

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



GYLA Files Amicus Curiae on the Case of Mustafa Emre Çabuk's Extradition

Today, the Georgian Young Lawyers' Association has filed Amicus Curiae to Tbilisi City Court on the case of Mustafa Emre Çabuk [\[E\]](#) extradition. The Prosecutor's Office has already applied to Tbilisi City Court to solve the issue of admissibility of the extradition.

In the Friend of the Court, GYLA overviews the standards and principles of Georgian legislation and the legal norms of the international law compulsory for Georgia, which the court should be guided by in deciding the above issue. In particular, the Amicus Curiae looks at the grounds under which the country (court) cannot decide on the extradition of the person, it offers a detailed discussion of factual-legal circumstances which the Court shall examine to establish or exclude the absence of these grounds in the specific case. It also reviews the alarming situation in terms of human rights

protection in Turkey, which, in the light of the abovementioned standards, the Court shall properly assess and take into consideration when delivering a decision.

GYLA believes that Georgia shall not extradite *Çabuk*, because:

- **The actual circumstances in the case strengthen the assumption that Turkey's request for the extradition is based not on legal, but on a political motivation;**
- **There is a serious and obvious ground to become convinced that *Çabuk* will face a real danger if extradited to Turkey, he will be subjected to torture, inhuman and degrading treatment or / and will not be allowed to enjoy the right to a fair trial;**
- **In the background of the alarming situation of human rights protection and the practice of torture and ill-treatment in Turkey, diplomatic guarantees are only promises which are not effective to prevent the risk of human torture.**