

TURKEY
National Procedures for Extradition
Updated 26/02/2021

The Central Authority responsible for extradition	Republic of Turkey, Ministry of Justice Directorate General for Foreign Relations & EU Affairs Central e-mail : diabgm@adalet.gov.tr Tel: 0090 312 414 80 51 Fax: 0090 312 219 45 23	
If different from the Central Authority, the authority to which the request should be sent	None	
Channels of communication for the request for extradition: (directly, through diplomatic channels or other)	Since Turkey made a reservation to the 2nd Additional Protocol, extradition requests need to be transmitted through the diplomatic channel.	
Means of communication (eg. by post, fax, e-mail ¹):	Postal service, as a general rule. In urgent cases fax or e-mail are acceptable if the originals or authenticated copies of documents are subsequently submitted.	
Language requirements:	The requests for extradition is expected to be sent in Turkish. In addition the requests in the languages of the Council may be accepted.	
Documentation required:	The required documents are laid down in Article 12 of the European Convention on Extradition.	
Provisional arrest:	Time limit for presentation of formal extradition request if the person is in provisional arrest	40 Days

¹ Please indicate if encryption or electronic signature is required.

	<p>Is there a need for an explicit request for prolongation of the provisional arrest beyond the 18 days mentioned in Article 16, paragraph 4 of the European Convention on Extradition (ETS No.24)?</p>	<p>No</p>
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<p>Extradition procedures:</p>	<p>Simplified extradition is regulated in art. 17 of the Law on International Judicial Cooperation in Criminal Matters:</p> <p>Where the person consents to the extradition, he/she may be extradited to the requesting State without following the normal extradition procedure.</p> <p>The person shall be explained by the High Criminal Court his/her rights under Criminal Procedure Code and the nature and legal consequences of extradition based on consent. The person shall be asked whether he/she consents to the procedure for extradition based on consent.</p> <p>Upon the person's acceptance of the procedure for extradition based on consent, it shall be considered and decided whether the request for extradition is acceptable according to the provisions of this Law and the international agreements to which Turkey is a party. This decision may be objected. If the decision is finalized, the documents of extradition shall be sent to the Central Authority.</p> <p>The execution of the decision of extradition, rendered according to the procedure for extradition based on consent, shall be subjected to the confirmation of the Central Authority.</p>
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<p>Detention before and after the receipt of the extradition request: (deadlines, conditional release, etc)</p>	<p>Detention before receipt: The request for extradition must be presented to the Turkish Authorities within 40 days from the date of arrest.</p> <p>Detention after receipt: In the event that decision for extradition is not rendered within a year following the finalization of the decision of High Criminal Court concerning the acceptance of the request for extradition, the protective measures imposed on the person shall be abolished.</p>
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<p>Statutes of limitation for the purpose of prosecution and for the execution of sentences: (general principles)</p>	<p>Statutes of limitation for the prosecution is between 8 to 30 years according to article 66 of Turkish Criminal Code. Statutes of limitation for the execution of the sentences is between 10 to 40 years according to article 68 of Turkish Criminal Code.</p>
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<p>Provisions concerning</p>	<p>According to article 38 of the Constitutional Law, the nationals of</p>
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extradition of nationals:	Turkey cannot be extradited to a foreign country
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Surrender: (eg. deadlines)	There is no particular deadline for the surrender. However, in the event that the person concerning whom a decision of extradition was rendered is not surrendered on the date agreed with the authorities of the requesting State without a justification, protective measures concerning this person ordered by the court shall be abolished 30 days after this date.
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Other relevant information: (such as specific requirements concerning double criminality)	Double criminality is an obligatory requirement for extradition
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Links to national legislation, national guides on procedure:	www.mevzuat.gov.tr
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