

**TURKEY**

**National Procedures for Transfer of sentenced persons**

**Updated on 26/02/2021**

<b>The Central Authority responsible for the transfer of sentenced persons</b>	Republic of Turkey, Ministry of Justice Directorate General for Foreign Relations & EU Affairs  Central e-mail: <a href="mailto:diabgm@adalet.gov.tr">diabgm@adalet.gov.tr</a> 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
If different from the Central Authority, the <b>Authority/ies in charge of coordinating and/or implementing the physical transfer</b> of the person concerned:	The period up to the delivery stage of the convict is carried out by the Ministry of Justice; however, the delivery process is carried out by the Ministry of Interior
<b>Channels of communication</b> for the request for the transfer of sentenced persons:  (directly, through diplomatic channels or other)	Communications relating to the application of this Convention shall be done through Diplomatic Channel.
<b>Means of communication</b> (eg. by post, fax, e-mail <sup>1</sup> ):	By Post
<b>Language requirements:</b>	Requests for transfer and supporting documents must be accompanied by their translation into Turkish.
<b>Documentation required:</b>	See Article 4 and 6 of the European Convention on the Transfer of Sentenced Persons

<sup>1</sup> Please indicate if encryption or electronic signature is required.

<b>Continued enforcement or conversion of the sentence<sup>2</sup>:</b>	Continued enforcement
<b>General rules on early release:</b>	Although there are some exceptions, the person, who served 1/2 of his/her sentence in good behaviour, generally benefits from parole.
<b>Scope of application with regard to transfer of mentally disordered persons:</b>	We have no high security special prison for mentally disordered persons. A doctor can be available during the transfer, if necessary. This convict may serve his/her sentence in an appropriate medical institution according to the severity of his/her illness.
<b>Scope of application with regard to nationals and/or residents:</b>	The Convention may apply to both nationals and those who have strong ties with administering State.
<b>Other relevant information:</b> (such as practice regarding time limits or revocation of consent)	I n c a s e o f r e v o c a t i o n o f t h e of convict, transfer process cannot continue. There is no time limit regarding the transfer of sentenced persons.
<b>Links to national legislation, national guides on procedure:</b>	<a href="http://www.mevzuat.gov.tr">www.mevzuat.gov.tr</a>  C o d e n o : 6 7 0 6 o n " i n t e r n a t i o n a M a t t e r s "  <a href="https://www.judiciaryofturkey.gov.tr/English-version-of-Law-on-international-Judicial-Cooperation-in-Criminal-Matters-is-available-on-our-website">https://www.judiciaryofturkey.gov.tr/English-version-of-Law-on-international-Judicial-Cooperation-in-Criminal-Matters-is-available-on-our-website</a>
<b>Link to information about the Convention (according to Article 4) in the official language(s) of the State Party (see also Rec. R (84) 11 of the Committee of Ministers concerning information about ETS°112 and PC-OC INF 12):</b>	

## For Parties to the Additional Protocol

<b>Information on the implementation of Article 2:</b> ( e . g . i n t e r p r e e f l e e i n g t o ” )	Turkey has had no practice in respect of the mentioned Article.
<b>Information on the implementation of Article 3</b> (e.g. interpretation of the requirement of a consequential link between the decision on expulsion and the sentence)	Turkey excludes the application of this Article.
<b>Documentation required:</b>	As mentioned in the treaty.
<b>Other relevant information:</b>	<p>If the sentenced person has a fine imposed on him in addition to his imprisonment sentence, the fine should be paid off in order for the transfer to be granted. If the fine remains outstanding, the remaining amount shall be converted into days in prison. The part of the imprisonment sentence that the sentenced person served in Turkey shall be added to the days in prison, converted from the fine. If the duration which the sentenced person has spent in prison fails to correspond the imprisonment duration converted from the fine, it shall be added to the imprisonment term. The duration of the imprisonment thus calculated shall be communicated to the foreign State and if approved by that State, transfer shall be granted.</p> <p>For the request for transfer to be granted, the court costs must have been paid off. However, if it is considered that the sentenced person is unable to pay the court costs, transfer may be granted without paying the court costs.</p>