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## ***COUNTRY REPORT: TURKEY***

Zeynep Kadirbeyođlu

December 2009  
Revised May 2010



European University Institute, Florence  
Robert Schuman Centre for Advanced Studies  
EUDO Citizenship Observatory

***Report on Turkey***

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# Turkey

## Zeynep Kadirbeyoğlu

### 1 Introduction

International migration and globalisation are factors which affect citizenship practices throughout the world. This report analyses the citizenship regime in Turkey and argues that the most important changes in the law, including the acceptance of multiple citizenship, were made to accommodate the needs and wishes of the emigrants who — even up to the third generation — maintain vibrant ties to Turkey.

The first citizenship law of Turkey was accepted in 1928. It was based on *ius sanguinis* but was complemented by a territorial understanding. The second citizenship law of Turkey, which was passed in 1964, maintained the *ius sanguinis* principle and allowed for *ius soli* to prevent statelessness. This report includes a detailed discussion of modes of acquisition and loss according to the 1964 law which was amended many times until 2009 when a new law was passed. The new law intends to eliminate the inconsistencies of the previous law and to respond to current circumstances, such as harmonising the law with the European Convention on Nationality. The new law eliminates the possibility of withdrawing citizenship from males who have not served in the military and does away with the procedure of exclusion from citizenship which eliminated the possibility for re-naturalisation if a person volunteered to serve in the military of another country without informing the Turkish authorities. The report also discusses the substantive changes to the modes of acquisition of citizenship brought about by the new law.

In Turkish, *uyruklu* and *yurttaşlık* are the two terms that can be used to refer to nationality and citizenship. Furthermore, both these terms have their Arabic counterparts in the daily language – *tabiyet* and *vatandaşlık* respectively (Aybay, 2003:5). *Tabiyet* is no longer frequently used while, according to Aybay (2003), *yurttaşlık* (*vatandaşlık*) and *uyruklu* (*tabiyet*) refer to a legal bond connecting an individual to a state. However, there is a debate about whether these two terms have exactly the same meaning. Aybay argues that the confusion, which is also present in other languages, has historical causes. *Uyruklu* is what can be used to refer to nationality whereas *yurttaşlık/vatandaşlık* is the counterpart of citizenship in Turkish. The name of the law is *Türk Vatandaşlığı Kanunu* and throughout the legal documents citizens of Turkey are referred to as *Türk Vatandaşı*. *Vatandaşlık* cannot be used when referring to legal persons and corporations. In this case *uyruklu* is the appropriate term (Aybay, 2003: 10).

### 2 History of Turkish citizenship law

#### 2.1 From the Ottoman Empire to the founding of the Republic

An analysis of the history of Turkish citizenship should begin with the last period of the Ottoman Empire. Whereas prior to the 1869 Ottoman Citizenship Law (*Tabiyet-i Osmaniye Kanunu*) the subjects of the Ottoman Empire were divided along religious lines, the law of 1869 recognised all residents of the Ottoman territories as nationals of the Empire. It was based on the *ius sanguinis* principle, but allowed for non-Ottoman children born in the

Ottoman territories to apply for citizenship in the Empire within three years of reaching adulthood (İçduygu, Çolak & Soyarık 1999; Aybay, 2008).

The first constitution of the Republic of Turkey (1924) regulated citizenship through art. 88 and granted Turkish citizenship to all residents of the Republic irrespective of race or religion. The citizenship law of the Republic was accepted in 1928<sup>1</sup> and, like its Ottoman predecessor, it was based on *ius sanguinis* and complemented by a territorial understanding (İçduygu et al. 1999: 193). Aybay (2008: 75) argues that behind this decision was the desire to extend Turkish citizenship to as many people as possible.<sup>2</sup> For instance, the law automatically granted Turkish citizenship to women who married Turkish men, and expressed that Turkish women married to foreigners would maintain their Turkish citizenship (Aybay, 2008: 75). This duality in the treatment of women can also be explained by the desire of the republic to increase the number of its citizens. However, while attempting to increase the number of citizens, there were also instances where some groups were explicitly excluded from citizenship, examples of which will be discussed in the following paragraphs.

İçduygu et al. (1999: 195) argue that the notion of citizenship was not defined solely in terms of ethnic background since the new Turkish citizenship was ‘open to non-Turkish Muslim groups...so long as they were willing to assimilate culturally and linguistically into the Turkish culture’. However, the analysis of groups that were given the right to settle in Turkey reveals that in practice the ability to enjoy full citizenship rights was related to ethnicity and religion (Kirişçi 2000: 1).

Some groups – especially many minorities such as Armenians and Greek Orthodox – who had left the country during the war of independence and who had not returned since, were excluded from citizenship by a law passed in 1927 (Cagaptay, 2003: 605).<sup>3</sup> The Statute of Travelling (1933), which regulated the return of Anatolian Christians to Turkey, allowed for the return of only those who left the country possessing a passport issued by the Ankara government and denied return to most Armenians and Greek Orthodox who had left during the Ottoman Empire or who had passports issued by the Allied forces (Cagaptay, 2003: 607).

