

**AGREEMENT**  
**BETWEEN THE GOVERNMENT OF**  
**THE REPUBLIC OF TÜRKİYE**  
**AND THE GOVERNMENT OF**  
**THE REPUBLIC OF UZBEKISTAN**  
**ON THE TRANSFER OF SENTENCED PERSONS**

**Preamble**

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

Desirous of further promoting friendly relations and strengthening the cooperation in judicial matters, particularly in transfer of sentenced persons, on the basis of the principles of national sovereignty, equality of rights and non-interference in the internal affairs of the Parties,

Wishing to facilitate the rehabilitation of sentenced persons and,

Considering that this objective should be fulfilled by giving foreign nationals, who have been convicted and sentenced as a result of their commission of a criminal offence, the opportunity to serve their sentences within their own society,

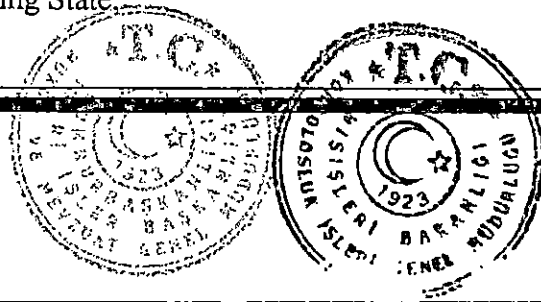
Have decided to conclude an agreement on the transfer of sentenced persons and agreed as follows:

**ARTICLE 1**

**Definitions**

For the purposes of this Agreement:

- a) "sentence" means any punishment involving deprivation of liberty ordered by a court for a limited or unlimited period of time on account of a criminal offence;
- b) "sentenced person" means that person who is serving a final and executable sentence in the sentencing State;



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c) "sentencing State" means the State in which the sentence was imposed on the person who may be or has been transferred;

d) "administering State" means the State to which the sentenced person may be, or has been, transferred in order to serve his sentence;

e) "citizen" means a person who belongs to the nationality of one of the Parties;

f) "close relatives" means persons, considered such in accordance with the national legislation of either Party;

g) "strong social ties" means social and economic ties, such as having close relatives or having a certain business in territory of the Parties, even if the sentenced person does not have a citizenship;

h) "legal representatives" means persons recognized as such in accordance with the procedure established by the national legislation of each Party;

## ARTICLE 2

### General Principles

1. The Parties agree to afford each other the widest mutual cooperation in all matters related to the transfer of sentenced persons pursuant to the terms and provisions of this Agreement.

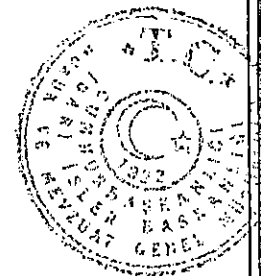
2. A person sentenced in the territory of one of the Parties may be transferred to serve the sentence in the territory of the other Party in due compliance with the provisions of this Agreement.

## ARTICLE 3

### Central Authorities and Channels of Communication

1. The Central Authorities in charge of the implementation of this Agreement for the Parties are:

the Ministry of Justice for the Republic of Türkiye



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the General Prosecutor's Office for the Republic of Uzbekistan.

2. In case either Party change its Central Authority, it shall notify the other Party of the same through diplomatic channels.

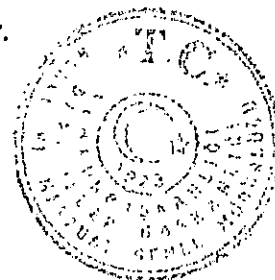
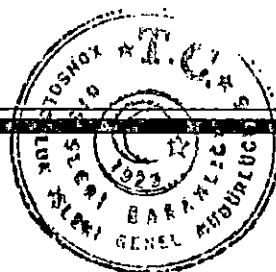
3. The Central Authorities shall communicate with each other through diplomatic channels. The Central Authorities may also communicate directly with each other by using fax, e-mail and other means of prompt communication with a view to facilitating the implementation of this Agreement and the original documents shall be submitted through the diplomatic channels.

