



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

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FIFTH SECTION

Application no. 15968/26
L.M.
against Türkiye
lodged on 11 March 2026
communicated on 21 September 2026

SUBJECT MATTER OF THE CASE

The applicant is an Afghan national who was born in 1992. The application concerns the applicant's threatened removal from Türkiye.

The applicant entered Türkiye in 2017, where he subsequently married and had two children. On 27 August 2024 his international protection application was deemed withdrawn by the domestic authorities following his apprehension while attempting to leave the country irregularly. On 10 August 2025 a removal order was issued against him on this ground. The applicant challenged the removal order before the Erzincan Administrative Court, which dismissed his appeal on 6 November 2025, finding the impugned measure to be compliant with domestic law and procedure. Finally, by a summary decision of 30 December 2025, the Constitutional Court rejected the applicant's individual application as being manifestly ill-founded.

The applicant complains under Article 3 of the Convention that his removal would expose him to proscribed treatment. He alleges that he faces a real risk of persecution at the hands of the Taliban regime, a danger which is further aggravated by the general security situation in Afghanistan and the fact that he would be deported alongside his two dependent children.

QUESTIONS TO THE PARTIES

1. Is the applicant currently under a threat of deportation to Afghanistan 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*, *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 *D.M. v Sweden* (no. 32694/23, §§ 155-99, 26 March 2026)?

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

The parties are requested to submit copies of all documents relevant to the deportation proceedings, including all petitions and decisions taken and any assessment undertaken by the domestic authorities as to the possible risks faced by the applicant in case of removal to Afghanistan. In particular, the Government are requested to provide copies of the interview records concerning the applicant's application for international protection.