Exclusion of certain groups from Turkish citizenship went hand in hand with other policies that ended up forcing some groups to leave Turkey. Laws that rendered employment impossible for non-Turkish citizens were examples of this practice. The 1926 Law on Government Employees maintained that only Turkish citizens could be government employees while the 1928 law excluded doctors who were non-Turks from practicing medicine in Turkey. Furthermore, the 1932 law regulating employment banned those who were not Turkish citizens from practicing certain professions (Cagaptay, 2003: 603). Approximately 15,000 Greeks left the country as a result of this law (Cagaptay, 2003: 604) whereas the Belarusians who resided in Turkey and did not possess Turkish citizenship were granted citizenship in 1934 in order to prevent their destitution (Cagaptay, 2003: 611). This shows the discretionary practices of inclusion and exclusion in practices of Turkish citizenship.

Another law that determined who was to be included in Turkish citizenship was the Law on Settlement adopted in 1934.<sup>4</sup> In accordance to this law, Turkey provided refugee and immigrant status to groups such as Muslim Bosnians, Albanians, Circassians, Tatars, etc., but declined to accept the settlement of groups such as Christian Orthodox, Gagauz Turks and

<sup>1</sup> Law No. 1312/1928: Turkish Citizenship Law.

<sup>2</sup> It should be remembered that this took place in the context of sharp declines in the size of the population of Anatolia as a result of the First World War.

<sup>3</sup> Law No. 1041/1927 on the exclusion of Ottoman subjects from Turkish citizenship.

<sup>4</sup> Law No. 2510/1934 on Settlement.

Shi'a Azeris. This policy effectively pre-screened those applying for citizenship and helped Sunnis settle in Turkey, in spite of official statements that only those of Turkish descent and culture would be so favoured (Kirişçi 2000).<sup>5</sup> Cagaptay (2003:612) argues that the special status of Islam in the understanding and practice of citizenship in the new republic is also exemplified by the 1928 law on citizenship that allowed the naturalisation of non-Turkish residents of Turkey with the condition of conversion or adoption of Turkish names (Cagaptay, 2003: 610).<sup>6</sup> Another article of the same law led to the withdrawal of citizenship from many Armenians, Greek Orthodox and even Kurds because they acquired citizenship of another country without getting permission from the government (Cagaptay, 2003: 606).

At the beginning of the twentieth century, Anatolia (Asia Minor) was a heterogeneous piece of land and was home to Rum (an Orthodox Christian Greek speaking group), Armenian, Kurdish, Jewish, Circassian, Laz and some other ethnic and religious groups. The spread of nationalism from Western Europe, its birthplace, to the Ottoman lands led to conflicts and to the disappearance of heterogeneity by way of the forced migration of Armenians during First World War and the population exchange with Greece in 1923. During the War of Independence there was a clear reference to the multicultural nature of Anatolia. However, after the Sheikh Said uprising of 1925,<sup>7</sup> there was no longer any reference made to the 'peoples of Turkey,' and thus all citizens of Turkey were expected to adopt Turkish identity (Ergil 2000: 125). This was a fabricated umbrella identity and was instituted through education and cultural policies but carried the name of one of the ethnic groups (the Turks). The Kurds, however, were not willing to accept this. Their struggle for autonomy, and sometimes secession, led to a battle between the PKK (Kurdistan Workers Party) and the army. At the height of this armed conflict, the President at the time, Süleyman Demirel, began a discussion on constitutional citizenship, which was intended to create a new common identity (İçduygu et al. 1999: 192). These discussions, however, were short-lived and did not lead to any policy changes.

## 2.2 The impact of Turkish emigration to Western Europe

The constitution of 1961 specified the main principles of Turkish Citizenship Law through art. 54, but did not bring substantial changes to the definition of Turkish citizenship (Aybay, 2008: 76). The new law regulating the acquisition and loss of Turkish citizenship was put into effect in 1964, three years after the new constitution.<sup>8</sup> The law was based on the following principles: that every person should have a citizenship and should only have one citizenship, and that each person should be free to change his or her citizenship (Aybay, 2008: 79). This law has been in effect since 1964, albeit with many amendments between 1981 and 2003.<sup>9</sup>

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<sup>5</sup> Sunni Islam, which is considered to be the mainstream, differs from Shi'a Islam.

<sup>6</sup> Aybay (2008: 119) states that there is nothing in the legal documents about the necessity of adopting Turkish names and that there are decisions by the Council of State (the highest administrative court) and the Supreme Court of Appeals that there is no such need. However, this practice is either reinforced by Turkish officials or the applicants who feel they will have a better chance if they change their names.

<sup>7</sup> The Sheikh Said uprising was one of the first important rebellions against the state. The Sheikh gathered support on the basis of tribal and religious allegiance, thus the insurgency was not exclusively one of Kurdish nationalism (Robins 1993: 660).

<sup>8</sup> Law No. 403/1964 on Turkish Citizenship.

<sup>9</sup> The constitution of Turkey was re-drafted by the military regime in 1982. The new constitution maintained the basic principles on the acquisition and loss of citizenship (art. 66) that were outlined in the constitution of 1961.

The 1960s also marks the beginning of the migration of guest-workers to Western Europe from Turkey. In order to understand the economic significance of these emigrants for Turkey, we should first examine the initial goals of the process of labour force exportation to Western European countries. According to Sayarı (1986) the main goals included fighting the rising unemployment within Turkey and bolstering foreign exchange reserves in order to cover trade deficits. A secondary goal was to increase the skill level of workers who would, then, through remittances, be able to increase the level of investment in small and medium sized companies in the emigrants' home towns in Turkey (Sayarı 1986). The remittances were very important for Turkey. During the 1980s, 24 per cent of Turkey's imports were covered by the cash remittances and foreign exchange deposits of Turkish workers abroad (Kumcu 1989).

