



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

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FIFTH SECTION

Application no. 10844/26
B.N.
against Türkiye
lodged on 16 March 2026
communicated on 7 September 2026

SUBJECT MATTER OF THE CASE

The applicant is an Uzbek national who left Uzbekistan and entered Türkiye lawfully in 2014, alleging pressure and surveillance by Uzbek authorities due to his individual religious practices. In 2022 criminal proceedings were brought against him in Türkiye for alleged membership of a terrorist organisation; however, he was acquitted of all charges by the Istanbul 29th Assize Court.

On 25 May 2025 the Istanbul governor's office issued a deportation order against the applicant under Law No. 6458, based on a general security code (G-87) classification designating him as a potential threat to public order or national security. The applicant's annulment action was dismissed with final effect by the Istanbul 18th Administrative Court on 12 December 2025. The court noted that the applicant's acquittal did not preclude deportation and found the alleged risk of ill-treatment upon removal to be unsubstantiated. In a summary decision dated 10 February 2026, the Constitutional Court declared his subsequent individual application inadmissible as being manifestly ill-founded. The applicant is currently held at the Ankara Removal Centre pending removal.

The applicant alleges under Article 3 of the Convention that his removal to Uzbekistan would expose him to a real and personal risk of torture or inhuman and degrading treatment. He relies on an active search warrant issued by the Uzbek authorities on 4 September 2017 under Article 244/2 of

the Criminal Code of Uzbekistan (related to religious extremism) and his inclusion on a public wanted persons list. He further cites his volunteer activities in Türkiye with ÖZKAD, a Turkish-registered civil society organization which he alleges is viewed as a security threat and a prohibited formation by the Uzbek authorities.

QUESTIONS TO THE PARTIES

1. Is the applicant currently under a threat of deportation to Uzbekistan or elsewhere? If so, would this entail a real risk that he would be subjected to treatment in violation of Article 3 of the Convention (see, *mutatis mutandis*, *Abdulkhakov v. Russia*, no. 14743/11, §§ 131-57, 2 October 2012; and *Mukhitdinov v. Russia*, no. 20999/14, § 43, 21 May 2015 and the case-law cited therein)?

2. Did the national authorities and courts fulfil their obligation to conduct an adequate examination of the applicant's allegations that he would be exposed to a real risk of ill-treatment if removed to Uzbekistan, as required under Article 3 of the Convention (see, *mutatis mutandis*, *F.G. v. Sweden* [GC], no. 43611/11, §§ 110-27, 23 March 2016)?