

PRESS RELEASE

REQUEST FOR INTERIM MEASURES REJECTED FOR 25 FRENCH NATIONALS DETAINED IN IRAQ

ECHR 231 (2026) 23.09.2026

Issued by the Registrar of the Court



On 22 September 2026 the European Court of Human Rights, sitting as a Chamber, decided to reject the request for interim measures lodged by 25 French nationals detained in Iraq.

The applicants, all adults, left France to join the ranks of the so-called “Islamic State”. They were subsequently detained in various detention centres in north-eastern Syria before being transferred, between 2025 and 2026, to a prison in Baghdad, Iraq, where they are currently being held for trial. They are being prosecuted for offences falling within the jurisdiction of the Iraqi courts.

On 17 September 2026 they lodged a request for interim measures with the Court under Rule 39 of the Rules of Court. They primarily sought their repatriation or the execution of warrants for their arrest or search issued by the French judicial authorities. In the alternative, they asked that the French Government take the requisite steps to ensure that they are not sentenced to death and that they receive a fair trial, in particular by requesting the necessary guarantees from the Iraqi authorities.

They relied on Article 2 (right to life) and Article 3 (prohibition of torture and inhuman or degrading treatment) of the Convention and Article 1 of Protocol No. 13 to the Convention (abolition of the death penalty).

DECISION OF THE COURT

The Court has rejected the request for interim measures, on the grounds that it falls outside the scope of Article 39 of the Rules of Court because France has no jurisdiction, within the meaning of Article 1 of the Convention, over the applicants.

Interim measures under Rule 39 of the [Rules of Court](#) are decided in connection with proceedings before the Court, without prejudging any subsequent decisions on the admissibility or merits of the case itself. The Court grants requests for such measures only on an exceptional basis. For further information, see [the factsheet on interim measures](#).

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.