Germany was the main destination for guest-workers from Turkey. Turkish workers in Germany were encouraged to maintain their ties to Turkey and not to undergo 'Germanisation'<sup>10</sup> so that a constant flow of remittances could be guaranteed (Hunn 2001). Migrants were encouraged to remit their savings by means of special interest rates given to foreign currency saving accounts in Turkey and by certain privileges that were extended to emigrants who wished to import goods to Turkey (Sayarı 1986). Lately, in addition to remittances, direct investments by the second generation of Turkish emigrants, especially in the textiles industry, are increasing in importance (Faist 1998: 213). In addition to the economic investment, it is expected that Turkey will enjoy political benefits thanks to the migrants living in Western Europe. The lobbying potential of migrants living in European countries has been seen as an asset by governments in Turkey.<sup>11</sup>

The realisation that Turkish workers are not temporary guests in their host countries has led to significant amendments to the citizenship law in Turkey. The motives of politicians and bureaucrats have been shaped by the demands of emigrants who faced problems related to military service, property ownership, and lack of political rights in their countries of immigration. A fairly organised and quasi-official process was used to communicate the needs of citizens living abroad to the Turkish officials.

The first amendment to the law took place in 1981 and legalised dual citizenship as long as the person acquiring a second citizenship informed the government (Keyman & İçduygu 2003); otherwise public authorities could withdraw his or her Turkish citizenship. Furthermore, the amendment initiated gender equality in the transfer of citizenship to children; as a result women can also transfer their citizenship to their children through *ius sanguinis*.

The change in art. 23/III of the Citizenship Law made it possible to release individuals from Turkish citizenship if they wished to acquire another country's citizenship.<sup>12</sup> In the following years, many individuals who acquired a new citizenship reacquired their Turkish citizenship immediately after renouncing it. This was supported and encouraged by Turkish authorities and embassies. This method of circumventing German Citizenship Law – which prohibits dual citizenship – was legally possible only until 2000. The pre-2000 law maintained only that the person naturalising in Germany should not have another citizenship. Yet, the new law made it possible for German officials to withdraw German citizenship from those who had taken up another citizenship following their naturalisation in Germany – hence

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<sup>10</sup> Turkish authorities advised emigrants not to lose their socio-cultural identity and to maintain ties with Turkey. 'Germanisation', according to this perspective, would distance emigrants from Turkey.

<sup>11</sup> Parliamentary Minutes, 7 June 1995, Period 19, Legislative Year 4, Volume 88, 89-109.

<sup>12</sup> Law No. 2383/1981 on Turkish Citizenship.

those who had become dual citizens ‘illegally’.<sup>13</sup> Based on this clause, the German Government declared that 48,000 people of Turkish origin who had naturalised in Germany since 2000 had lost their German citizenship because they had become ‘illegal dual citizens’.<sup>14</sup> These people were to have their German citizenship withdrawn but could stay in Germany as permanent residents and reapply for naturalisation there provided they were willing to renounce their Turkish citizenship.<sup>15</sup>

This did not have a significant impact on the public debate in Turkey but was strongly opposed by Turkish associations in Germany. These associations blamed the Turkish government for not responding despite having encouraged these 48,000 people to reacquire Turkish citizenship. Even though the spokesperson for the German Ministry of the Interior claimed that they had compiled a list of those who were ‘illegal’ dual citizens from the records collected at borders and in government offices, there were claims that the Turkish authorities had submitted the list because of threats that their EU application process would not be supported.<sup>16</sup> There is evidence that the German regional authorities have been contacting those they suspect of holding two passports by mail and asking them whether they had acquired a second citizenship.

The above mentioned 1981 amendment to the citizenship law was debated in a secret session by the National Security Council because it was initiated by the Ulusu Government, which was established following the military coup.<sup>17</sup> In addition to legalizing multiple citizenship, the amendment facilitated the processes for stripping individuals of their citizenship.<sup>18</sup> The clause added to the law stated that those who are outside the borders of Turkey and who have been charged with endangering the internal or external security of the country will have their Turkish citizenship withdrawn unless they return within three months during regular periods and one month under emergency rule (art. 25/g).<sup>19</sup> Following the 1980 military coup, 227 people had their Turkish citizenship withdrawn by means of this clause. However, in February 1992, the Parliament removed this clause after hearing arguments that the clause had permitted a violation of human rights.<sup>20</sup> Those who wished were able to reacquire their citizenship and to have their property reinstated or receive compensation for the value of confiscated property.<sup>21</sup>

<sup>13</sup> German Citizenship Law, art. 25. The only exceptions to the strict ban on dual citizenship are for those who have a second passport from a European Union country and for those who have applied for permission.

<sup>14</sup> Y. Özdemir (2005), ‘Ankara-Berlin Kışkacında: Çifte Vatandaşlık Gerçeği’ [Caught between Ankara and Berlin: the Truth about Dual Citizenship], *Evensel* [daily newspaper], 26 January 2005. This move came at a critical juncture in German politics whereby expelling these citizens impacted on the number of voters. According to one estimate, approximately 20,000 out of 600,000 German-Turkish voters were disenfranchised in the general elections of 2005 (*Deutsche Welle*, 17 September 2005, www.dw-world.de).

