



## Security Council

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### **Letter dated 21 August 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council**

I write with reference to my letter of 27 December (S/2001/1304).

The Counter-Terrorism Committee has received the attached supplementary report from Turkey, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

*(Signed)* **Jeremy Greenstock**  
Chairman

Security Council Committee established pursuant to  
resolution 1373 (2001) concerning counter-terrorism



**Annex**

**Note verbale dated 16 August 2002 from the Permanent Mission of Turkey to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism**

The Permanent Mission of Turkey to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, and with reference to the latter's note S/AC.40/2002/MS/OC.64, dated 18 April 2002, has the honour to submit herewith the supplementary report on the measures taken by the Republic of Turkey against terrorism with regard to Security Council resolution 1373 (2001) (see enclosure).

## Enclosure

### **Measures taken by the Republic of Turkey against terrorism (in response to the request for additional information made by the Counter-Terrorism Committee)**

#### **Sub-paragraph 1(a)**

**1. Could Turkey please outline any legislative changes or new practical measures introduced since the adoption of the Resolution.**

The Council of Ministers, by taking into consideration the lists of terrorist organizations, persons and entities issued by the Sanctions Committee in accordance with the relevant UN Security Council resolutions, promulgated a decree (2001/2483) on December 22, 2001 to freeze all the funds, financial assets, economic resources, rights and claims, including the content of safe deposit boxes of these terrorist organizations, persons and entities. The Council of Ministers also subjected all the transactions related to these assets to the permission of the Ministry of Finance. The list attached to the decree of the Council of Ministers has been updated by the following decrees: No. 2002/3873, dated March 21, 2002 and No. 2002/4206, dated May 16, 2002.

**2. What are the particular crimes referred to in Article 169 of the Penal Code and elsewhere that are identified by Article 4 of the Law on Fight Against Terrorism (LFAT) as terrorist crimes? Please confirm that the consequence of their being so identified is that special penalties provided for by Article 5 of LFAT apply to them.**

Article 169 of the Turkish Penal Code (TPC) is one of the common provisions applicable to the crimes stated in the articles 125-173 of this code. Assistance in any form to a criminal organization is prescribed as a crime subject to punishment under this article. It is provided in this Article that, whoever, wittingly gives shelter, assistance, equipment, arms or ammunition to such a society or a band or facilitates its actions shall be punished by heavy imprisonment for three to five years.

According to LFAT Article 5, sentences pronounced for those who commit the crimes mentioned in Article 169 of the TPC are aggravated by one half for both the freedom-restricting and monetary sanctions, when those crimes are committed for terrorist purposes.

**3. Could Turkey please outline the legislation and procedures which exist for monitoring suspicious financial transactions. What are the vigilance (transaction-reporting) obligations of financial intermediaries, including those outside the financial sector (e.g.) lawyers that contribute, in particular to the prevention of economic and financial transactions with terrorist or other criminal aims (as distinct from identifying the proceeds of illicit activity)? What are the penalties which may be incurred and have any already been imposed?**

The procedures concerning suspicious transactions are stipulated in the Regulation on the Implementation of the Law on the Prevention of Money-Laundering No: 4208 and the

Communique on Suspicious Transactions that is issued by the Financial Crimes Investigation Board (MASAK) of the Ministry of Finance. According to these two, all liable parties including banks and other financial institutions, except lawyers and accountants, have to report suspicious transactions carried out or attempted to be carried out on behalf of the parties or through their intermediaries to the Financial Crimes Investigation Board.

Article 12 of the Regulation on the Implementation of the Law No. 4208 reads: *“If there is a suspicion or a suspicious situation that money or convertible assets which were used in transactions carried out or attempted to be carried out on behalf of the liable parties or through their intermediaries had stemmed from illegal activities, this shall immediately be reported to the Financial Crimes Investigation Board, after having identified the customer.*

*Those reporting the suspicious transaction or the employees carrying out and managing the transaction as well as their legal representatives cannot warn their customers.*

*The Financial Crimes Investigation Board is authorized to set forth the forms of suspicious transactions as a guidance to the liable parties.*

*Notaries, Directorate General for National Lottery, deed offices, the Jockey Club will also be regarded as liable parties.”*

According to Article 12 of the Law No. 4208 and Article 17 of the Regulation on the Implementation of the Law No. 4208, those who do not comply with their reporting obligations shall be sentenced to imprisonment from six months to one year and to heavy fine. No penalty has been imposed so far for violating the obligation rules.

