

Immigration and Refugee Board of Canada

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Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment, please email the [Knowledge and Information Management Unit](#).

30 January 2017

TUR105749.E

Turkey: Information on the 2014 law on military service, including possibilities for exemption by paying a fee; implementation of the law (2014-September 2016)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

This Response to Information Request replaces TUR105615 of 28 October 2016.

1. Military Exemption Law of 2014

Turkish media sources report that the Turkish government passed a law in December 2014 allowing men to pay a fee of 18,000 Turkish lira (TRY) [C\$7,736] to be exempt from compulsory military service (*Hürriyet Daily News* 3 Dec. 2014; *Daily Sabah* 15 Dec. 2014; Cihan News Agency 12 Dec. 2014). Two media sources indicate that the Parliament passed the law on 10 December 2014 (ibid.; *Al Monitor* 10 Dec. 2014), while one stated that it was on 3 December 2014 (*Daily Sabah* 15 Dec. 2014). According to sources, the law allowed men aged 27 and older [in December 2014] to apply for the exemption (ibid.; Cihan News Agency 12 Dec. 2014; *Al Monitor* 10 Dec. 2014). In correspondence with the Research Directorate, a representative of the Association for Conscientious Objection (Vicdani Ret Dernegi, VR-DER), an Istanbul-based organization founded in 2013 that campaigns for conscientious objection in Turkey, similarly indicated that the law was for people born before 1988 (VR-DER 6 Oct. 2016).

Sources state that the average Turk cannot afford to pay the fee for military exemption, and only wealthy people can afford it (ibid.; Cihan News Agency 12 Dec. 2014). According to Cihan News Agency, a Turkish media source, the buyout program is often aimed at the group of men who postponed military service to attend university (ibid.). The VR-DER representative noted that the fee for exemption, which is around US\$9,000, was nearly the annual income of the average Turk (VR-DER 6 Oct. 2016). The World Bank similarly indicates that Turkey's gross national income (GNI) per capita was US\$9,950 in 2015 (World Bank n.d.). According to the VR-DER representative, state banks offered "military exemption loans" targeting the middle class (VR-DER 6 Oct. 2016). *Al Monitor* similarly states that banks began offering 36-month credit lines for 18,000 TRY following the introduction of the law (10 Dec. 2014).

Media sources report that the Turkish military opposed the military exemption law, claiming that it would lead to a shortage in manpower (Cihan News Agency 12 Dec. 2014; *Hürriyet Daily News* 3 Dec. 2014), and cause tensions with poorer conscripts unable to afford the exemption fees (ibid.). Cihan News Agency reports that, according to an opinion poll of the Turkish population conducted by the group Argetus, 36 percent of those polled disapprove of paid military exemption (Cihan News Agency 12 Dec. 2014). The VR-DER representative also stated that the law was "highly criticized by society because it was discriminatory against the poor" (VR-DER 6 Oct. 2016).

2. Implementation of the 2014 Law

In correspondence with the Research Directorate, an official at the Embassy of Turkey in Ottawa stated that this law was "fully implemented," and that all Turkish citizens who met the requirements of the law were able to benefit from the legislation (Turkey 24 Oct. 2016). Sources indicate that the deadline to apply for paid military exemption was 13 February 2015 (*Daily Sabah* 15 Dec. 2014; Turkey 24 Oct. 2016; VR-DER 6 Oct. 2016), allowing people approximately 2 months to apply (*ibid.*; Turkey 24 Oct. 2016). Two sources report that, according to the Turkish Prime Minister, 203,824 people paid the exemption fee to opt out of compulsory military service under this 2014 law (*ibid.*; Cihan News Agency 20 Feb. 2015). Similarly, Trend News Agency (Trend), an Azerbaijani news agency, cites the Turkish Ministry of Defense as stating that, as of 18 February 2015, more than 200,000 people had applied for paid military exemption (Trend 18 Feb. 2015).