#### ARTICLE 4

##### Conditions for Transfer

A sentenced person may be transferred under this Agreement according to the following conditions:

- a) If that person is a citizen of the administering State or who, without citizenship, has strong social ties of the administering State;
- b) If the sentence is final;
- c) If, at the time of receipt of the request for transfer, the sentenced person still has at least nine months sentence to serve;
- d) If the transfer is consented to by the sentenced person or, where in view of his age or his physical or mental condition one of the two States considers it necessary, by the sentenced person's legal representative;
- e) If the acts or omissions on account of which the sentence has been imposed constitute a criminal offence according to the law of the administering State or would constitute a criminal offence if committed on its territory; and
- f) If the sentencing and administering States agree to the transfer.



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## ARTICLE 5

### Obligation to Provide Information and Supporting Documents

1. The sentencing State shall provide the administering State with the following information and documents:

a) the name and nationality, date and place of birth of the sentenced person and his address in the administering State along with a copy of his passport or any other personal identification documents, and fingerprints of the sentenced person, if possible;

b) a statement of the facts upon which the sentence was based;

c) the nature, duration and date of commencement of the sentence;

d) a certified copy of the sentence and a copy of the relevant provisions of the law under which the sentence has been passed against the sentenced person;

e) a medical, social or any other report on the sentenced person, where it is relevant for the disposal of his application or for deciding the nature of his confinement;

f) the document indicating that sentenced person gives her/his consent, in written, by knowing all legal consequences of being transferred under this Agreement;

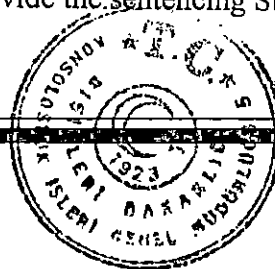
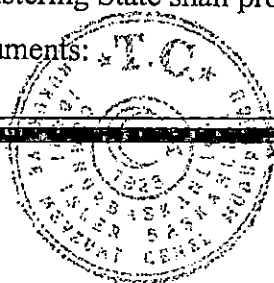
g) the application of the sentenced person to be transferred or of a person entitled to act on his behalf in accordance with the law of the sentencing State;

h) a document indicating how much of the sentence has already been served, including information on any pre-trial detention, remission, or any other factor relevant to the enforcement of the sentence; and

i) a document which shall be provided from the sentencing State agreeing to the transfer of the sentenced person to the administering State;

j) any other information or document which the administering State may consider necessary.

2. The administering State shall provide the sentencing State with the following information and documents:



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a) a document indicating that the sentenced person is a national of the administering State;

b) a copy of the relevant law of the administering State which provides that the acts or omissions on account of which the sentence has been imposed in the sentencing State constitute a criminal offence according to the law of the administering State, or would constitute a criminal offence if committed on its territory;

c) a statement of the effect of any law or regulation relating to the duration and enforcement of the sentence in the administering State after the sentenced person's transfer including, if applicable, a statement of the effect of paragraph 2 of Article 13 of this Agreement on his transfer;

d) any other information or document which the sentencing State may consider necessary.

## ARTICLE 6

### Requests, Replies and Required Documents

1. Requests for transfer and replies shall be made in writing.

2. For the purpose of this Agreement, any documents affixed with the signature and official seal of the Central Authority of one Party shall be used in the territory of the other Party without any form of authentication or affixing apostille.

## ARTICLE 7

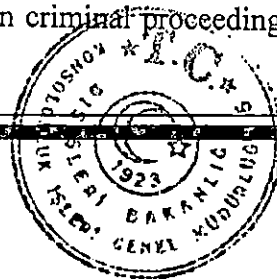
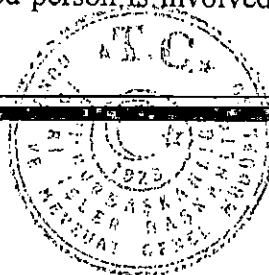
### Refusal to Transfer

1. The transfer of the sentenced person may be refused if:

a) the requirements set out in the Article 4 of this Agreement have not been fulfilled;

b) one Party considers that the transfer would damage its sovereignty, security or public order, or that it is contrary to the provisions of national law;

c) the sentenced person is involved in criminal proceedings in the territory of the sentencing State;



d) the punishment cannot be enforced in the administering State for lapse of its time or any other reasons provided by the legislation of this State.

