



*Il Rappresentante Permanente d'Italia
presso le Organizzazioni Internazionali*

Geneva

Geneva, 6 FEB. 2014

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Dear Special Rapporteurs,

With reference to your joint urgent appeal dated 17 December 2013 and my letter dated 30 December 2013, I have the honor to send you hereby attached a Note of the Italian Ministry of Foreign Affairs with further details on the case of Mr. Bahar Kimyongür.

Furthermore, I would like to inform you that the Turkish Authorities submitted the request for the extradition to the Italian Authorities on 30th December 2013.

Assuring you of Italy's full cooperation on this issue, please accept the assurances of my highest consideration,

Yours sincerely,

Mr. Mads Andenas - Chair-Rapporteur of the Working Group on Arbitrary Detention
Mr. Frank La Rue - Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression
Mr. Juan E. Méndez - Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment
OHCHR
Palais des Nations
Ch-1211 Geneva 10

OHCHR REGISTRY

10 FEB 2014

Recipients: *SPB*
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ITALY



MINISTRY OF FOREIGN AFFAIRS
Interministerial Committee for Human Rights

Following your query, dated December 20, 2013, Italy is in a position to provide the following information:

Mr. Bahar Kimyongür, born in Belgium, on 28.04.1974, appears to have been charged in Belgium, in 2006, for affiliation to a terrorist organization. He was later acquitted in 2009.

More recently, in June 2013, he was apprehended in Spain, upon request by the Turkish authorities and released on bail on June 22.

On November 21, 2013, the said gentleman was arrested at the airport of Orio al Serio (BG), by the personnel of the Police headquarters in Bergamo and the local border police, in execution of an international arrest warrant – as inserted into the Inter-Forces Database on 27/04/2006. The above order has been issued by the Turkish authorities for the purpose of his extradition for the offense of participation in a terrorist organization.

The relevance of this measure, on the above occasion, was confirmed by the competent Police Service for International Cooperation of the Central Directorate of the Criminal Police of Italy.

Pending the definition of the extradition procedure, on December 2, 2013, the Second Chamber of the Court of Appeal of Brescia has issued an order to replace the pre-trial detention with the obligation of residence (Arts. 299 and 283 of the Italian Criminal Procedure Code), to be executed in Marina di Massa (MS), for the crime of association with the aim of international terrorism or subversion of the democratic order (Article 270bis of the Italian Criminal Code).

In conclusion, Italian Authorities take this opportunity to reiterate their willingness to continue cooperating fully, with all UN special procedures.