**4. What is the scope of the concept of “dirty money” in the Law on the Prevention of Money Laundering? Does it apply to the proceeds of all kinds of offences or only specific offences? If the latter, which are the offences?**

According to the definition of Article 2 of the Law No. 4208, dirty money means money and legal instrument, property and proceeds derived from any activity stated in;

- The Law No. 1918 on the Prevention and Follow-up of Smuggling
- The Law No. 6136 on Firearms and Knives
- The Law No. 2238 on the Removal, Preservation and Transplantation of Organs and Tissues
- The Law No. 2863 on the Protection of Cultural and National Values
- Sub-paragraph (b) of Article 359 of the Law No. 213 on Taxation Procedures
- Turkish Penal Code (TPC) Articles 125-173 – Felonies Against the State
- TPC – Article 179 – Felonies Against Personal Liberty
- TPC – Article 192 – Blackmail and Extortion
- TPC – Article 264 – Illegal Production of Arms and Explosives
- TPC – Article 316 – Counterfeiting of Currency, Public Bonds and Valuable Seals
- TPC – Article 317 – Undermining the Value of Money
- TPC – Article 318 – Importation, Purchase, Acceptance or Possession of Forged Currency
- TPC – Article 319 – Causing the Depreciation of Turkish or Foreign Currency or Endangering the Credibility of Turkey or another country by Counterfeiting
- TPC – Article 322 – Counterfeiting or Damaging Valuable seals

- TPC – Article 325 – Counterfeiting Public Transportation Tickets
- TPC – Article 332 – Forging, Altering or Importing Valuable Seals
- TPC – Article 333 – Misuse or Counterfeiting of Official Seals and Other Instruments Used in Validation
- TPC – Article 335 – Sale, Purchase or Acquisition of Forged Articles
- TPC – Article 339 – Forgery on Official Documents by Public Officials
- TPC – Article 341 – Forgery on Copies of Official Documents by Public Officials
- TPC – Article 342 – Forgery by Other People on Official Documents
- TPC – Article 345 – Forgery on Private Documents
- TPC – Article 350 – Forgery on Identification Cards, Identity Papers, Passports and Permits
- TPC – Article 403 – Manufacturing, Importing, Exporting, Sale, Purchase, Acquisition and Transportation of Drugs; Organizing a Group or Using Children or Persons Who Do Not Carry Criminal Liability for These Purposes
- TPC- Article 404 – Consuming Drugs or Facilitating the Consumption of Drugs
- TPC – Article 406 – Commission of These Offences by Doctors, Veterinarians, Pharmacists, Dentists, Midwives or Nurses
- TPC – Article 435 – Instigating Minors Under the Age of 15 to Prostitution
- TPC – Article 436 – Forcing to Prostitution
- TPC – Article 495 – Pillage
- TPC – Article 496 - Compelling a Person to Deliver, Sign or Destroy a Valid Document by the Use of Force, Violence or Threat
- TPC – Article 497 – Commission of the Offence Mentioned in Article 496 by Using Arms
- TPC – Article 498 – Forcing a Person to Give or Send Money or Other Valuables by Threatening or by Presenting a Forged Government Order
- TPC – Article 499 – Kidnapping
- TPC – Article 500 – Conveying Correspondence with regard to the Offense in Article 499
- TPC – Article 504 – Fraud
- TPC – Article 506 – Fraudulent Bankruptcy

**5. What particular offences are mentioned in Article 1 of the Law on the Prevention of Benefit-Oriented Criminal Organizations, No. 4422?**

The relevant provisions of Article 1 of the Law No. 4422 on the Prevention of Benefit-Oriented Criminal Organizations are as follows:

*“Those who set up or manage or act on behalf of or wittingly serve such organizations in order to directly or indirectly take control of the management and administration of an institution, establishment or enterprise; in order to take control of or influence public services, media, proceedings of bids, concessions and licences; in order to cause scarcity or to increase or decrease prices; in order to ensure unfair gains; in order to gain votes in elections or to prevent elections by using or threatening to use force; in order to compel persons to be dependent on themselves; in order to commit crimes by implicitly or explicitly intimidating and cowing people in collaboration with the other members of the organization shall be sentenced to heavy imprisonment for three to six years.*

