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Mozambican courts apply TIR (Term of Identity and Residence) and keep Turkish citizen free despite an extradition request.



- The detention of Turkish citizen Emre Çınar, the legal representative of Willow International school, and the trial held in Maputo at the end of December 2025 continue to raise relevant questions regarding the observance of constitutional guarantees, the legal framework of extradition processes, and the limits of international cooperation in criminal matters.

On the afternoon of January 5th, Emre Çınar appeared before the Criminal Investigation Section at the Palace of Justice and was questioned as part of the alleged extradition request by the Republic of Turkey. This judicial step marked the first time a competent court examined the legality of his arrest and the initial liberty restrictions.

Following the hearing, the Investigating Judge decided not to impose preventive detention, finding that the legal requirements for its application were not met, namely the risk of flight, interference with the investigation, or continuation of the alleged illegal activity.

In its place, the coercive measure of a Term of Identity and Residence (TIR) was imposed on the defendant, in accordance with the law, allowing the proceedings to continue with Emre Çınar at liberty, subject to the legal obligations inherent in this measure.

The court decision represented the culmination of the full restoration of procedural legality and respect for the principle of proportionality in the restriction of fundamental rights.

The detention of Emre Çınar, which took place on the afternoon of 30 December, was initially surrounded by a lack of public information. According to reports published by the digital daily newspaper CanalMoz, the individual was approached by persons who identified themselves as State agents, without the immediate presentation of a judicial warrant, and was taken to a location that was initially unknown, with family members or legal representatives unable to obtain confirmation of his whereabouts in the hours that followed.

The lack of official information in the first hours after the arrest generated apprehension within the Turkish community residing in Mozambique, in an international context marked by precedents of controversial arrests and extraditions of Turkish citizens in African countries.

Following public criticism and questioning from civil society, the National Criminal Investigation Service (SERNIC) issued a statement on December 31st, clarifying that the detention was part of an extradition process requested by the authorities of the Republic of Turkey, allegedly supported by a valid court order.

SERNIC rejected any allegation of arbitrary deprivation of liberty, stressing that the citizen was under legal custody and that the action followed the applicable legal procedures.

Despite official clarifications, suspicions persist

within the Turkish community in Mozambique and among legal analysts that the proceedings may be linked to diplomatic efforts by the Republic of Turkey. These perceptions arise in a broader context in which the Turkish authorities have, in recent years, intensified international actions against exiled businessmen regarded as political opponents and alleged followers of the cleric Fethullah Gülen, whom Ankara accuses of involvement in the 2016 coup attempt.

In 2017, during an official visit to Mozambique, Turkish President Recep Tayyip Erdoğan reportedly requested active cooperation from Mozambican authorities to neutralize business and educational networks associated with the aforementioned movement, including educational institutions present in the country, such as Willow International School, which operates in Maputo and Matola.

One of the central aspects of the debate concerns the lack of public information regarding the existence, ratification, or entry into force of a bilateral extradition agreement between Mozambique and Turkey. The lack of clarity regarding this legal instrument raises further doubts about the legal regime applicable to the ongoing process.

In various international contexts, extradition requests have been based on alleged links to the Fethullah movement. Gülen has been strongly challenged by international human rights organizations due to the risk of political persecution, trials lacking guarantees of impartiality, and violation of the principle of non-refoulement.

Mozambique, as a State party to international human rights conventions, is bound by the principle of non-refoulement, which prohibits the extradition of any person to a State where they may be exposed to political persecution, torture, or cruel, inhuman, or degrading treatment.

The decision by the Investigating Judge to apply only the Identity and Residence Statement can be interpreted as a sign of affirmation of the rule of law and respect for fundamental guarantees, in a process with clear diplomatic and political implications.

The extradition process now follows its legal course, with Emre Çınar awaiting further developments at liberty, subject to the obligations arising from the measure imposed. Civil society, the international community, and human rights observers remain attentive to the outcome of a case that will continue to test the balance between legitimate international cooperation, State sovereignty, and the effective protection of fundamental rights.



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