not involved any physical or verbal violence against the applicant, nor had it infringed her dignity.

16. Lastly, the court found that the instruction given by the duty officer to the female officer how to perform the full strip-search of the applicant had constituted the offence of insult.

17. However, the court discontinued the criminal prosecution against the duty officer owing to the statute of limitations and acquitted the head of the Security Directorate.

18. The judgments of the Athens Criminal Court of Appeal were recorded in a special register on 10 September 2018 – the date from which the applicant could obtain a certified copy. Those judgments were considered final under domestic law, as the applicant did not have the right to lodge an appeal in cassation against them.

THE COURT’S ASSESSMENT

I. ALLEGED VIOLATION OF ARTICLES 3 AND 8 OF THE CONVENTION

A. Admissibility

19. The Government argued that the application had been submitted outside of the six-month time-limit and that the applicant had not exhausted all available remedies.

20. With respect to the first objection, the Government considered that the application had been submitted on 18 March 2019.

21. The applicant noted that, in her correspondence with the Court, it was mentioned that the application had been lodged on 8 March 2019.

22. The Court has regard to the fact that the application was dispatched on 8 March 2019 and registered on 18 March 2019. As the postmark when the applicant dispatched the application is considered to be the date on which the application was introduced (see *Vasiliauskas v. Lithuania* [GC], no. 35343/05, §§ 115-17, ECHR 2015), and the judgment of the Athens Criminal Court of Appeal had become available to the applicant on 10 September 2018, the Government's first objection must be rejected.

23. With respect to the second objection, the Government referred to the possibility of bringing an action for damages against the State under Article 105 of the Introductory Law to the Civil Code. They also argued that a violation of Article 3 of the Convention would normally cause non-pecuniary damage to the person concerned, which may be resolved by a monetary award.

24. The applicant argued that an action for damages against the State was not an appropriate remedy in the event of a violation of Article 3 of the Convention, citing the judgments in *B.Y. v. Greece* (no. 60990/14, § 51, 26 January 2023) and *Sarwari and Others v. Greece* (no. 38089/12, § 79, 11 April 2019).

25. The Court has already found that an action for damages against the State would not be an appropriate remedy where allegations of ill-treatment by police officers are raised (see *B.Y. v. Greece*, cited above, § 51). Accordingly, the Government's second objection must also be rejected.

26. The Court further notes that this complaint is not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention, nor is it inadmissible on any other grounds. It must therefore be declared admissible.

B. Merits

1. The parties' arguments

27. The applicant relied on the findings of the Athens Criminal Court for misdemeanours and alleged that her full strip-search had not been carried out in compliance with the strict requirements of "serious and reasonable suspicion" and "absolute necessity". Her social, professional and political profile did not justify the suspicions against her. It had never been explained by the police what kind of offence the recording of the officers' licence plate numbers had constituted or why she had posed a security risk. She argued that the full strip-search had been intended to intimidate and humiliate her.

28. The applicant further maintained that the full strip-search had been carried out in an improper manner. She had been subjected to a full – instead of partial – strip-search in the duty officer's office instead of a room designated for that purpose, so that she could be seen by others. The duty officer's instruction had constituted verbal abuse and had exacerbated her

fear. Lastly, she had been prevented from communicating with her lawyer, family members or close friends, which had made her feel isolated.

29. Relying on the findings of the Athens Criminal Court of Appeal, the Government argued that the applicant's conduct had raised serious suspicions that she had been involved in preparing an act of terrorism. To that end, they referred to the fact that the applicant had written down the officers' licence plate numbers in a neighbourhood with a high crime rate. The applicant had entered the Attica General Police Directorate building without passing through a body scanner or metal detector and it had therefore been absolutely necessary to verify whether she had been carrying any dangerous items.

30. The strip-search had been carried out in an appropriate manner. The applicant had not been made to assume any embarrassing positions and the procedure had lasted approximately five minutes. With respect to the phrase used by the duty officer, the Government submitted that he had instructed the female officer to perform a full strip-search, excluding the anus and vagina.

31. On the other hand, the Government confirmed in their submissions that the applicant had never been arrested. They also used the term "transfer for identification purposes" to refer to the procedural events before the full strip-search was carried out.

32. The third-party intervener submitted an overview of the general principles on full strip-searches in the Court's case-law and in the domestic case-law of various jurisdictions.