*As distinct from the crimes listed above, being a member of such an organization constitute a crime subject to heavy imprisonment for two to four years.*

*If this organization is armed, the sentence shall be increased from one-third to half. If arms and explosives have been prepared or possessed to achieve the organization's aims, the organization shall be deemed to be armed, no matter whether an armed activity has taken place or not.*

*If the offender is a government official or a civil servant, then the sentence shall be increased from half to double.*

*This Article shall also apply to the open or clandestine organizations the purposes of which are the same as those of the organizations described above and that use methods of intimidation, frightening or menacing.*

*Making the propaganda of such organizations through all written, audio or visual media means is also a punishable crime under this article."*

**Sub-paragraph 1(b)**

**What measures are there to prevent or punish acts committed by terrorist organizations operating from Turkey, by fund-raising for example, but for a cause not likely to affect Turkish interests?**

Turkey from the very outset has maintained the view that there needs to be a solid cooperation among nations to effectively fight terrorism. With this belief and as a responsible member of the international community, all kinds of terrorist activities, regardless of their cause or aim are deemed to be hampering Turkish interests.

The Council of Ministers, by taking into consideration the lists of terrorist organizations, persons and entities issued by the Sanctions Committee in accordance with the UN Security Council Resolutions 1267/1999, 1333/2000 and 1373/2001, decided to freeze all the funds, financial assets, economic resources, rights and claims, including the content of safe deposit boxes, of these terrorist organizations, persons and entities in banks or non-bank institutions and other real or corporate bodies. According to the said decision, also, all the transactions related to these assets have been subjected to the permission of the Ministry of Finance.

**Sub-paragraph 1(c)**

**1. It is noted that Turkey can freeze bank accounts in certain circumstances, but it is not clear from the report whether Turkey has any generally applicable procedures for the freezing and provisional seizure of criminal funds and assets for offences relating to terrorism and its financing. Could Turkey please provide clarification on this point and outline the relevant procedures.**

**2. If freezing of assets is possible in cases that do not relate to money-laundering (e.g. transfer of legally obtained funds for purposes connected with terrorism), how and by what authorities, are these procedures carried out?**

Article 6 of the Law No. 4422 on the Prevention of Benefit-Oriented Criminal Organizations reads:

*“Having reserved provisions of the Act No. 4208, dated 13.11.1996, a decision may be taken during investigations to seize all movable or immovable assets of persons who are strongly suspected to have gained these assets through the offences in the scope of this Act and to have committed the offences stated under Article 1 of this Act; in order to partially or wholly remove the rights or claims in banks or non-bank institutions and other real or corporate bodies including the contents of safe deposit boxes; in order to hold these in custody; in order to take additional measures to conduct the claims and rights, negotiable instruments, cash or other values.*

*Investigations and examinations concerning the case and proceedings to determine or appraise the amount or value of the property stated in the paragraph above shall be carried out by the Financial Crimes Investigation Board of the Ministry of Finance both domestically and abroad upon the request of the Public Prosecutor.*

*When it is apparent that the property mentioned in the first paragraph is legitimate, then the decision of seizure shall not be taken and if a seizure decision has already been taken, it shall be nullified.*

*In case that the accused person has been convicted, the property pertaining to this case shall be confiscated.”*

Article 86 of the Turkish Code of Criminal Procedure provides that, *“Materials likely to be used as evidence in the investigation or that are subject to seizure are preserved separately from other materials or secured in any other way.*

*If these materials are in the possession of a person who refuses to relinquish them upon proper demand, they may be forcibly taken.”*

Article 87 of the Turkish Code of Criminal Procedure states that, *“Those in possession of such materials described in the preceding article shall be required to show or surrender the materials upon appropriate demand.”*

*In instances where such surrender is refused, the imprisonment provisions of Article 63 are applicable to the person in possession of such materials.*

*The provisions of this article shall not apply to persons who are granted to refrain from giving testimony.”*

Article 63 of the Turkish Code of Criminal Procedure reads as follows: *“A witness who refuses to testify or swear without a legal cause shall be sentenced to fine.*

