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**Turkey
and
Uzbekistan**

**Agreement between the Republic of Turkey and the Republic of Uzbekistan on extradition.
Tashkent, 30 April 2018**

Entry into force: *20 August 2019, in accordance with article 23(1)*

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**Turquie
et
Ouzbékistan**

**Accord d'extradition entre la République turque et la République d'Ouzbékistan. Tachkent,
30 avril 2018**

Entrée en vigueur : *20 août 2019, conformément au paragraphe 1 de l'article 23*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN
THE REPUBLIC OF TURKEY
AND
THE REPUBLIC OF UZBEKISTAN
ON EXTRADITION**

The Republic of Turkey and the Republic of Uzbekistan, hereinafter referred to as "the Parties",

Guided by the norms of international law in the field of crime prevention and the implementation of criminal proceedings,

Desiring to provide more effective cooperation in the suppression of crime, and for that purpose, to conclude an agreement on extradition,

Have agreed as follows:

Article 1

Obligation to Extradite

Each Party undertakes, in accordance with the provisions of this Agreement and upon the request of the other Party, to extradite to each other persons found in its territory and wanted by the other Party for the purpose of conducting criminal proceedings against or executing sentence imposed on those persons.

Article 2

Central Authorities and Channels of Communication

1. The Central Authorities on all issues of extradition in accordance with this Agreement shall be:

For the Turkish Party: the Ministry of Justice of the Republic of Turkey,

For the Uzbek Party: the General Prosecutor's Office of the Republic of Uzbekistan.

2. The Parties shall inform each other of any changes of the Central Authorities specified in paragraph 1 of this Article.

3. For the purposes of this Agreement, the Central Authorities of the Parties shall communicate with each other through diplomatic channels or through the International Criminal Police Organization (INTERPOL). The use of a diplomatic channel does not impede, if necessary, the Central Authorities to communicate directly through the use of facsimile, e-mail and other fast-communication channels for the Central Authorities to take measures to promptly execute requests.

Article 3

Extraditable Offences

1. For the purposes of this Agreement, extraditable offences are offences that are punishable under the laws of both Parties by deprivation of liberty for a maximum period of at least one year, or by a more severe penalty. Where the request for extradition relates to a person who is wanted for the enforcement of a sentence of deprivation of liberty imposed for such an offence, extradition shall be granted only if a period of at least six months of such sentence remains to be served.

2. In determining whether the acts or omissions constitute an offence punishable under the laws of both Parties in accordance with paragraph 1 of this Article, it shall not matter whether the laws of both Parties place the act constituting the offence within the same category of offences or denominate the offence by the same terminology.

3. In the event that the offence was committed outside the territory of the Requesting Party, extradition shall be granted if the law of the Requested Party provides for punishment for an offence committed in similar circumstances outside its territory.

4. If the request for extradition includes several separate offences each of which is punishable under the laws of both Parties, but some of which do not fulfill the other conditions set out in paragraph 1 of this Article, the Requested Party may grant extradition for the latter offences provided that the person is to be extradited for at least one extraditable offence.

Article 4

Mandatory Grounds for Refusal

Extradition shall be refused if:

a) the Requested Party considers that the offence for which extradition is requested is a political offence. However, the following shall not be considered as political offence:

- the taking or attempted taking of the life of a Head of State, a Head of Government, or members of their family;
- the offences which are not regarded as political offence under any international convention to which both Parties are parties;

b) the Requested Party has substantial grounds for believing that the request for extradition has been made for the purpose of prosecuting or punishing the person sought on account of that person's race, sex, religion, nationality or political opinion, or that the person's position in judicial proceedings may be prejudiced for any of those reasons;

c) the offence for which extradition is requested is a pure military offence;

d) the person sought is a national of the Requested Party;

e) the person sought has, under the laws of either Party, become immune from prosecution or punishment for the offence for which extradition is requested by reason of lapse of time, pardon or amnesty;

f) the Requested Party has already rendered a final judgment against the person sought in respect of the offence for which extradition is requested.

Article 5

Discretionary Grounds for Refusal

Extradition may be refused if:

a) the Requested Party has jurisdiction over the offence for which extradition is requested in accordance with its law, and is conducting or contemplates to institute a proceeding against the person sought for that offence;

b) the Requested Party have decided either not to institute prosecution or to terminate proceedings in respect of the same offence;

c) the Requested Party, while taking into account the seriousness of the offence and the interests of the Requesting Party, considers that extradition would be incompatible with humanitarian considerations in view of that person's age, health or other personal circumstances; or

d) the request for extradition is made by the Requesting Party pursuant to a judgment in absentia, and that Party does not guarantee that the person sought has the opportunity to have the case retried in his/her presence after extradition.

Article 6

Capital Punishment

When the offence for which extradition is sought is punishable by death under the laws of the Requesting Party and is not punishable by death under the laws of the Requested Party, the Requested Party may refuse extradition unless the Requesting Party provides an assurance that the death penalty if imposed will not be carried out.

Article 7

Obligation to Take Action by the Requested Party

1. If extradition is not granted pursuant to subparagraphs (d) of Article 4, (c) of Article 5, and Article 6 of this Agreement, the Requested Party shall, upon the request of the Requesting Party, submit the case to its competent authorities with a view to taking appropriate action against the person in accordance with its law. For this purpose, the Requesting Party shall provide the Requested Party with documents and evidence relating to the case.

2. The Requesting Party shall be informed of the result of its request.

Article 8

Request and Supporting Documents

1. A request for extradition shall be made in writing and shall include or be accompanied by:

a) the name of the requesting authority;

b) the name of the requested authority;

c) the full name of the person sought to be extradited, his/her age, sex, citizenship, occupation, the place of residence or location, and any other information which would help to determine his/her identity;

d) a description of the appearance of the person sought to be extradited, his/her photograph and fingerprints, if available;

e) title of a case including a statement of the facts of the offence committed, information about the time and place of the commission and its consequences, as well as the amount of material damage, if it was caused as a result of the act;

f) the text of the relevant provisions of the law specifying the case and the penalty prescribed for and any lapse of time in relation with the prosecution or carrying out of a sentence.

2. In addition to the provisions of paragraph (1) of this Article,

a) the request for extradition which is made for the purpose of prosecution shall be accompanied by a copy of arrest warrant;

b) the request for extradition which is made for the purpose of execution of a sentence shall be accompanied by a copy of final judgment, a copy of arrest warrant, and a statement showing the remaining imprisonment to be served.