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SERVICES > LEGAL ASSISTANCE > CRIMINAL ROGATORY**I- GENERAL INFORMATION :**

Definition: International rogatory (legal assistance) is the whole actions carried out by the competent judicial authority of a State on behalf authority of another State. Rogatory proceedings are carried out within the framework of a bilateral agreement between our country and 1 state or multilateral conventions, in the case where these do not exist, rules of international common law and principle of reciprocity.

Central Authority: Pursuant to the provisions of conventions on legal assistance and our legislation, Ministry of Justice acts as the central international legal assistance proceedings. This mission is carried out by the General Directorate of International Law and Foreign Relations body of the Ministry of Justice.

Proceedings that could be executed through international criminal rogatory:

- a) Taking statement of suspects or accused persons or their interrogation,
- b) Hearing of victims, complainants, interveners, witnesses or expert witnesses,
- c) Providing information and evidence, providing originals or certified copies of relevant documents and records including bank records information, company files and commercial documents,
- d) For the purpose of gathering evidence, determination or surveillance of gain, assets, equipment or other matters,
- e) Search and seizure, examination of articles and place for evidential purposes,
- f) Execution of seizure or similar measures ordered by foreign courts,
- g) Execution of penalty of imprisonment, fine, confiscation, exemption from rights or other criminal sanctions contained in the final judgments of foreign courts,
- h) Service of criminal decisions. (Service of criminal decisions are in the character of legal assistance proceeding but is regulated by a separate law. Please [click](#) for more information on criminal service of documents.)

Legislation:**a) Multilateral conventions:**

Turkey is a party to the European Convention on Mutual Assistance in Criminal Matters and the First Additional Protocol of the mentioned Convention. Criminal rogatory proceedings between our country and other 45 countries party to the Convention are executed according to the provisions of the Convention. Same states like Azerbaijan and Armenia which are not European countries are also parties to the aforementioned Convention. States of America is not party to the Convention; there is a bilateral agreement between our Country and the USA.

Texts of the European Convention on Mutual Assistance in Criminal Matters and its First Additional Protocol, and reservations made by the party states can be accessed via the following links:

[The European Convention on Mutual Assistance in Criminal Matters](#)

[States party to the Convention](#)

[Reservations made with respect to the Convention](#)

[Explanatory Report on the Convention](#)

[First Additional Protocol to the Convention](#)

[States party to the First Additional Protocol to the Convention](#)

[Reservations made with respect to the First Additional Protocol to the Convention](#)

[Explanatory Report on the First Additional Protocol to the Convention](#)

Other than the aforementioned Convention, there are conventions like European Convention on the International Validity of Criminal Judgments, European Convention on the Transfer of Proceedings in Criminal Matters signed for the proceedings in the character of international criminal matters. On the other hand, there are conventions like European Convention on the Suppression of Terrorism containing provisions regarding this matter but they have not been prepared for international criminal rogatory.

Click to view the list of multilateral conventions in the matter of international criminal rogatory to which Turkey is a party.

Furthermore, all the international conventions to which Turkey is a party can be queried on the <http://ua.mfa.gov.tr>.

b) Bilateral agreements:

Criminal rogatory/service of documents proceedings with the states which are not party to the Convention are executed according to the provisions of bilateral agreements that can be accessed via the following links.

[The United States of America](#)

[Albania](#)

[Algeria](#)

[China](#)

[Morocco](#)

[Georgia](#)

[India](#)

[Iraq](#)

[Iran](#)

[Kazakhstan](#)

[Kirghizistan](#)[Kuwait](#)[Turkish Republic of Northern Cyprus](#)[Lebanon](#)[Macedonia](#)[Egypt](#)[Mongolia](#)[Moldova](#)[Uzbekistan](#)[Pakistan](#)[Rumania](#)[Syria](#)[Tajikistan](#)[Tunisia](#)[Turkmenistan](#)[Jordan](#)[Oman](#)**c) Reciprocity:**

Criminal rogatory proceedings with states with which Turkey has no contractual relation (Canada, Kosovo etc.) are executed according to Reciprocity.

d) Law:

Not having a special law regulating the matter of international legal assistance, in our domestic legislation, criminal legal assistance is executed according to articles 8-19 of the Turkish Criminal Code and the regulations in the various laws.

e) Circular:

Basic principles of the criminal rogatory proceedings are introduced in the Circular No. 69/2 on "Matters to be Paid Attention by our Judiciary in the International Criminal Rogatory Proceedings" of our Ministry of 16/11/2011.

Basic principles in the criminal rogatory arising from international conventions or practices:**Legislation of the requested country shall apply:**

International practice and conventions stipulate that criminal rogatory proceedings should be executed in compliance with the ways provided in the legislation of the party requested to provide legal assistance.

As a rule, expense shall not be imposed for criminal rogatory proceedings.

Criminal rogatory proceedings are executed without incurring any cost. However, if legal assistance requiring expertise and cost like doctor analysis report, or expert report is requested, it should be written that expert witness fee will be sent after completion of the proceeding if informed, by referring to the article of the convention forming basis to the request on this matter.

Language for correspondence:

Criminal rogatory request should be made in the official language of the requested state. Therefore, as a rule, the documents to be issued should be translated into the official language of the relevant state accompanied by the Turkish copy.

*****Click the links below to access other parts...**

II- PREPARATION OF INTERNATIONAL CRIMINAL ROGATORY DOCUMENTS

III- MATTERS TO BE PAID ATTENTION IN PREPARING LEGAL ASSISTANCE REQUEST FOR CERTAIN CRIMES

IV- MUTUAL LEGAL ASSISTANCE CONCERNING EXECUTION OF DECISIONS ON SEIZURE AND CONFISCATION AND RECOVERY OF ASSETS

V- MATTERS TO BE PAID ATTENTION IN THE ROGATORY REQUESTS OF FOREIGN STATES

VI- OBTAINING INFORMATION ON REGISTRY, CRIMINAL RECORD, ADDRESS, ECONOMICAL/SOCIAL STATUS AND ENTRANCE TO-EXIT FROM COUNTRY

VII- RETURN OF PASSPORTS TO FOREIGNERS

VIII- NOTIFICATION OF DEATH EVENTS OF FOREIGNERS

IX- INTERNATIONAL ROGATORY PROCEEDINGS IN THE CRIMES COMMITTED IN THE INTERNET ENVIRONMENT