<sup>15</sup> *Radikal* [daily newspaper], 11 February 2005.

<sup>16</sup> Y. Özdemir (2005), ‘Ankara-Berlin Kışkacında: Çifte Vatandaşlık Gerçeği’ [Caught between Ankara and Berlin: the Truth about Dual Citizenship], *Evensel* [daily newspaper], 26 January 2005.

<sup>17</sup> After the military coup Bülend Ulusu was given the responsibility of forming a technocratic government (www.tbmm.gov.tr). Until the Advisory Council was formed the National Security Council (NSC) sanctioned all decisions of the government. The members of the NSC were the four generals and one admiral who staged the coup. The minutes of the 13 February 1981 meeting of the National Security Council (38<sup>th</sup> Meeting, Volume 1, 1981) indicate that the members of the Council voted in favour of debating all amendments related to Turkish Citizenship Law in a secret session. The debate lasted for approximately two hours.

<sup>18</sup> *Cumhuriyet*, 15 February 1981.

<sup>19</sup> Law No. 2383/1981 amending Law No. 403/1964 on Turkish Citizenship.

<sup>20</sup> Law No. 3808/1992 amending Law No. 2383/1981. In between these two amendments there is Law No. 3540/1989, which amended two articles of the law regulating the process of acquisition of Turkish citizenship.

<sup>21</sup> Parliamentary Minutes, 27 May 1992, Period 19, Legislative Year 1, Volume 12, 53-55.



Parliamentary debates on issues of citizenship and/or problems of Turkish citizens living abroad have not been restricted to amendments of the laws pertaining to citizenship. The events in Solingen, where five Turkish emigrants died as a result of an arson attack on their house, were debated in the Turkish Parliament on 8 June 1993. During these debates, the ANAP (centre right party) group spokesperson emphasised the importance of giving migrants the right to vote in Germany – which can only happen through naturalisation. He claimed that there are individuals who, despite having lived in Germany for the last 30 years, are still denied the right to vote. According to this argument, the right to vote is the key to finding a long-term solution to the problems faced by Turkish citizens residing in Germany. He claimed that under the current circumstances, dual citizenship rights were of greater importance, and the Turkish Government should propose that Germany put the issue on its agenda.<sup>22</sup>

The SHP (centre left party) group spokesperson claimed that in addition to the security aspects surrounding the Solingen events, political and legal issues should also be debated. He stated that obtaining equal rights in the political, economic and social spheres by obtaining German citizenship would not automatically prevent these attacks, but that extreme right parties would be more cautious about taking an anti-immigration stance as immigrants would form part of the electorate. His argument was that as long as Germany banned dual citizenship, the goal of the Turkish State should be to encourage emigrants to naturalise in Germany while maintaining their rights in Turkey.<sup>23</sup>

Following this logic, the amendment to the Turkish Citizenship Law in 1995 instituted what is known as the ‘pink card’ or the privileged non-citizen status.<sup>24</sup> In its statement giving reasons for this amendment, the government stressed the fact that it was a result, among other factors, of the actions of countries that refused to accept multiple citizenship.

The proposal for this amendment was drafted by Rona Aybay (a prominent law professor specialising on citizenship issues) after he had attended meetings in Germany at the invitation of the *Türkische Gemeinde in Deutschland* (TGD).<sup>25</sup> Once accepted in 1995, the amendment created a privileged non-citizen status. This status permits holders of a pink card<sup>26</sup> to reside, to acquire property, to be eligible for inheritance, to operate businesses and to work in Turkey like any citizen of Turkey. Pink card holders were only denied the right to vote in local and national elections.<sup>27</sup> Aybay stated that the head of the TGD, Hakkı Keskin, a very old friend of his, invited him to find a solution to citizenship-related problems faced by Turkish people living in Germany.<sup>28</sup> He made it quite clear that the main issue was how to devise a mechanism that would allow people living in Germany to acquire German citizenship without losing their rights in Turkey.<sup>29</sup> This was the motivation behind the creation of the special non-citizen status.<sup>30</sup>

During the parliamentary debates on this amendment, the spokesperson of the ANAP group argued that this law was what all factions of Turkish emigrants in Germany had been

<sup>22</sup> Parliamentary Minutes, 8 June 1993, Period 19, Legislative Year 2, Volume 36, 189-192.

<sup>23</sup> Ibid., 203-206.

<sup>24</sup> Law No. 4112/1995 amending Law No. 403/1964 on Turkish Citizenship.

<sup>25</sup> The Turkish Immigrants Union (later to become *Almanya Türk Toplum* - TGD) was established in 1985. It is an umbrella association with around 200 members, including the German Turkish Academics Association Union, German Turkish Students Association Union and various occupational organisations. TGD promotes the interests of the Turkish population of Germany vis-à-vis both the German and the Turkish governments, attempts to influence public opinion, and to secure rights through legislative changes ([www.tgd.de/](http://www.tgd.de/)).

<sup>26</sup> The pink card is the document given to the people who have the special non-citizen status.

<sup>27</sup> Law No. 4112/1995 amending Law No. 403/1964 on Turkish Citizenship.

<sup>28</sup> Interview with Prof. Rona Aybay, 20 August 2002.