*This witness may be imprisoned until the final verdict is given, but not more than six months in order to force him/her to testify or swear.*

*These measures cannot be reapplied in the same case.”*

Article 90 of the Turkish Code of Criminal Procedure reads as follows: *“The Judge shall have the power to authorize particular seizures. Nevertheless, in urgent cases, Public*

*Prosecutors and Police Officers assigned to discharge the orders of the Public Prosecutors may make seizures.*

*If a seizure is made without a decision of a judge and the person or an adult relative of that person is not present at the time or place of seizure, or if, being present, such person or adult relative of that person openly objects to the seizure, the official making the seizure is required to obtain the judicial confirmation of the seizure within three days following the seizure.*

*The possessor of the materials that have been the subject of seizure may apply to a judge at any time for a reviewing of the legality of the seizure."*

**Sub-paragraph 1 (d)**

**It is noted that Turkey has legal provisions for the disestablishment of bodies (including charitable, religious or cultural organizations) that provide funds and other assets for terrorist purposes. What preventive controls and surveillance measures to ensure that terrorist funding and assistance does not take place at all?**

Article 7, paragraph 4 of the Law on Fight Against Terrorism provides that, *"The activities of associations, foundations, trade unions... which are found to have lent support to terror movements will be prohibited and they will be dissolved by the decision of the concerned court. The assets of such organizations will be confiscated."*

Inspectors of the Ministry of Finance are authorized to carry out all kinds of investigations in order to ensure that such organizations do not provide funds and other assets to support illegal organizations. After having investigated the financial assets of one individual whose name was included in one of the lists issued by the Afghanistan Sanctions Committee, inspectors of the Ministry of Finance seized his assets that was worth 3 trillion Turkish Liras. This decision of seizure has been in the meantime endorsed by the concerned court.

**Sub-paragraph 2 (a)**

**What measures does Turkey have to prevent terrorists obtaining weapons within and outside its territory, in particular small arms or light weapons? Please outline the Turkish legislation concerning the acquisition and possession and import and export of such weapons?**

The relevant provisions of the articles of the Law No. 6136 on the Firearms, Knives and Other Similar Tools apply for the acquisition and possession and import and export of such weapons:

Article 12 – *"Whoever brings or tries to bring firearms and ammunition that fall in the scope of this Law to the country or acts as an intermediary to bring them to the country or produces them in a way contrary to the provisions of the Law No. 3763 on the Control of the Private Establishments that Produce War Weapons and Ammunition in Turkey and Law No. 5591 on the Foundation for Machinery and Chemistry Industry or transports those firearms or deliberately acts as an intermediary for transportation or sells or acts as an intermediary to sell or owns them shall be sentenced to heavy imprisonment for five to eight*



*years. Should two or more persons commit these crimes collectively, then they will be sentenced to heavy imprisonment for eight to twelve years. Those who establish, lead or are members of an organization to commit the crimes identified in the first paragraph shall be sentenced to heavy imprisonment for ten to fifteen years."*

Also heavy fines are foreseen in the article for the perpetrators and those fines may be aggravated by the judge depending on the quantity and nature of the firearms.

Article 13 - *"Those who purchase or carry or own firearms and their ammunition in a way contrary to the provisions of this Law shall be sentenced to imprisonment for one year to three years".* The penalty foreseen in this article may be aggravated depending on the quantity and nature of the firearms.

Article 14 - *"Whoever brings or tries to bring or acts as an intermediary to bring to the country or produces in the country or transports or acts as an intermediary for transportation knives and other similar weapons identified in Article 4 of this Law shall be sentenced to imprisonment for two to four years. In less serious conditions the sentence shall be decreased by fifty percent. Those who form or lead or are members of an organization to commit these crimes shall be sentenced to imprisonment for five to ten years. Without prejudice to the condition stated in paragraph 2, should two or more persons commit these crimes collectively, they shall be sentenced to imprisonment for four to seven years."* The penalty foreseen in this article may be aggravated depending on the quantity of the knives and other weapons.

Article 15 - *"Those who sell or act as intermediaries to sell or purchase or carry or own knives and other similar weapons in a way contrary to the provisions of Article 4 of the present Law shall be sentenced to imprisonment for six months to one year."* The penalty foreseen in this article may be aggravated depending on the quantity of the knives and other weapons.