2. Each Party may also determine at its discretion whether or not to agree to the transfer requested by the other Party in circumstances other than the ones provided for in paragraph 1 of this Article. The Parties shall promptly inform each other of its decision and justification thereof, in written, whether or not to agree to the transfer.

## ARTICLE 8

### Consent and Verification

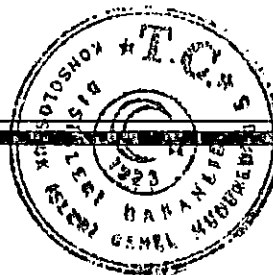
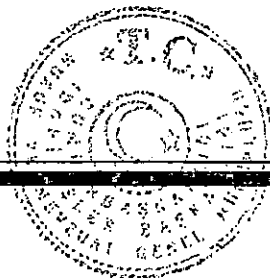
1. The sentencing State shall ensure that the person required to give consent to the transfer in accordance with Article 4 does so voluntarily and with full knowledge of the legal consequences thereof.

2. The sentencing State shall afford an opportunity to the administering State to verify through an authorized person or other official agreed upon with the administering State, that the consent is given in accordance with the conditions set out in paragraph 1 above.

## ARTICLE 9

### Personal Data Protection

The Parties are responsible for the protection of the personal data obtained during the implementation of the provisions of this Agreement. Such data might be transferred to any third party only with the written consent of the Central Authorities. This responsibility shall be valid even after the termination of this Agreement.





## ARTICLE 10

### Transfer of the Sentenced Person

Where an agreement is reached on a transfer, the Parties shall determine the time, place and other procedures for the transfer.

## ARTICLE 11

### Effect of Transfer for Sentencing State

1. The taking into charge of the sentenced person by the authorities of the administering State shall have the effect of suspending the enforcement of the sentence in the sentencing State.

2. The sentencing State may no longer enforce the sentence if the administering State considers enforcement of the sentence to have been completed.

## ARTICLE 12

### Effect of Transfer for Administering State

1. The competent authority of the administering State shall continue the enforcement of the sentence after the transfer of the sentenced person.

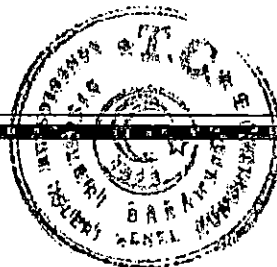
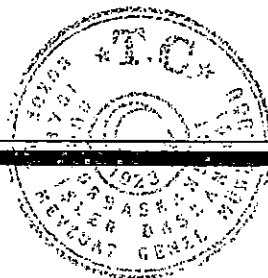
2. The sentenced person cannot be tried or convicted for the same offence.

## ARTICLE 13

### Continued Enforcement of the Sentence

1. In accordance with its national law, the administering State shall:

a) immediately continue the enforcement of the sentence of the sentencing State, or;



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b) convert the sentence, through a judicial or administrative procedure into a decision of that State, thereby substituting for the sanction imposed in the sentencing State with a sanction prescribed by the law of the administering State for the same offence.

2. As to its nature and duration, the sanction shall, as far as possible, correspond with that imposed sentence, and shall not worsen the sanction imposed in the sentencing State, nor exceed the maximum period of punishment prescribed by the laws of the administering State.

3. The served part of sentence in the territory of sentencing State must be included in the term of punishment.

#### ARTICLE 14

##### **Pardon, Amnesty and Commutation**

Each Party may grant pardon, amnesty, commutation of the sentence or other types of discharge from punishment in accordance with its law or other regulations.

#### ARTICLE 15

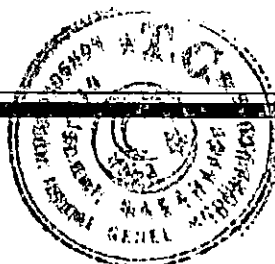
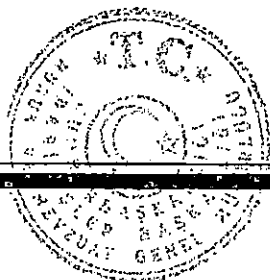
##### **Review of Sentence**

The sentencing State alone shall have the right to decide on any application for review of the sentence.

