



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

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THIRD SECTION

Application no. 6978/24
Ali YEŞILDAĞ
against Greece
lodged on 7 March 2024
communicated on 17 July 2025

SUBJECT MATTER OF THE CASE

The application concerns the applicant's ordered extradition to the Republic of Türkiye and the risk of torture, inhuman or degrading punishment, ill-treatment in penitentiary or detention centres, arbitrary detention and flagrant denial of justice that he allegedly runs if extradited.

More specifically, on 21 May 2018 and while on probation in the Republic of Türkiye, the applicant was convicted of robbery, which he had allegedly committed on 3 May 2001. On that ground, on 10 June 2022 the applicant's release on probation was revoked and he was ordered to serve the remaining of his recalculated total sentence. The relevant decision of the Turkish judicial authorities was finalised on 7 July 2022 and became enforceable as of that date.

Subsequently, on 25 July 2022 an arrest warrant was issued against the applicant.

However, in May 2023 and right before the Turkish presidential election, the applicant made statements through videos uploaded on YouTube alleging that the Turkish President and other officials of the Turkish Government were involved in corruption.

Sometime after, the applicant escaped to Greece seeking international protection. He was arrested on 15 November 2023 by the Greek border guard forces.

On 20 November 2023 a diplomatic note was addressed to the Greek Ministry of Justice formally requesting the applicant's extradition to Türkiye.

The applicant contested the extradition request before the Greek criminal courts. On 21 February 2024 and by virtue of a final judgment the Court of Cassation decided in favour of the applicant's extradition.

Following that judgment, on 6 March 2024 the Deputy Minister of Justice issued a decision ordering the applicant's extradition to Türkiye. On 15 July 2024 the Supreme Administrative Court dismissed the applicant's action for annulment against the ministerial decision.

In the meantime, the applicant had applied for international protection. On 27 March 2024 the Regional Asylum Office (RAO) of Thrace rejected the application, and on 30 April 2024 the Appeals Committee rejected the applicant's appeal.

On 15 November 2024 the Thessaloniki Administrative Court of First Instance dismissed the applicant's action for annulment against the decision of the Appeals Committee.

Finally, on 5 May 2025 the Supreme Administrative Court rejected as inadmissible the applicant's appeal.

Parallel to the domestic proceedings in Greece, on 26 and 27 November 2023 and a few days after the applicant's extradition request had been formally addressed to the Greek authorities, an alleged close associate of the applicant and the applicant's wife, respectively, were questioned by the Office for the Investigation of Terrorism and Organised Crime of the Chief Public Prosecutor's Office of Istanbul. In their questioning, the issue of the YouTube videos was brought up.

While the applicant's wife was released, the alleged associate of the applicant was further interrogated by the 7th Prosecutor's Office of Istanbul and then arrested under the charges of "assisting an offender" and "participating in an armed terrorist organisation (committing a crime on behalf of the organisation without being a member of the organisation)".

In the context of extradition, two verbal notes were addressed by the Embassy of the Republic of Türkiye in Athens to the Ministry of Foreign Affairs of the Hellenic Republic, on 9 May and 5 June 2024. The notes essentially contain information on Turkish legislation on international judicial cooperation in criminal matters and to the rule of specialty under the European Convention on Extradition; information related to the conditions of detention, treatment of detainees and provision of medical care in Turkish detention and penitentiary centres; as well as assurances of compliance with the obligations under Articles 3, 5 and 6 of the Convention.

The applicant claims under Articles 3, 5 § 1 and 6 § 1 of the Convention that he runs a risk of torture, inhuman or degrading punishment, ill-treatment, arbitrary or unlawful detention and a flagrant denial of justice if extradited to the Republic of Türkiye. To that end, he further claims that the diplomatic

assurances provided by the Republic of Türkiye are insufficient and that their binding nature on the Turkish authorities is unclear.

QUESTIONS TO THE PARTIES

1. Does the applicant run a risk of treatment contrary to Article 3 of the Convention of arbitrary or unlawful detention contrary to Article 5 § 1 of the Convention and of a flagrant denial of justice contrary to Article 6 § 1 of the Convention if extradited to the Republic of Türkiye?
2. Have the national asylum and judicial authorities adequately assessed those risks by taking into account all relevant information that was available to them?
3. Are the diplomatic assurances provided by the Republic of Türkiye to the Hellenic Republic in this case sufficient to guarantee the applicant's rights under the Convention in case of his extradition?