### **Sub-paragraph 2 (b)**

**1. Does Turkey have a body that specializes in counter-terrorism, or is that the responsibility of a number of departments or agencies? In the latter case, how is the coordination between the various entities effected?**

Government authorities that deal with counter-terrorism in Turkey are as follows:

1. Directorate General of Security (Turkish National Police), Ministry of Interior
2. Gendarmerie General Command, Ministry of Interior
3. Coast Guard Command, Ministry of Interior
4. National Intelligence Agency, Prime Ministry

The first three organizations report to the Minister of Interior, whereby The National Intelligence Agency reports directly to the Prime Minister.

There are three main departments in the Directorate General of Security that deal with counter-terrorism: Department of Counter-Terrorism and Operations, Department of Intelligence, Department of Special Forces.

With respect to the judiciary, terrorist offences are tried in specialized State Security Courts.

Each and every counter-terrorism body acts in the sphere of its specialization and responsibility as determined by Law and there is an efficient flow of information and coordination between these organizations. The intelligence departments of these organizations meet in periodical meetings held for assessment and coordination purposes.

**2. Does each agency define its strategy independently or does it carry out measures that have been established at a higher level? Who determines that policy and, if applicable, the distribution of tasks among agencies?**

Turkish counter-terrorism policy and basic principles of this strategy is determined by the Government. It is incumbent upon each and every counter-terrorism organization to operate within the framework of these principles.

The distribution of tasks among counter-terrorism authorities is determined by the founding legislation of these organizations. For example, the main responsibility of the National Intelligence Agency is to submit the intelligence it has obtained to the discretion of relevant law enforcement authorities. While police forces operate in urban settlements, gendarmerie forces can only operate in rural areas.

**3. Is there any mechanism to provide early warning to other countries on terrorist acts that could be committed in the countries concerned?**

Information relating to transnational terrorist acts and intelligence concerning the threat posed by terrorist organizations, individuals and groups are systematically transmitted to the relevant law enforcement bodies of the concerned countries by the Interpol National Central Bureau (NCB). Countries have direct access to the database of the Interpol General Secretariat, in particular with regard to the forged ID documents that are used or planned to be used in terrorist acts. Therefore, Interpol NCB is one of the most significant information source for the law enforcement bodies of the concerned countries. Interpol NCB also provides information about possible future terrorist attacks in order to enable the concerned countries take preventive measures.

“Additional Protocol to the Agreement Among the Black Sea Economic Cooperation Participating States on Cooperation in Combating Crime, in Particular in its Organized Forms” concerning the establishment of a network of liaison officers has been signed in Kyiv on March 15, 2002. Along with the entry into force of this Additional Protocol, member states of the Black Sea Economic Cooperation will have the opportunity to exchange information on criminal and terrorist acts through their liaison officers.

On the other hand, Turkish security authorities closely cooperate with neighbouring countries on a bilateral basis.

The National Intelligence Agency also provides early warning on the basis of its bilateral and multilateral relations with the agencies of other countries.

**Sub-paragraph 2 (d)**

**Does LFAT apply to terrorist acts committed outside Turkey and to acts not of a specifically terrorist nature carried out in Turkey in aid of terrorist acts committed elsewhere?**

Any foreign terrorist may be subject to prosecution or trial according to the provisions of the below mentioned laws.

According to the definition provided by Article 3 of the LFAT, *"the crimes enumerated in the Articles 125, 131, 146, 148, 149, 156, 168, 171 and 172 of the Turkish Penal Code are terrorist crimes."*

Article 4 of the Turkish Penal Code (TPC) reads, *"If a Turkish national or a foreigner commits a felony against the security of the Turkish state or commits any of the offences in Articles 316, 317, 318, 319, 320, 323 and 324 of Chapter One, Part Six and Articles 332 and 333 of Chapter Two, Part Six (all relating to counterfeiting), he or she shall be prosecuted and punished by penalties prescribed in these articles."*

**Sub-paragraph 2 (e)**

**What is the competence of the courts of Turkey to deal with criminal acts of each of the following kinds:**

- **an act committed outside Turkey by a person who is a citizen of or habitually resident in Turkey (whether that person is currently present in Turkey or not)**
- **an act committed outside Turkey by a foreign national who is currently in Turkey**

Turkish courts have the competence to deal with criminal acts that are committed outside Turkey by Turkish nationals. In such cases, Articles 4 and 5 of the Turkish Penal Code applies.

