



Gospodin Nikola KOVAČEVIĆ  
Center for Research and Social Development  
IDEAS  
Tomaša Ježa 10/4  
11000 Beograd  
SERBIA

ECHR-LE2.2bR  
MBC/ZK/ka

21 August 2024

**BY R39 PLATFORM**

**Total no. of pages: 2**

**Application no.** [REDACTED]  
[REDACTED]. Serbia

Dear Sir,

I acknowledge receipt of your correspondence of 21 August 2024 requesting the European Court of Human Rights under Rule 39 of the Rules of Court to prevent the applicant's expulsion to Türkiye.

**Reference for further correspondence**

The file has been given the above number which you must refer to in any further correspondence relating to this case.

**Decision on interim measure**

On 21 August 2024, the Court (the duty judge) decided, in the interests of the parties and the proper conduct of the proceedings before it, to indicate to the Government of Serbia, under Rule 39, that the applicant should not be expelled to Türkiye **until 28 August 2024, 4 p.m. (French time)**.

The Government are also requested to facilitate contact between the applicant and a lawyer of their choice to enable them to pursue their application before the Court as envisaged by Article 38 of the Convention.

The parties' attention is drawn to the fact that failure of a Contracting State to comply with a measure indicated under Rule 39 may entail a breach of Article 34 of the Convention (see *Mamatkulov and Askarov v. Turkey* [GC], nos. 46827/99 and 46951/99, §§ 128 and 129, ECHR 2005-I; *Paladi v. Moldova* [GC], no. 39806/05, §§ 84-106, 10 March 2009; *M.K. and Others v. Poland*, nos. 40503/17 and 2 others, §§ 229-38, 23 July 2020; and *K.I. v. France*, no. 5560/19, § 115, 15 April 2021).

**Information requested**

The Court has instructed me, under Rule 54 § 2 (a), to invite the Government to submit the following information:

1. Is the applicant being kept at the transit zone of the Belgrade Airport "Nikola Tesla" and is he facing an imminent removal to Türkiye or Russia? If so, please provide detailed information on his intended removal and any previous asylum, extradition or removal proceedings in this respect.

2. Has the applicant expressed his intention to seek Convention protection in Serbia? If so, has the applicant been registered by the Serbian authorities as asylum seekers or seeker of equivalent protection and, if not, what were the reasons? Have the authorities rendered a decision on refusal of entry in respect of the applicant?

3. Was the applicant able to have access to legal advice and support to request protection in Serbia and exercise his right of application to the Court? In particular, is he able to have visits from/communicate with a lawyer or other representative at the international airport "Nikola Tesla" in Belgrade?

The Government have been asked to submit this information by **26 August 2024, 4 p.m. (French time)**. Their reply will be sent to you for information or comments.

**Application form**

To complete the case file, you must send to the Court by **21 October 2024** the original of the application form (available on the Court's website: [www.echr.coe.int/applicants](http://www.echr.coe.int/applicants)) duly completed together with copies of all relevant documents. **Please note that if you send original documents, they will not be returned to you by the Court.** If no such information is received by the above date, the application may be struck out of the list of cases without further notice.

Yours faithfully,

p.p.



K. Ryngielewicz  
Registrar of the Filtering Section

Enc.: Decision