2. The Court's assessment

33. The general principles concerning strip-searches have been summarised, among others, in *Adamčo v. Slovakia* (no. 2) (no. 55792/20, § 81, 12 December 2024); *Syrianos v. Greece* (no. 49529/12, §§ 79-83, 87, 7 October 2021); and *Roth v. Germany* (nos. 6780/18 and 30776/18, §§ 64-71, 84, 22 October 2020). The Court has no difficulty in understanding that an individual who is compelled to undergo such treatment may feel, by that fact alone, that his or her privacy and dignity have been violated, particularly when this involves undressing in front of others, and even more so when he or she is required to assume embarrassing positions (see *S.J. v. Luxembourg* (no. 2), no. 47229/12, § 52, 31 October 2013). Even single instances of strip searching have been found to amount to degrading treatment in view of the manner in which the strip search was carried out, the possibility that its aim was to humiliate and debase and where there was no justification for it (see *Dejnek v. Poland*, no. 9635/13, § 60, 1 June 2017).

34. The Court should first determine whether the facts of the case qualify under Articles 3 or 8 of the Convention. In its judgment in the case of *Adamčo* (cited above, § 81, with further references), the Court summarised the relevant principles as follows:

- Ill-treatment must attain a minimum level of severity if it is to fall within the scope of Article 3 of the Convention. The assessment of this minimum is

relative; it depends on all the circumstances of the case, such as the duration of the treatment, its physical and mental effects and, in some cases, the sex, age and health of the victim. In considering whether a treatment is “degrading”, the Court will have regard to whether its object is to humiliate and debase the person concerned and whether, as far as the consequences are concerned, it adversely affected his or her personality in a manner incompatible with Article 3. However, the absence of such a purpose does not conclusively rule out a finding of a violation. Furthermore, the suffering and humiliation must in any event go beyond the inevitable element connected with a given form of legitimate treatment or punishment.

- Strip searches may be necessary on occasion to ensure prison security or to prevent disorder or crime. They should be carried out in an appropriate manner with due respect for human dignity and for a legitimate purpose.

- In respect of a person who is deprived of his liberty, or, more generally, is confronted with law-enforcement officers, any recourse to physical force which has not been made strictly necessary by his own conduct diminishes human dignity and is, in principle, an infringement of Article 3.

- The words “in principle” cannot be taken to mean that there might be situations in which such a finding of a violation is not called for because the above-mentioned severity threshold has not been attained. Any interference with human dignity strikes at the very essence of the Convention. For that reason any conduct by law-enforcement officers vis-à-vis an individual which diminishes human dignity constitutes a violation of Article 3.

- Where the manner in which a search is carried out has debasing elements which significantly aggravate the inevitable humiliation entailed in the procedure, Article 3 has been engaged: for example, where a [male] prisoner was obliged to strip in the presence of a female officer, and his sexual organs and food were touched with bare hands (see *Valašinas v. Lithuania*, no. 44558/98, § 117, ECHR 2001-VIII), and where a search was conducted before four guards who derided and verbally abused the prisoner (see *Iwańczuk v. Poland*, no. 25196/94, § 59, 15 November 2001).

- Similarly, where the search has no established connection with the preservation of prison security and prevention of crime or disorder, issues may arise (for example, *ibid.* §§ 54, 56 and 58-59, where the search of the applicant, a remand prisoner who had not given grounds for security concerns, was conducted when he wished to exercise his right to vote, and *Van der Ven v. the Netherlands* (no. 50901/99, §§ 61-62, ECHR 2003-II) and *Frérot v. France* (no. 70204/01, § 47, 12 June 2007), where the strip-searching was systematic and long term without convincing security needs; see also *Wainwright v. the United Kingdom* (no. 12350/04, §§ 40 and 42, ECHR 2006 X).

35. The Court observes, first, that the above-mentioned cases concern applicants who were detained in prisons, whereas the present application concerns an applicant who was transferred to the police headquarters for

identification purposes, without having ever been arrested or formally detained. A stricter application of the general principles is thus required.