<sup>29</sup> People who have acquired Turkish citizenship by means other than birth do not have the right to a pink card.

<sup>30</sup> Parliamentary Minutes, 8 June 1993, Period 19, Legislative Year 2, Volume 36, 203-206.

demanding for years. He claimed that these emigrants wanted to have political rights in Germany and that this amendment would ease their difficulties in acquiring German citizenship. He also mentioned that Turkish emigrants would become a key electoral group in Germany, with some influence in the tight electoral competition between the two major parties.<sup>31</sup> Another MP emphasised the benefits of this amendment by referring to the possibility of Turkish people becoming elected representatives in Germany and, therefore, politically strengthening the position of Turkey.<sup>32</sup>

Some MPs raised their concern as to whether this amendment would enable the ‘Armenians, Jews, Rum, etc.’<sup>33</sup> (who had renounced their Turkish citizenship in order to acquire another citizenship) to come back to Turkey and reclaim property that had been confiscated when they changed their citizenship. This is telling in that it demonstrates that the tolerance for dual citizenship and special rights for those who had renounced their citizenship was intended to apply exclusively to Turkish emigrants who had left the country under specific conditions; the amendment was never intended to include the minorities who left Turkey before 1981, and explicitly stated that the privileged non-citizen status would apply only to those who had acquired Turkish citizenship by birth and who had relinquished it by being granted permission by the Council of Ministers.<sup>34</sup> This way of renouncing Turkish citizenship was made possible only after the amendments to the citizenship law in 1981.

Despite good intentions, the special non-citizen status was criticised by groups who were dissatisfied with its implementation. The TGD organised a summit in July 2000 and produced a declaration pertaining to the problems and expectations of the Turkish citizens living in Germany. The declaration stated that there were many problems in the practical use of the pink card in Turkey as the bureaucracy was not informed about it. Therefore, people who had renounced their Turkish citizenship were facing problems in their interactions with the bureaucracy in Turkey.

During the same summit there was a call for Turkey to stop releasing its citizens and to make it impossible for Turkish citizens to renounce their citizenship through a new legislation. This would enable Turkish citizens to enjoy dual citizenship through an exception in the new German Law which states that in cases where the country of origin does not permit its citizens to relinquish their original citizenship, Germany might allow dual citizenship. This instance shows how the demands of immigrant organisations have changed depending on the situation in Germany.

The last amendment to the previous citizenship law<sup>35</sup> in 2004 clarified the rights attached to the status of privileged non-citizens. It allows the retention of attained social security rights by those who asked to be released from citizenship and their non-adult children, while it clearly states that these people lose their voting rights, the right to be elected and employed in the public sector. The pink card which these privileged non-citizens received was re-named ‘the blue card’.

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<sup>31</sup> Parliamentary Minutes, 7 June 1995, Period 19, Legislative Year 4, Volume 88, 89-90.

<sup>32</sup> Ibid., 96.

<sup>33</sup> Speaker of the RP (*Refah Partisi* - religious right wing party) group (Parliamentary Minutes, 7 June 1995, Period 19, Legislative Year 4, Volume 88, 103). Many other MPs voiced their concern on this issue as well.

<sup>34</sup> Art. 29 of Law No. 4112/1995 amending Law No. 403/1964 on Turkish Citizenship. This provision is against the principle of non-discrimination between citizens by birth and by naturalisation incorporated in the 1997 European Convention on Nationality. Turkey has not signed this Convention.

<sup>35</sup> Law No. 5203/2004 amending Law No. 403/1964 on Turkish Citizenship.

### 3 The current citizenship regime

#### 3.1 Modes of acquisition and loss of Turkish citizenship

According to art. 66 of the 1982 constitution, children of fathers and mothers who are Turkish citizens are Turkish citizens themselves. Whereas the principle of gender equality was introduced in the constitution with the amendments of 2001, the citizenship law had already instituted it in 1981. The constitution stipulates that the acquisition or loss of Turkish citizenship can only be regulated by the law. The law currently regulating the acquisition and loss of Turkish citizenship was put into effect in 1964<sup>36</sup> and was amended as described in the previous section. The law on citizenship is implemented through the Regulation on the Implementation of the Turkish Citizenship Law (henceforth the Regulation). There are three broad principles through which Turkish citizenship can be acquired or lost: change of status can be brought about *ex lege*, by a decision of the authorities and through option.

##### *Ex lege acquisition of citizenship*

The acquisition of citizenship for children of Turkish mothers or fathers is automatic whether the child is born in Turkey or abroad. The *ex lege* acquisition rule is based on *ius sanguinis*. However, there is an *ius soli* exception for children of non-Turkish citizens born in Turkey. They become Turkish citizens automatically if they cannot acquire the citizenship of their parents. This emanates from the principle of avoiding statelessness engrained in the Turkish Citizenship Law.<sup>37</sup> Marriage with Turkish citizens does not automatically transfer citizenship since the 2003 amendments. There is a waiting period of three years, after which the spouse can acquire Turkish citizenship by option.<sup>38</sup> However, those who lose their original citizenship due to marriage automatically become Turkish citizens.

Based on statistics on *ex lege* acquisition through marriage, it is possible to conclude that following the disintegration of the Soviet Bloc, there has been a steady rise in the number of women who acquired Turkish citizenship through spousal transfer. Consequently, the 2003 change of the law on spousal transfer of citizenship led to a sharp decline in numbers in the following year. The numbers doubled in 2005 and increased steadily in the years thereafter.

