



ELDH European Association of Lawyers for Democracy & World Human Rights

WITH LAWYERS
IN 18 COUNTRIES

EJDM Europäische Vereinigung von Juristinnen & Juristen für Demokratie und Menschenrechte in der Welt
EJDH Asociación Europea de los Juristas por la Democracia y los Derechos Humanos en el Mundo
EJDH Association Européenne des Juristes pour la Démocratie & les Droits de l'Homme
EGDU Associazione Europea delle Giuriste e dei Giuristi per la Democrazia e i diritti dell'Uomo nel Mondo

Equality Privacy Social Rights
No Racism Peace No Torture No War
Self-Determination of Peoples Civil Rights Democracy
Human Rights Rights of Migrants

Athens/London/Düsseldorf, 01 August 2016

The European Association of Lawyers for Democracy and World Human Rights ELDH demands:

No extradition of Turkish Soldiers to Turkey

A significant legal and political case is under way in Greece regarding the eight Turkish military officers who surrendered themselves in Greece and sought asylum following the attempted military coup in Turkey. They sought shelter in Greece after participating in the coup attempt by a faction of the Turkish military and were then transferred on Friday 30 July 2016 to a prison in Athens to expedite their asylum hearings, according to Greek government officials. They told the court that they requested asylum in Greece because their lives will be in danger if they return to Turkey and argued that they would not have abandoned their families if it had not been an emergency.

Their case and, more specifically, their request not to be extradited back to Turkey is being assessed by the Greek asylum committee.

Concerning the case of the eight officers, our position is that they must not be extradited to Turkey because in Turkey they face the danger of cruel and inhuman treatment, and torture, as well as the imposition of the death penalty, which President Erdogan has threatened to reinstate. This danger has also been confirmed by Amnesty International: "Amnesty International has credible reports that Turkish police in Ankara and Istanbul are holding detainees in stress positions for up to 48 hours, denying them food, water and medical treatment, and verbally abusing and threatening them. In the worst cases some have been subjected to severe beatings and torture, including rape."

More specifically, the possible extradition of the eight officers would constitute a violation of Articles 2 and 3 of the European Convention on Human Rights, Articles 3 and 5 of the Universal Declaration of Human Rights, Articles 1(A) and 33(1) of the Geneva Convention, Articles 15 and 21 of the 2011/95/EU Directive (on standards for the qualification of third-country nationals or stateless

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persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted), as well as Article 438 of the Greek Criminal Procedure Code.

ELDH urges the Greek government not to exercise any pressure on the asylum authorities to extradite the military officers and expect the asylum authorities to allow such an extradition only if there is a guarantee of a fair trial for these officers and not before all legal remedies in Greece (and before the European Court of Human Rights) have been exhausted.