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Mr Baran's cases

Reply to Written question: Written question No. 664 (Doc. 13591)
Committee of Ministers

1. During the examination of the question raised by the Honourable Parliamentarian to the Committee of Ministers, the delegations of the Netherlands and Turkey underlined that the case of Mr Baran constitutes no exception to the fruitful legal co-operation between the two countries. In addition, they informed the Committee of the following:
2. Mr Baran was convicted in absentia in the Netherlands for, among other crimes, human trafficking, assault and participation in a criminal organisation. He was sentenced to a prison term of 7 years and 9 months. This verdict became final on 11 September 2012. In addition, a financial criminal investigation is being conducted in respect of Mr Baran, in the framework of which Turkey was requested to seize Mr Baran's properties.
3. In accordance with its own constitutional requirements, and in line with the European Convention on Extradition, Turkey does not extradite its own citizens. Therefore, as the two countries are Parties to the European Convention on the International Validity of Criminal Judgments, in April 2013, the Dutch authorities extended a formal request to the Turkish authorities to transfer the execution of the sentence to Turkey. Upon this request, the file was transmitted to the Büyükçekmece Public Prosecution Office in Turkey which filed a case before the Bakırköy High Criminal Court for the execution of the prison sentence of Mr Baran. A hearing on the case took place on 15 October 2014, during which the case was postponed until 24 December 2014 at the request of Mr Baran's legal representative.
4. In addition, two separate judicial proceedings are pending against Mr Baran in Turkey. The third High Criminal Court in Antalya sentenced Mr Baran to an imprisonment of 2 years and 6 months for "intentionally causing bodily injury to a person". The fifth Criminal Court of First Instance in Antalya sentenced him to an imprisonment of 2 years and 1 month and a fine of 20.000 Turkish Lira for "money laundering". Both judgments have been appealed by Mr Baran and are pending before the Court of Cassation of Turkey.