Article 4 of the Turkish Penal Code reads, *"If a Turkish national or a foreigner commits a felony against the security of the Turkish State or any of the offences in Articles 316, 317, 318, 319, 320, 323 and 324 of Chapter One, Part Six and Articles 332 and 333 of Chapter Two, Part Six, he or she shall be prosecuted and punished by penalties prescribed in these articles."*

*Such offenders, even if previously convicted in foreign countries, shall be retried in Turkey upon the request of the Minister of Justice, except in case of counterfeiting currency.*

*Whoever commits a felony during and in connection with the performance of a civil service or a mission on behalf of Turkey in a foreign country, shall be prosecuted in Turkey."*

Article 5 of the Turkish Penal Code, *"If a Turkish national commits in a foreign country a felony apart from those mentioned in Article 4 requiring a freedom-restricting penalty for a period not less than 3 years under Turkish Law, he or she shall be punished according to Turkish Law, if he or she is currently in Turkey."*

*If this felony requires a freedom-restricting penalty for a period less than 3 years, then the prosecution process may only be initiated upon the complaint of the injured party or the foreign government.*

*If the injured party is a foreigner, the act must require a punishment according to the legislation of the country where it was committed."*

In cases where an act is committed outside Turkey by a foreign national who is currently in Turkey, provisions of Article 6 of the Turkish Penal Code apply:

*"If a foreigner commits in a foreign country a felony apart from those mentioned in Article 4 requiring a freedom-restricting penalty for a period not less than one year under Turkish Law against Turkey or a Turkish national, he or she shall be punished according to Turkish Law, if he or she is currently in Turkey.*

*However, a public prosecution may only be initiated upon the request of the Minister of Justice or the complaint of the injured party.*

*If the felony is committed against a foreigner, the offender shall be punished upon the request of the Minister of Justice provided that the following conditions exist:*

1. *The act must constitute an offence punishable by a freedom-restricting penalty for a period not less than three years under Turkish Law.*
2. *Absence of an extradition treaty or rejection of extradition by the state in the territory of which the offence was committed or the state of which the offender is a national.*

*If a Turkish or a foreign national commits in a foreign country the offences prescribed in Chapter Three, Part Eight of the Turkish Penal Code, a public prosecution shall be spontaneously initiated and the offender shall be punished by the penalties foreseen in the Articles of that chapter.*

**Sub-paragraph 3 (c)**

**Please list the countries with which Turkey has relevant bilateral agreements**

The list of the countries with which Turkey has relevant bilateral agreements is attached hereto as Annex 1.

**Sub-paragraph 3 (d)**

**The CTC would welcome a report in relation to the relevant international conventions and protocols relating to terrorism on the progress made by Turkey in:**

- **becoming a party to the instruments to which it is not yet a party**
- **enacting legislation and making other necessary arrangements to implement the instruments to which it has become a party**

Turkey has ratified the “**International Convention for the Suppression of Terrorist Bombings**” and the “**International Convention for the Suppression of the Financing of Terrorism**” since the submission of the report on measures taken by Turkey against terrorism to the Counter-Terrorism Committee. In doing so, Turkey has ratified all the United Nations conventions on combating terrorism and fulfilled its obligations under UNSC Resolution 1373.

According to Article 90 of the Turkish Constitution, properly ratified agreements are incorporated to the Turkish domestic legislation and have the force of law in the domestic legal order.

#### **Sub-paragraph 3 (e)**

**Have the crimes mentioned in the relevant international conventions been included as extraditable offences in the bilateral treaties to which Turkey is party?**

The crimes that require a freedom-restricting penalty for at least one year according to the legislation of the parties are prescribed as extraditable offences in the bilateral treaties to which Turkey is party. In other words, the bilateral treaties to which Turkey is party neither enumerate nor specify the extraditable offences, but prescribe all the crimes that require the above mentioned penalty as extraditable offences regardless of their nature. The criteria for extradition is not the type of the crime, but the penalty imposed. Therefore, the crimes mentioned in the relevant international conventions may be subject to extradition in accordance with the bilateral treaties to which Turkey is party.