##### *Acquisition of citizenship through the decision of authorities*

There are three types of acquisition that fall under this category. The first is the regular mechanism through which naturalisation takes place, which is regulated by art. 6 of the Law. The discretionary nature of naturalisation, despite the fulfilment of all the requirements outlined below, is upheld by Council of State decision stating that discretion is justified through state sovereignty (Aybay, 2008: 121). If the applicant's demand for citizenship is refused, then the applicant can appeal in court. The conditions state that the person should:

<sup>36</sup> Law No. 403/1964 on Turkish Citizenship.

<sup>37</sup> In order to avoid statelessness, children who are found in Turkey without parents are considered to be born in Turkey (unless proven otherwise) and granted Turkish citizenship.

<sup>38</sup> Turkish citizenship is extended to children of women who marry a Turkish citizen, if the child's father is dead, unknown or stateless or if the mother has custody over the child.

- be an adult (the adulthood is defined by the laws of the country of origin);
- have five years of residence in Turkey;
- have decided to settle in Turkey (examples of this can be real estate purchase, marriage, transfer of one's business to Turkey, investment in Turkey (Aybay, 2008: 126-127);<sup>39</sup>
- have good moral conduct (art. 10/c of the Regulation states that those who have adopted theft, smuggling and fraud as professions will not be eligible to get Turkish citizenship (Aybay, 2008: 127);
- not have a threatening illness (the applicant should get a health report from an official health committee in a hospital (Aybay, 2008: 128) ;
- speak sufficient Turkish;
- have a job or revenue to support himself or herself and dependents.

The last requirement is the one where the greatest discretion is possible in deciding whether a person will be naturalised or not (art. 10/I of the Regulation).

The second mechanism, exceptional acquisition, can only apply to the following categories of persons, who are not asked to meet requirements b) and c): the adult children of those who have lost Turkish citizenship, those who are married to a Turkish citizen and their adult children, those who are of Turkish descent, their spouse and their adult children, those who are residents of Turkey with the intention of marrying a Turkish citizen<sup>40</sup> and those who have or will serve Turkey as industrialists, scientists or artists (achievement-based acquisition of citizenship). Moreover, citizens of Turkish Republic of Northern Cyprus can be exceptionally naturalised upon application, following the 2003 amendments of the citizenship law.

The third path of acquisition of citizenship refers to reacquisition and applies to all those who have renounced their Turkish citizenship in the past for various reasons. In all three types of acquisition, the procedure for naturalisation is lengthy and goes through the Ministry of Internal Affairs and the Prime Minister. The decision to grant citizenship is given by the Council of Ministers.

The citizenship of the spouse is not affected by the naturalisation of the partner. The only exception is stateless women, who acquire Turkish citizenship following the naturalisation of their husband. The child whose father naturalises in Turkey acquires Turkish citizenship through his or her father. The child whose mother naturalises in Turkey acquires citizenship (their original citizenship law permitting) if the father of the children is dead, unknown or stateless, if the child is stateless or if the custody is with the mother.

The statistics provided by the General Directorate of Population and Citizenship reveal that in the category of regular acquisition by a decision of the authorities, in 1991, 60 per cent were expellees from Greece whereas 9 per cent were Iranian citizens. Between 2000

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<sup>39</sup> These examples are provided by the art. 10/c of the Regulation (Aybay, 2008: 126-127).

<sup>40</sup> Art. 11/c of the Regulation indicates that those who live together in Turkey and who intend to get married can be naturalised in Turkey (Aybay, 2008: 129). However, as Aybay aptly shows, this article of the citizenship law (which exempts these categories from the 5 year waiting period) and the article on spousal acquisition (which requires spouses to wait for three years in order to naturalise) can be found to contradict each other. These and other kinds of loopholes are the reason for the drafting of a new law on citizenship, details of which will be discussed in the last section of this report. The new law eliminates this category.

and 2003 approximately 50 per cent of those in this same category were Bulgarians. Between 1990 and 1993 the majority of those who acquired Turkish citizenship on exceptional grounds had previously held Iraqi citizenship (31 per cent for 1990, 32 for 1991, 23 for 1992 and 34 per cent for 1993). The largest group within this category were Bulgarians (they constituted 82 per cent of the total exceptional acquisition in 2002 and 84 per cent in 2003).

#### *Acquisition of citizenship through option*

Children who lost their Turkish citizenship when their parents renounced their citizenship can choose to reacquire their citizenship upon reaching adulthood. Turkish women who lost their citizenship due to acquisition of their spouse's citizenship can reacquire citizenship within three years of divorce.

#### *Loss of citizenship ex lege*

This is valid only for women who wish, upon marriage, to automatically receive the foreign citizenship of their husband. Although Turkish citizenship law calls this a loss by law, it is in fact an optional loss since it occurs only if there is a declaration by the individual to the relevant authorities.

#### *Loss of citizenship through a decision of the authorities*

The first method through which Turkish citizenship can be lost is to renounce it (i.e. to ask for a permission to exit). This path of loss is mostly used by citizens who wish to naturalise in countries that do not accept dual citizenship. The release from citizenship may be granted by the Ministry of the Interior by declaration if certain conditions are satisfied. The procedures do not permit renunciation if it results in statelessness. The person who renounced citizenship can re-acquire Turkish citizenship without having to comply with the five year residency requirement.

