



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

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FIFTH SECTION

Application no. 37932/25
B.B.
against Türkiye
lodged on 5 December 2025
communicated on 21 September 2026

SUBJECT MATTER OF THE CASE

The applicant is a Tajik national who allegedly fled Tajikistan and entered Türkiye in 2012. He claims to face a risk of persecution in his country of origin due to his religious convictions, specifically his status as an Islamic scholar educated abroad.

Upon his arrival, the applicant was granted a humanitarian residence permit. In 2019 and 2021, two separate removal orders were issued against him; however, both were annulled by the domestic administrative courts. In particular, the court reviewing the first order found that the Interpol arrest warrant issued by the Tajik authorities exposed him to a real risk of persecution in the event of his return.

On 20 December 2024, a third removal order was issued against the applicant on public security grounds, which he challenged before the administrative court and he was placed in administrative detention. On an unspecified date he lodged an application for international protection, which was rejected on 24 April 2025. On 27 October 2025 the Istanbul 16th Administrative Court dismissed the applicant's action for annulment of the third removal order.

On 21 November 2025 the applicant lodged an individual application with the Constitutional Court, alongside a request for an interim measure to suspend the removal proceedings.

On 5 December 2025 the Court (the duty judge) granted the applicant's request under Rule 39 of the Rules of Court for an interim measure to suspend his deportation to Tajikistan until 19 December 2025. This measure was subsequently extended to 7 January 2026, on which date the Court decided to lift it.

In a summary decision of 18 December 2025, the Constitutional Court declared the application inadmissible as being manifestly ill-founded. The applicant was released on the following day and subjected to administrative reporting obligations, following the expiry of the maximum statutory period under domestic law for administrative detention pending deportation.

On 10 February 2026 the applicant was taken into custody within the context of a criminal investigation initiated by the Istanbul Prosecutor's Office, from which he was released on 12 February 2026. On the same day, a fourth deportation order was issued against him on public security grounds, specifying that removal proceedings to Tajikistan would be executed in the event that his international protection application was definitively rejected. He was transferred to the Kocaeli Removal Centre on the following day.

On 4 March 2026, the Ankara 26th Administrative Court dismissed the applicant's action for annulment against the rejection of his international protection application. No further appeal lay against that decision.

According to the latest information available, the applicant remains in administrative detention pending his deportation.

The applicant relies on Article 3 of the Convention.

QUESTIONS TO THE PARTIES

1. Is the applicant currently under a threat of deportation to Tajikistan? 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*, *J.K. and Others v. Sweden* [GC], no. 59166/12, §§ 77-123, 23 August 2016; *A.A. v. Switzerland*, no. 32218/17, § 39-59, 5 November 2019; and *M.N. and Others v. Turkey*, no. 40462/16, §§ 33-56, 21 June 2022)?

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 Tajikistan, as required under Article 3 of the Convention (see, *mutatis mutandis*, *F.G. v. Sweden* [GC], no. 43611/11, §§ 110-27, ECHR 2016; *Khasanov and Rakhmanov v. Russia* [GC], nos. 28492/15 and 49975/15, §§ 93-116, 29 April 2022;

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Babajanov v. Turkey, no. 49867/08, §§ 41-49, 10 May 2016; and *T.K. and Others v. Lithuania*, no. 55978/20, §§ 69-90, 22 March 2022)?