

## Renunciation of Turkish Citizenship

By Arın Gül Yeniaras

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Holding a citizenship comes with certain advantages as well as financial, administrative and tax-related burdens. Many Turkish citizens living abroad who hold another country's passport preferred to renounce their Turkish citizenship due to the predicaments and costs of complying with two different governments' formal requirements. The military service requirements are also a key determinant in the process.

The Turkish Citizenship Law regulates the acquisition and loss of citizenship, according to which *loss of Turkish citizenship by the decision of the competent authority shall happen by renunciation, revocation and cancellation of the citizenship* (art.24).

The following provisions of the Law provide that:

*“Persons who request permission to renounce Turkish citizenship shall be given renunciation permit or renunciation document by the Ministry, provided that they fulfill the following conditions;*

*a. They shall be of the age of consent and have the legally required mental capacity.*

*b. Must have acquired the citizenship of a foreign State or have convincing evidence that show that the person is likely to acquire the citizenship of a foreign State.*

*c. Shall not be a person searched as a perpetrator of a crime or as a draft evader.*

*d. Shall not have any financial or penal limitation.*

The applicants are allowed to make their renunciation application in person or through their authorized representatives. The power of attorneys shall bear an apostille annotation if the country of issuance is a signatory state to the *Apostille Convention* or shall be duly certified by the competent authority in other cases. The attorney must be specifically granted the authority to make such application.

The age of consent under Turkish Law is eighteen and the passport as well as other written proof of citizenship are among the supporting documents for the application. The rule aims to prevent people to be stateless. In other words, renunciation of Turkish citizenship is only allowed for those who hold another

country's passport.

For male applicants, the most complicated situation is the military service obligation. The process stops in the event male applicants fail to present written evidence that they did not already complete their military service OR did not receive an official extension for the same. It resumes with the presentation of the documents.

The Law provides a privilege for a certain group of people. In the event a person who acquired Turkish citizenship by birth voluntarily renounces the citizenship, he/she does not lose in general the civil rights held by Turkish citizens. They have the right to travel to Turkey without a visa, to buy real property without nationality-related limitations, to open bank accounts, to engage in business in Turkey etc. The vested social security rights also remain untouched. However, renunciation of Turkish citizenship results in the loss of a specific class of rights including the right to vote and be elected, the right to be employed in public services, as well as the right to import household items and vehicles with tax exemption. The military duty is extinguished upon renunciation of citizenship as well.

The renunciation of citizenship is a sensitive administrative process that requires the utmost level of attention as one must interact with several governmental departments. Although professional assistance is highly recommended we find it useful to summarize the practical steps of a standard application.

- (1) The applicant or his/her attorney submits a petition and all the related documents to the Ministry of Internal Affairs,
- (2) Ministry of Internal Affairs will make a general research (on the mentioned criteria such as, male applicant's military service, applicant's civil registration/criminal record etc.),
- (3) If the applicant qualifies for renunciation the Ministry issues the certificate of renunciation.
- (4) The citizenship is deemed to be renounced upon delivery of the official certificate to the applicant.
- (5) The city governorship or the Ministry formally requests the local demographics office to update their records in accordance with the renunciation decision.

We advise our clients at every step of the renunciation process from the research stage to the registration thereof with the governmental agencies.