Statistics on loss of citizenship for those who have subsequently reacquired their Turkish citizenship are given in Table 1. Up until 2002 individuals who renounced their Turkish citizenship could easily reacquire their original citizenship following naturalisation in Germany. However, the realisation that the new German law leads to nullification of their German citizenship if it is discovered that they have reacquired their original citizenship has led to a sharp drop in the number of individuals who reacquired Turkish citizenship thereafter.

**Table 1 Previous loss of citizenship by those who have reacquired Turkish citizenship according to three main categories, 2000-2004**

Reason for Loss	2000	2001	2002	2003	2004
Permission to exit	12,635	27,576	8,027	2,874	1,828

*Source: General Directorate of Population and Citizenship, Ankara*

The second method of loss of citizenship is the nullification of Turkish citizenship for people who have acquired it in the last five years and who have submitted false information in their application.

The third method is the withdrawal of Turkish citizenship from individuals because of specific actions, such as:

- working against the interests of Turkey in a foreign country despite warnings;
- acquiring another citizenship without informing the Turkish authorities;
- working for a foreign state which is at war with Turkey;
- not responding to a call to military service for three months;
- residing abroad for more than seven years and not showing any interest in maintaining ties with Turkey.

Within the group of people who lost their Turkish citizenship between 2000 and 2005 there is no case of loss resulting from failure to reside in the country during the preceding seven years. The majority of people whose citizenship was withdrawn were those who did not return to the country to fulfil their military service despite being called up by the authorities – for instance, out of 1,920 people who lost their Turkish citizenship in 2000, 1,868 were in this category. This figure is 2,689 out of 2,735 in 2001, 2,193 out of 2,316 in 2002, 5,077 out of 5,489 in 2003, 1,975 out of 2,367 and 178 out of 464 in 2005. The new law on citizenship no longer withdraws citizenship due to failure to serve in the military – the last section will outline the differences between the old and new citizenship laws.

The number of Turkish citizens whose citizenship was withdrawn because they did not inform the Turkish authorities that they were acquiring another citizenship increased between 2000 and 2005. The numbers are 42 for 2000, 24 for 2001, 81 for 2002, 272 for 2003, 246 for 2004 and 242 for 2005. The application of this rule is random at best, since there are many people in this situation who have maintained their Turkish citizenship for many years. The increase in the numbers in this category cannot really be explained with the available data or information. The only possibility is the sensitisation of the authorities as a result of events that led to the withdrawal of the Turkish citizenship of a member of parliament who had sworn allegiance to the US by becoming a citizen there prior to the elections in Turkey. Withdrawal of citizenship due to failure to inform upon acquisition of another citizenship is also removed from the new citizenship law.

There is a second variant of withdrawal of citizenship (which has heavier consequences) called *çıkarma* in Turkish. This kind of removal is possible if the person who has committed a crime against the internal or external security of the republic (or economic and financial crimes) and who is either abroad or who went abroad and refuses to come back within three months of call (one month in cases of emergency law or state of war). This removal only applies to those who acquired Turkish citizenship after birth (through naturalisation). It can apply to Turkish citizens by birth if the country is at war. People whose citizenship is removed through *çıkarma* can never re-acquire Turkish citizenship (Aybay, 2008: 245). The assets and belongings of those whose citizenship is removed are confiscated by the Treasury and the value is deposited in a national bank (Aybay, 2008: 248). This type of removal is eliminated in the new law, details of which will be discussed in section 3.

*Loss through option*

This mode of loss applies to children who acquired Turkish citizenship when their mothers naturalised in Turkey. They can renounce their Turkish citizenship within a year of reaching adulthood as long as this does not result in statelessness. Furthermore, women who acquired Turkish citizenship upon marriage can renounce it upon divorce.

**3.2 Policies towards historic Turkish groups abroad**

Notwithstanding concerns about the emigrants (see section 2.2), the Turkish citizenship debate was also focused on other particular groups. The disintegration of the USSR and the increasing numbers of arranged marriages in Turkey alerted authorities. The amendment of 2003 requires spouses to wait for three years before a spousal transfer of citizenship is possible.<sup>41</sup> The second amendment in the same year made it possible for citizens of Northern Cyprus to acquire Turkish citizenship easily.<sup>42</sup> In 2003, a total of 2,403 Cypriots acquired Turkish citizenship.<sup>43</sup>

Immigrants accepted to Turkey have been predominantly from among peoples considered to be ‘of Turkish descent and culture,’ and they were settled using the Law on Settlement since 1934.<sup>44</sup> This law allowed for two types of migration to Turkey: those who were settled by the state and those who settled themselves (Doğanay: no date). According to Doğanay this law was considered to be insufficient during the last two decades and was amended to accommodate those who had been forced to migrate to Turkey from Bulgaria in 1989. Many of the Bulgarian Turks who arrived with the first wave of migration in 1989 were granted Turkish citizenship. When these migrants could reacquire their Bulgarian citizenship and passports in 2000 (hence becoming dual citizens), Turkish politicians encouraged them to vote in the elections in Bulgaria in order to strengthen the political party representing ethnic Turks and play a positive role in establishing cooperation between two countries on the way

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<sup>41</sup> Law No. 4866/2003 amending Law No. 403/1964 on Turkish Citizenship.