Media sources indicate that authorities planned to use the money raised from the military exemption fees for procuring arms (Cihan News Agency 12 Dec. 2014) or modernizing the Turkish Armed Forces (*Hürriyet Daily News* 3 Dec. 2014). In February 2015, sources reported that Turkey raised 3.6 billion TRY [C\$1.54 billion] (Cihan News Agency 20 Feb. 2015) or 3.7 billion TRY [C\$1.59 billion] (*Jane's Defence Weekly* 25 Feb. 2015) from the 2014 military service exemption fees (*ibid.*; Cihan News Agency 20 Feb. 2015).

3. Past Implementation of Military Exemption Laws

Sources report that there were four other times when Turkey implemented similar laws allowing men to pay a fee to be exempt from military conscription (Cihan News Agency 12 Dec. 2014; Al Monitor 10 Dec. 2014; *Daily Sabah* 15 Dec. 2014): 1987, 1992, 1999, and 2011 (*ibid.*; VR-DER 6 Oct. 2016). According to media sources, approximately 193,000 people benefitted from these other military exemption laws in total (*Daily Sabah* 15 Dec. 2014; Cihan News Agency 20 Feb. 2015). Turkish newspaper *Hürriyet Daily News* indicates that in 2011, the military exemption fee was 30,000 TRY and people over the age of 30 qualified (*Hürriyet Daily News* 3 Dec. 2014). The same source indicates that 66,000 people applied during that year (*ibid.*).

The VR-DER representative stated that military exemption laws are only implemented for a few months and it is unknown when they will next be implemented (VR-DER 6 Oct. 2016). The Representative explained that military exemption laws are dependent on societal pressures, the government's need for money, and the situation between the army and the PKK [Kurdistan Worker's Party] (*ibid.*). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

4. Military Exemption for Expatriates

Daily Sabah, an Istanbul-based newspaper, reports that in January 2016, Turkey introduced a law allowing Turkish citizens that are at least 38 years old and who are living abroad to be exempt from compulsory military service for a fee of 1,000 euros (EUR) [C\$1,467], which was lowered from 6,000 EUR [C\$8,789] (*Daily Sabah* 26 Jan. 2016). According to the Istanbul-based media source Turkish Square, Turkey's Consulate General in New York issued a statement indicating that the law applies to Turkish citizens over 38 years old and with a "residence or working permit for at least three years or who have worked for at least three consecutive years outside of Turkey" (Turkish Square 11 Feb. 2016). *Daily Sabah* likewise states that the law applies to people who have been living outside Turkey for at least three years or have worked for at least three consecutive years outside Turkey (26 Jan. 2016). According to Turkish Square, people can apply for this exemption at Turkish consulates abroad or at military recruitment offices in Turkey until 31 December 2017 (11 Feb. 2016).

The Official at the Turkish embassy stated that the legislation governing the military service exemption of Turks living abroad is the "Law on the Amendments to the Military Law," which was adopted on 14 January 2016, and is valid from 27 January 2016 to 31 December 2017 (Turkey 24 Oct. 2016). The same source stated that the purpose of the legislation is to allow Turkish citizens who are permanent residents or have work permits abroad the right to be exempt from compulsory military service for a reduced fee (*ibid.*). The Official indicated that the person must meet the following requirements:

- Applicant must not be older than 38 years old,
- Applicant must transfer the amount of 1000 Euro or equivalent amount in other currencies mentioned in the law to the official bank accounts,
- The said amount must be deposited in a single transfer,
- Applicant must prove that he is a legal resident in a foreign country (permanent resident, employee or employer)
- Applicant must prove that he had this status for a total of 1095 days in the country where he applied to the Turkish Diplomatic Mission. (*ibid.*)

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: European Bureau for Conscientious Objectors; International Fellowship of Reconciliation; Professor of Politics, Acadia University.

Internet sites, including: Amnesty International; ecoi.net; European Bureau for Conscientious Objectors; Factiva; Freedom House; Human Rights Watch; International Fellowship of Reconciliation; Jamestown Foundation; Radio Free Europe/Radio Liberty; Small Arms Survey; Turkey – Consulate in New York, Embassy in Ottawa; *Turkey Analyst*; UN – Refworld; US – Department of State; War Resisters' International.

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