On the other hand, to overcome difficulties faced with European countries in matters pertaining to the extradition of persons searched by court warrants, Turkey has decided to refer to UNSCR 1373 in its extradition demands to strengthen its position.

#### **Paragraph 4**

**Has Turkey addressed any of the concerns expressed in paragraph 4 of the Resolution?**

Turkey shares the concerns underlined in paragraph 4 of the UNSC Resolution 1373. In fact its years long experience and struggle against terrorism has demonstrated the link between organized crime and terror. Turkey has always advocated that an efficient struggle against terror can only be achieved in a comprehensive manner which also takes into account this link.

Turkey has always stressed the concerns expressed in paragraph 4 of the Resolution on various occasions such as the meetings and conferences of international organizations and bilateral discussions and called for international cooperation and coordination of efforts on all levels in order to combat terrorism and organized crime and overcome this scourge.

Other matters:

Could Turkey please provide an organizational chart of its administrative machinery such as police, immigration control, customs, taxation and financial supervision authorities established to give practical effect to the laws, regulations and other documents that are seen as contributing to compliance with the Resolution.

A chart is attached hereto as Annex 2.

## Annex I

COUNTRY	AGREEMENT	PROTOKOL	MUTUAL UNDERSTANDING	AGREED MINUTES	JOINT DECLARATION OF MEMORANDUM	TOTAL
USA	3	1				5
GERMANY	4					12
ARGENTINA						1
ALBANIA		2		8		10
AUSTRIA	1					4
AZERBAIJAN	1	2		8		8
BELARUS	2	1				4
BELGIUM						1
BOSNIA AND HERZEGOVINA	2					3
BULGARIA	3	2	2	7		14
ALGERIA			1	2		3
CZECH REPUBLIC	1			1		3
CHINA	1					2
DENMARK	1		1			1
ETHIOPIA	1					1
MOROCCO				1		1
PALESTINE				2		2
FINLAND	1	1				3
FRANCE				1	1	2
GEORGIA	1			1		3
INDIA	1			1		2
CROATIA	2			4		6
HOLLAND						1
UNITED KINGDOM			1			1
IRAQ		2				2
IRAN	2	1	14	18		35
IRELAND				1		1
SPAIN	1					1
ISRAEL	1			1	1	3
ISRAEL				4	1	7
ITALY	1					1
CANADA						1
TURKISH REP. OF N. CYPRUS	2	1		3		6
KAZAKHSTAN		1		4	1	6
KYRGYZSTAN	2			1	1	4
KUWAIT		1		2		3
CUBA	1					1
LATVIA	2			4		6
LITHUANIA	1	1		1		3
HUNGARY	2	2		6		10
MALTA	1					1
MACEDONIA	1	1		3		5
EGYPT	1	1	1	1		4
MONGOLIA	1					1
MOLDOVA	2		1			3
NORWAY				1		1
UZBEKISTAN	2	3			1	6
PERU	1					1
POLAND	1		1			2
ROMANIA	2	2	2	5	1	12
RUSSIA	4	2	2	5		13
SLOVAKIA	1			4		5
SUDAN		1	1	1		3
SYRIA		2	1	13		16
SAUDI ARABIA		1	1	2		4
TUNISIA		1		2		3
TURKMENISTAN		2				2
UKRAINE	1	4				5
JORDAN	1		1	1	1	4
YUGOSLAVIA		1		1		2
GREECE	1					1
AUSTRIA-BULGARIA- FRANCE-W.GERMANY- ITALY-SWITZERLAND- UNITED KINGDOM-GREECE				1		1
BOSNIA AND HERZEGOVINA AND CROATIA	2	1				3
BLACK SEA ECONOMIC COOPERATION (WITH 10 COUNTRIES)	1				2	3
ROMANIA-BULGARIA	1			1		2
INTERNATIONAL CENTER OF BUILD UP POLICY OF MIGRATION	1					1
<b>TOTAL</b>	<b>66</b>	<b>41</b>	<b>41</b>	<b>130</b>	<b>10</b>	<b>289</b>

Annex 2

