

Immigration and Refugee Board of Canada

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> Responses to Information Requests

Responses to Information Requests

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25 February 2014

TUR104802.FE

Turkey: requirements and procedure to obtain Turkish citizenship for a Syrian citizen whose father was born in Mardin, Turkey, prior to 1927, but moved to Syria around 1935
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Right to Citizenship for a Person Whose Father Is Turkish

According to Turkish citizenship law, Turkish citizenship is "automatically acquired" by a person born to a Turkish father or mother regardless of the person's place of birth (Turkey 2009, Art. 6, 7). However, in a telephone interview with the Research Directorate, an official at the Embassy of Turkey in Ottawa stated that, in order to claim Turkish citizenship, a person must provide proof that one of their parents was a Turkish citizen (ibid. 18 Feb. 2014). According to the official, it could be difficult to provide proof of citizenship if the person does not have an identification number (ibid.). He added that, in order to prove a right to citizenship, a person must be [translation] "registered in the system" or have original Turkish or Ottoman documents, such as an identification card, a title to property, or military service documents (ibid.).

2. Father's Right to Citizenship

In correspondence with the Research Directorate, an official at the Embassy of Canada in Ankara stated that a man who was born in Mardin, Turkey, prior to 1927 and who moved to Syria around 1935 would have been considered a Turkish citizen, unless he had renounced his Turkish citizenship (Canada 18 Feb. 2014). In correspondence with the Research Directorate, a Turkish lawyer specializing in citizenship and refugee issues, who also worked as legal counsel at the UN High Commissioner for Refugees, also states that the man would be considered a Turkish citizen provided that one of his parents was Turkish (Lawyer 18 Feb. 2014).

However, the official at the Embassy of Turkey stated that there is [translation] "no guaranty" that someone who was born in Mardin, Turkey, prior to 1927 and moved to Syria around 1935 would be entitled to Turkish citizenship (Turkey 18 Feb. 2014). According to the official, [translation] "the place of birth does not automatically provide a right to citizenship" and, therefore, the person in question [in this case, the father] would need to provide evidence that his father or mother was a Turkish citizen (ibid.).

2.1 Archives

According to the lawyer, [translation] "Turkey has a very good birth registration system, even going back to the time of the Ottoman Empire" (Lawyer 18 Feb. 2014). The official at the Embassy of Canada is of the opinion that the authorities should still have archived documents for a person who left Turkey in the 1930s (Canada 18 Feb. 2014). In correspondence with the Research Directorate, an assistant professor at the Department of Political Science and International Relations at Bogazici University in Istanbul, who has studied issues related to dual citizenship, also said that the authorities should still have such files in their possession, but that since the archives from [translation] "the old system" were not computerized, there could have been omissions in the process of scanning documents (Assistant Professor 18 Feb. 2014). The official at the Embassy of Turkey also stated that if a person is not registered in the system, [translation] "extensive research in the archives would be necessary" (Turkey 18 Feb. 2014). The official did not specify whether the authorities automatically proceed to such a search when they see that a person is not registered in the system (ibid.).

The official at the Embassy of Turkey also said that the Turkish authorities might not have files on a person who left Turkey in the 1930s, because there were many migrations between countries during that period as a result of the collapse of the Ottoman Empire (ibid.). He also noted that variations in names could have resulted from the transition from Arabic writing to the Latin alphabet (ibid.).

2.2 Possibility that the Father Lost Turkish Citizenship

According to the lawyer, the Council of Ministers could revoke a man's Turkish citizenship if, after leaving the country, he did not return to Turkey to complete his compulsory military service or he acquired foreign citizenship without being granted permission to renounce his Turkish citizenship (Lawyer 18 Feb. 2014). Similarly, the Associate Professor explained that citizenship could be revoked if a person did not appear before the authorities after being summoned, for example, to perform military service (Associate Professor 18 Feb. 2014).

3. Procedure for Filing a Citizenship Application

The official at the Embassy of Canada in Ankara said that a citizenship application can be made at a Turkish consulate in the country where the person resides (Canada 18 Feb. 2014). Similarly, the Assistant Professor mentioned that the parents of a child born outside Turkey usually apply for citizenship at a Turkish embassy after the birth of the child; however, she could not provide information about the procedure to follow in the case of an adult (Assistant Professor 18 Feb. 2014).

According to the official at the Embassy of Canada, it takes approximately 60 days to process an application (Canada 18 Feb. 2014). However, the Assistant Professor said that the established deadlines are not strictly adhered to and that reviewing an application takes about a year (18 Feb. 2014). For his part, the lawyer indicated that assessing applications takes over a year (Lawyer 18 Feb. 2014).

Sources indicate that citizenship issues are handled by the General Directorate of Population and Citizenship Affairs (Assistant Professor 18 Feb. 2014; Canada 18 Feb. 2014; Lawyer 18 Feb. 2014). This directorate is part of the Ministry of the Interior (Canada 18 Feb. 2014; Lawyer 18 Feb. 2014). However, the official at the Embassy of Turkey said that the final decision on an application for citizenship as described in this Response would be made by the Council of Ministers (Turkey 18 Feb. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

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.

References

Assistant Professor, Department of Political Science and International Relations, Bogazici University, Istanbul. February 18, 2014. Correspondence with the Research Directorate.

Canada. February 18, 2014. Embassy of Canada in Ankara. Correspondence from an official to the Research Directorate.

Lawyer. February 18, 2014. Correspondence with the Research Directorate.

Turkey. February 18, 2014. Embassy of Turkey in Ottawa. Telephone interview with an official.

_____. 2009. *Turkish Citizenship Law*. <[http://eudo-citizenship.eu/NationalDB/docs/TUR%20Turkish%20citizenship%20law%202009%20\(English\).pdf](http://eudo-citizenship.eu/NationalDB/docs/TUR%20Turkish%20citizenship%20law%202009%20(English).pdf)> [Accessed 20 Feb. 2014]

Additional Sources Consulted

Oral sources: The following individuals were unable to provide information for this Response: lawyer specializing in Turkish citizenship issues; professor specializing in studies on Turkish citizenship, Open University, United Kingdom; professor of Turkish studies, Sabanci University, Turkey; professor of international relations, Bilkent University, Turkey. Attempts to contact the following individuals were unsuccessful: seven lawyers specializing in citizenship issues in Turkey; professor specializing in Turkish citizenship, Sabanci University, Turkey.

Internet sites, including: Country Studies; EUDO Citizenship Observatory; International Commission on Civil Status; *Hürriyet*; Migreurop; MyMerhaba; *Le Petit Journal*; United States – Embassy in Ankara.

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