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**Turkey
and
Russian Federation**

Treaty between the Republic of Turkey and the Russian Federation on mutual legal assistance in criminal matters and extradition. Ankara, 1 December 2014

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**Turquie
et
Fédération de Russie**

Traité entre la République turque et la Fédération de Russie relatif à l'entraide judiciaire en matière pénale et à l'extradition. Ankara, 1^{er} décembre 2014

Entrée en vigueur : *21 août 2017, conformément à l'article 38*

Textes authentiques : *anglais, russe et turc*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**TREATY
BETWEEN
THE REPUBLIC OF TURKEY AND
THE RUSSIAN FEDERATION
ON MUTUAL LEGAL ASSISTANCE IN
CRIMINAL MATTERS AND EXTRADITION**

The Republic of Turkey and the Russian Federation (hereinafter referred to as the “Parties”),

Desirous of further promoting friendly relations and arranging mutual legal assistance in criminal matters and extradition on the basis of the principles of national sovereignty, equality of rights and of non-interference in the internal affairs of the Parties,

Aiming at facilitation of application between the Parties of the European Convention on Extradition of 13 December 1957 and of the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959,

Have decided to conclude the Treaty on Mutual Legal Assistance in Criminal Matters and Extradition and have agreed as follows:

**CHAPTER I
GENERAL PROVISIONS**

ARTICLE 1

Central and competent authorities

1. In order to provide for the appropriate cooperation of the Parties in the framework of this Treaty, Central Authorities for the Parties shall be appointed.

2. For the purposes of mutual legal assistance the Central Authority for the Turkish Party shall be the Ministry of Justice of the Republic of Turkey.

For the purposes of mutual legal assistance the Central Authorities for the Russian Party shall be:

The Ministry of Justice of the Russian Federation for purposes connected with the proceedings of the courts of the Russian Federation, as well as for the purposes of Article 2 of this Treaty;

The General Prosecutor's Office for all other purposes of granting legal assistance.

3. For the purposes of extradition the Central Authority for the Turkish Party shall be the Ministry of Justice of the Republic of Turkey, for the Russian Party the General Prosecutor's Office of the Russian Federation.

4. The competent authorities are the authorities of the Parties participating in implementation of this Treaty.

5. The Central Authorities of the Parties shall counteract directly or, if necessary, through diplomatic channels.

6. The Parties shall promptly notify each other through diplomatic channels in case of any change of their Central Authorities and their competences.

7. The Central Authorities of the Parties shall directly transmit and receive all requests provided for in this Treaty and responses to them.

ARTICLE 2

Exchange of information

The Central Authorities of the Parties shall, upon request, give information to each other on their laws in force or repealed and judicial practices with regard to legal matters that constitute subject to this Treaty.

ARTICLE 3

Languages

Request for legal assistance or for extradition, its supporting documents and additional information forwarded in accordance with this Treaty shall be accompanied by certified translation into the language of the Requested Party.

ARTICLE 4

Validity of the documents

1. Documents transmitted pursuant to this Treaty and attested to by the official seal of competent or Central Authority of the transmitting Party are admissible in evidence without further authorization or any other form of certification.

At the request of the Requesting Party, the documents transmitted within the framework of this Treaty, may be certified in any other form, as indicated in the request provided that is not contrary to the legislation of the Requested Party.

2. For the purposes of this Treaty the documents which are recognised as official in the territory of one Party shall be recognised as such in the territory of the other Party.

ARTICLE 5

Confidentiality and the limitations of use of information

1. The Requested Party upon request of the Central Authority of the Requesting Party shall provide in accordance with its legislation for the confidentiality of the fact of the receipt of the request for legal assistance, of its contents or any action taken pursuant to the request, excluding the cases when the breach of confidentiality of the request is necessary for its execution.

If the execution of the request makes it necessary to remove this limitation, the Requested Party shall in writing seek the permission of the Requesting Party, without which the request will not be executed.

2. The Requesting Party shall not use the information or evidence obtained under this Treaty without the prior permission of the Requested Party for purposes other than those indicated in the request for legal assistance.

3. In cases where the Requesting Party needs to disclose and use fully or in part the information or evidence for purposes other than those stated in the request, it shall seek the consent of the Requested Party, which may either agree or refuse, fully or partially, such permission.

CHAPTER II

MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

ARTICLE 6

Obligation to provide legal assistance

1. The Parties shall undertake to afford each other mutual legal assistance in connection with investigation, prosecution and other procedural acts on criminal matters (hereinafter referred to as "legal assistance") in accordance with provisions of this Treaty.

2. The Requested Party may grant legal assistance in case the offence, in connection with which the request was received, is not criminally punishable under its legislation.

3. The purpose of this Treaty is granting legal assistance by one Party to the other Party. The provisions of this Treaty shall not give rise to a right for a natural or legal person to obtain or exclude any evidence or to prevent the execution of a request.