36. Then, with regard to the suspicion that the applicant had been involved in preparing an act of terrorism, the police authorities were better placed to assess the required degree of suspicion under national law to perform that type of search. However, the full strip-search was one of several procedural events including identification of the applicant, the surrender of her belongings, and her questioning, carried out for the purpose of verifying that suspicion. Despite her initial refusal to cooperate, the applicant eventually provided her identification and handed over the note on which she had recorded the licence plate numbers of the police motorcycles. Immediately after, the police authorities proceeded to the full strip-search. It does not appear that they explored an option of less intrusive measures (see for example paragraph 10 above) in order to verify her alleged involvement in illegal activity.

37. No appropriate equipment had been used to check whether the applicant had carried sharp objects, pills or other dangerous items. If the applicant had undergone a security inspection by passing through a full body scanner and/or a metal detector, such verification procedure would have been concluded immediately.

38. Overall, the Court is not convinced that a connection between the applicant being subjected to a full strip-search and the prevention of crime or disorder has been established. It recalls that any use of force upon a person by law-enforcement officers which has not been made strictly necessary by his own conduct diminishes human dignity (see the principles cited in paragraph 33 above).

39. The Court considers that the above-mentioned finding that the full strip-search was not made strictly necessary by the security considerations is sufficient to establish that the applicant was subjected to degrading treatment within the meaning of Article 3 of the Convention. Consequently, it is not necessary to examine the applicant's arguments concerning the manner in which the full strip-search was conducted.

40. Lastly, the applicant's lawyer was not allowed to accompany her to the sixth floor of the Attica General Directorate where she was questioned and eventually subjected to a full strip-search. The applicant only met her lawyer after the search and after she had been allowed to leave. In the Court's view, this is another element that could arouse in the applicant feelings of isolation, further exacerbating her feelings of fear, anguish and inferiority.

41. Thus, in the particular circumstances of the present case, the applicant's full strip-search amounted to degrading treatment within the meaning of Article 3 of the Convention.

42. There has accordingly been a violation of Article 3 of the Convention.

43. The above conclusion makes it unnecessary to consider the complaint concerning the same facts under Article 8 of the Convention (see *Adamčo*, cited above, § 105).

II. APPLICATION OF ARTICLE 41 OF THE CONVENTION

44. The applicant claimed 25,000 euros (EUR) in respect of non-pecuniary damage and EUR 1,425 in respect of costs and expenses incurred before the domestic courts. The applicant made no specific claim in respect of costs and expenses incurred before the Court.

45. The Government contested those claims, considering them to be excessive and unjustified. To that end, they submitted that the mere finding of a violation of the Convention would constitute sufficient redress for any non-pecuniary damage suffered by the applicant, that the applicant had only provided receipts of payment for a total amount of EUR 875, and that the amounts claimed by the applicant in respect of costs and expenses incurred before the domestic courts were not linked to the alleged violation. In addition, they observed that the applicant had not submitted a specific claim in respect of costs and expenses incurred before the Court.

46. The Court considers that the applicant undoubtedly sustained non-pecuniary damage on account of the breach of Article 3 of the Convention. Ruling on an equitable basis, having regard to the circumstances of the case and the quantified claim submitted to it, it considers it reasonable to award the applicant EUR 10,000 in respect of non-pecuniary damage plus any tax that may be chargeable, and dismisses the remainder of the claims under this head.

47. Furthermore, having regard to Rule 60 §§ 1-3 of the Rules of Court, its case-law (see *Panayotopoulos and Others v. Greece*, no. 44758/20, § 168, 21 January 2025) and the documents in its possession, the Court considers it reasonable to award the applicant EUR 875 for the costs and expenses incurred in the domestic proceedings, plus any tax that may be chargeable to the applicant, and dismisses the remainder of the claims under this head.

48. Lastly, the Court makes no award in respect of costs and expenses incurred in the proceedings before it, as the applicant made no specific claim in this regard.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the complaint concerning Article 3 of the Convention admissible;
2. *Holds* that there has been a violation of Article 3 of the Convention;

3. *Holds*

- (a) that the respondent State is to pay the applicant, within three months, the following amounts:
 - (i) EUR 10,000 (ten thousand euros), plus any tax that may be chargeable, in respect of non-pecuniary damage;
 - (ii) EUR 875 (eight hundred and seventy-five euros), plus any tax that may be chargeable to the applicant, in respect of costs and expenses;
- (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;

4. *Dismisses* the remainder of the applicant's claim for just satisfaction.

Done in English, and notified in writing on 22 September 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Olga Chernishova
Deputy Registrar

Peeter Roosma
President