

GRANTING TURKISH CITIZENSHIP



The Republic of Turkey is a transcontinental country with majority of its territories located in Asia and a smaller portion thereof located in Europe. Turkey is bordered by neighbouring countries Greece, Bulgaria, Georgia, Iran, Armenia, Azerbaijan, Iraq and Syria and is surrounded by the Black Sea on the north, Mediterranean Sea on the south and the Aegean Sea on the west. Turkey is a member of many international organizations such as the United Nations, G-20, OECD, the Organization of Islamic Coordination, the Economic Cooperation Organization, the Organization for Security and Cooperation in Europe, Black Sea Economic Cooperation, D-8, and NATO. Turkey also continues to progress in its efforts to meet the requirements for becoming a member state of the European Union. Several legal regulations and amendments have been introduced to achieve this purpose. Turkey has also been more actively implementing the requirements of the European Convention on Human Rights and many international agreements regulating the Rights of Children, Workers and Women. To this end, in order to improve communication with individuals, Turkey has provided support to non-governmental organizations and established modern institutions such as the Ombudsman Institution.

The population of Turkey is 80.8 million as of December 31, 2017. Individuals from many different religions practiced across the world have been living together in this country for centuries.

As Akbal Law Firm, we provide legal consultancy services to individuals from different countries who would like to become a Turkish citizen. Within the scope of our legal consultancy services, we both provide guidance regarding the applications necessary for their real estate purchases, and follow up and finalize the application processes before the official authorities.

Akbal Law Firm is based in Istanbul, Turkey and provides its services through its team consisting of sufficient number of attorneys and associate attorneys. Attorneys who are the founding partners of Akbal Law Firm worked at Hergüner Bilgen Özeke Law Firm in Istanbul for more than ten years before opening up Akbal Law Firm where they now continue their professional activities.

HOW TO BECOME A TURKISH CITIZEN



Pursuant to the Turkish Citizenship Law, methods of acquisition of Turkish citizenship are divided into two main categories i.e. either by birth or at a later stage:

Citizenship acquired by birth:

1. Turkish Citizenship Acquired on the Basis of Lineage: Children born to a Turkish citizen mother and/or Turkish citizen father acquire Turkish citizenship by birth.

2. Place of birth: Children who were born in Turkey but have not acquired citizenship of any country by birth due to their foreign mother and father, and children who were born in Turkey and whose mother and father could not be identified, acquire Turkish citizenship by birth.

Citizenship Acquired at a Later Stage:

1. Acquisition of Turkish Citizenship through the General Procedure (by Decision of Competent Authority)

The conditions of the general procedure for acquiring Turkish citizenship are enlisted under the Turkish Citizenship Law. Whether these conditions are fulfilled or not is decided by the Citizenship Application Commission. These conditions are as follows:

- To be residing in Turkey for a continuous (uninterrupted) period of five years counted retrospectively from the date of citizenship application
- To be of legal age and have mental competence
- To be able to speak a sufficient level of Turkish enabling the individual to express himself and to understand what is said to him
- To have the desire to settle down in Turkey and to demonstrate this decision with their acts and behaviour
- Not to have any disease constituting a threat
- To have income or a profession sufficient to provide for himself and for his dependents
- Not to have any quality constituting an obstacle in respect of national security and public policy
- To have good moral values within the meaning perceived by the Turkish society

2. Exceptional Circumstances for Acquisition of Turkish Citizenship

- Foreigners Holding Turquoise Card

Foreigners who have the necessary educational background and professional experience, have made contributions to science and technology, and whose activities have made an impact on the national economy and employment will be granted Turquoise Card upon approval of their application in accordance with the principles and procedures set forth by the Ministry and the proposal of the Advisory Board of International Labour Force Policy. There is a transitional period of three years for being able to obtain Turquoise Card during which period a scoring system applies. Foreigners who submit their reports on a regular basis and maintain and increase their scores during the first three years will be issued a Turquoise Card that is valid indefinitely, and can apply for Turkish citizenship two years thereafter. Spouses and dependent children of Turquoise Card holders are each issued a certificate which substitutes a residence permit and shows that they are relatives of the Turquoise Card holder.

- Individuals Regarded as Migrants

The citizenship file of the individuals regarded as migrants is prepared by the Provincial Directorate of Public Works and Settlement and is submitted to the Ministry. The citizenship files of the foreigners sent to the Ministry for acquisition of Turkish citizenship are examined and a proposal is made to the Council of Ministers for the relevant foreigner's acquisition of Turkish citizenship. These individuals can acquire Turkish citizenship upon the resolution of the Council of Ministers.

- Those who can file an Application for Exceptionally Acquiring Turkish Citizenship pursuant to the Amendment to the Regulation on Implementation of the Turkish Citizenship Law dated 18.09.2018:

- Foreigners who have made a fixed capital investment of **USD 500,000 or its equivalent in foreign currency or in Turkish Lira**, which circumstance must be attested by the Ministry of Industry and Technology.
- Foreigners who have acquired an immovable property worth of **USD 250,000 or its equivalent in foreign currency or in Turkish Lira** and placed an annotation in the title deed records restricting the sale of such property for three years, or who have concluded a notarized preliminary sales contract for acquiring such property, which is registered at the land registry as condominium or construction servitude, and for which they paid a purchase price of minimum **USD 250,000 or its equivalent in foreign currency or in Turkish Lira**, in cash, and annotated such contract to the land registry along with an undertaking declaring that they will not transfer or convey the said property for three years. In both cases, the said facts must be attested by the Ministry of Environment and Urbanization.
- Foreigners who have **generated employment for at least 50 people**, which circumstance must be attested by the Ministry of Family, Labour and Social Services.
- Foreigners who have deposited **USD 500,000 or its equivalent in foreign currency or in Turkish Lira** into accounts of banks operating in Turkey, on the condition that they will not withdraw the same from such banks for **at least three years**. This circumstance must be attested by the Banking Regulation and Supervision Agency.
- Foreigners who have purchased government bonds worth **USD 500,000 or its equivalent in foreign currency or in Turkish Lira**, on the condition that they will not sell the same for **at least three years**. This circumstance must be attested by the Ministry of Treasury and Finance.
- Foreigners who have purchased real estate investment fund participation share or venture capital investment fund participation share, worth **at least USD 500,000 or its equivalent in foreign currency or in Turkish Lira**, on the condition that they will not sell the same for at least three years. This circumstance must be attested by the Capital Markets Board of Turkey.

3. Acquisition of Turkish Citizenship by Marriage

Turkish citizenship shall not automatically be acquired by marriage to a Turkish citizen. Foreigners who have been married to a Turkish citizen for at least three years and whose marriage still continues, and who live with their spouse within a matrimonial union, abstain from acts incompatible with the requirements of matrimonial union and who have no quality constituting an obstacle in respect of public policy can apply for the acquisition of Turkish citizenship.

4. Acquisition of Turkish Citizenship by Adoption

A minor who is adopted by a Turkish citizen can acquire Turkish citizenship from the date of the decision, provided that he has no quality constituting an obstacle in respect of national security and public policy.

* * *

AKBAL LAW FIRM

This article is for general information purposes only and does not constitute a legal or professional advice. This article cannot be reproduced without prior written consent by Akbal Law Firm.