#### ARTICLE 16

##### **Termination of Enforcement**

The administering State shall terminate enforcement of the sentence as soon as it is informed by the sentencing State of any decision or measure as a result of which the sentence ceases to be enforceable.





## ARTICLE 17

### Information on Enforcement

The administering State shall provide the sentencing State with information on the enforcement of the sentence:

- a) when it considers enforcement of the sentence to have been completed;
- b) if the sentenced person has escaped from custody or is dead before enforcement of the sentence has been completed; or
- c) if the sentencing State requests a special report.

## ARTICLE 18

### Transit

1. When one Party is cooperating with a third country on the transfer of sentenced persons through the territory of the other Party, the former shall request the latter for the permission of such transits.

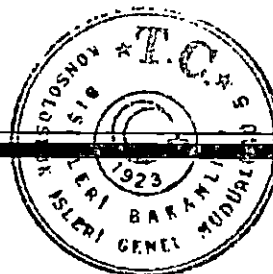
2. Such permission is not required where air transportation is used, and no landing in the territory of the other Party is scheduled.

3. The requested Party shall, insofar as not contrary to its national law, grant the request for transit of the requesting Party.

## ARTICLE 19

### Language

All the information and requests regarding the transfer of a sentenced person shall be provided in the official language of the Party to which it is addressed.



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## ARTICLE 20

### Costs

1. Costs incurred exclusively in the territory of the sentencing State shall be borne by that State. Any other costs incurred from the transfer of the sentenced person shall be borne by the administering State.

2. Costs connected with transit shall be borne by the Party which has requested the permission to the transit.

## ARTICLE 21

### Temporal Application

This Agreement shall be applicable to the enforcement of sentences imposed either before or after its entry into force.

## ARTICLE 22

### Settlement of Disputes

Disputes regarding the application and interpretation of this Agreement shall be settled by the Central Authorities through consultations.

## ARTICLE 23

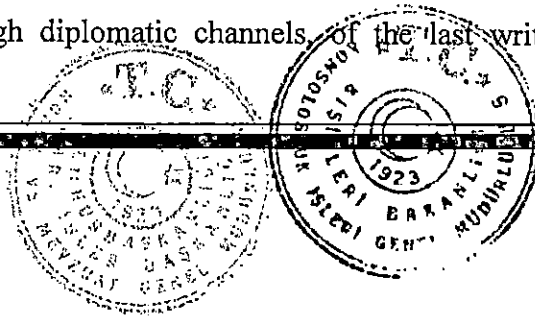
### Amendments

This Agreement may be amended by mutual written consent of the Parties at any time. The amendments shall enter into force in accordance with the procedure prescribed under Article 24.

## ARTICLE 24

### Ratification and Entry into Force

1. This Agreement shall be ratified and come into force after thirty days from the day of receipt, through diplomatic channels of the last written notice of its ratification by the Parties.



2. This Agreement is concluded for unlimited period and shall remain into force upon the expiration of six months from the date of receipt by one of the Parties, through diplomatic channels, of the written notification of termination of the Agreement from the other Party.

3. On the date of entry into force of this Agreement, the articles in Section 8 entitled "Transfer of the Sentenced Persons" of the Agreement on Legal Assistance in Civil, Commercial and Criminal Matters between the Republic of Türkiye and the Republic of Uzbekistan dated 23 June 1994 shall cease to have effect.

In witness whereof, the undersigned, being duly authorized thereto, have signed this Agreement.

Done at Tashkent on March 29, 2022 in two originals, each in Turkish, Uzbek and English languages. In case of dispute in interpretation, the English text shall prevail.

For

the Government of the  
Republic of Türkiye

  
Bekir Bozdağ

Minister of Justice

For

the Government of the  
Republic of Uzbekistan

  
Ruslanbek Davletov

Minister of Justice