<sup>42</sup> Law No. 4862/2003 amending Law No. 403/1964 on Turkish Citizenship. The citizens of the Turkish Republic of Northern Cyprus (TRNC) have always enjoyed preferential treatment in Turkey. Law No. 4465/1999 further strengthened this by attempting to provide TRNC citizens with all the social and economic rights of Turkish citizens except voting rights. Since TRNC is not a recognised state (except by Turkey) TRNC citizens could travel abroad only with a Turkish passport (except for the UK and the USA which recognised the TRNC passport as an identity card and issued visas for TRNC citizens on a blank page and not the passport itself). TRNC citizens could obtain a Turkish passport without becoming a citizen of Turkey. They also had the right to be dual citizens and Law No. 4465/1999 states that there shall be a fast-track process for the citizenship applications of those TRNC citizens who want to acquire the citizenship of the Republic of Turkey. Dual citizenship has also existed for those Turkish citizens who settled in the TRNC. Those with five years residence are granted TRNC citizenship provided that they fulfil certain conditions (Law No. 25/1993 TRNC Nationality Law). Yet the TRNC Council of Ministers can also grant TRNC citizenship on a discretionary basis. The TRNC government was accused of such discretionary behaviour prior to the 2003 elections in order to influence the election results (Hylland 2003).

<sup>43</sup> Data used in this report related to citizenship in Turkey were provided by the General Directorate of Population and Citizenship, Ankara.

<sup>44</sup> Law No. 2510/1934 on Settlement. The Council of Ministers was in charge of determining which groups were considered to be of Turkish descent. Groups such as Pomacks, Roma and Albanians have also been settled in Turkey by being assigned this status (Şahin: no date).

to EU membership. Some Bulgarian Turks, who had not been able to naturalise in Turkey, were sent back to Bulgaria towards the end of the 1990s.<sup>45</sup>

A new law on settlement was adopted in 2006.<sup>46</sup> Prior to this law, special laws were enacted in order to regulate the settlement of other groups known to have ethnic Turkish origin such as Afghan immigrants and Ahıska Turks who migrated from Russia.<sup>47</sup> The 1992 law which regulated the settlement of Ahıska Turks in Turkey was amended in 2009<sup>48</sup> and granted citizenship to all those Ahıska Turks who apply within three months of the legislation of this law and who have a residence permit issued before January 2009. Those who apply could be naturalised within six months without having to satisfy the requirements specified in the Turkish Citizenship Law. These exceptions were also valid for other groups of Turkish origin.

As can be seen from the amendments outlined above, apart from the one which attempts to prevent arranged marriages, there is no debate about immigrants in Turkey. The category of ‘immigrant’ is reserved to those who have Turkish origin and are close to Turkish culture. This is outlined clearly in the new law on settlement enacted in 2006.<sup>49</sup> And, based on the law on settlement, those who are accepted as immigrants are naturalised through the decision of the Council of Ministers following the completion of other bureaucratic requirements. Politicians in Turkey feel little need to respond to immigrant issues because these are not yet politicised, which is a common feature of countries that have only recently begun receiving economic immigrants. Turkey, officially, still considers itself an emigrant country.

There are not many organised immigrant groups in Turkey able to place significant pressure on the government. Two of the few immigrant groups that made it to the media, for instance, were the Network of Foreign Spouses and Muslim immigrants such as Bulgarian Turks. The Network of Foreign Spouses referred to ideals of fairness and demanded more rights for individuals who are foreigners in Turkey.<sup>50</sup> The pragmatic nature of the debates on citizenship and the reactive policy-style hinders the politicisation of, and reciprocation of tolerance towards, immigrants in Turkey.<sup>51</sup> In other words, if the values that underlie the promotion of dual citizenship for Turkish emigrants were brought into the public sphere, they could lead to demands of reciprocity for immigrants in Turkey.

### 3.3 Institutional Arrangements

Turkey’s citizenship regime was historically determined by the willingness to combine the process of inclusion through naturalisation and nation-formation through admitting people with certain features. In this process Islam and Turkish lineage were the common denominators for admitting migrants to Turkey. In the following years, following the mass migration to Western Europe, the main motivation of the changes to the citizenship law was

<sup>45</sup> ‘Sofya’da bir Kurultay’, *Milliyet* [Turkish daily newspaper], 16 July 2000; ‘Soydaşa Green Card’, *Milliyet*, 4 March 1997; ‘Menderes: “Çifte Vatandaşlık Kolaylaştırılsın”’, *Milliyet*, 24 February 1997.

<sup>46</sup> Law No. 5543/2006, Law on Settlement.

<sup>47</sup> Law No. 2641/1982 and Law No. 3835/1992 respectively.

<sup>48</sup> Law No. 5838/2009 amending law No. 3835/1992 on the acceptance and settlement of Ahıska Turks in Turkey.

<sup>49</sup> Law No. 5543/2006 on Settlement.

<sup>50</sup> The majority of the women in this association were Germans and they did not want to naturalise in Turkey because they would lose their German citizenship.

<sup>51</sup> For a classification of the policy styles see Richardson (1982).



to maintain the ties of these emigrants with Turkey while ensuring that they integrated into their host societies politically and socially. Acceptance of multiple citizenship and the creation of privileged non-citizen status (pink/blue card) are directly linked to the circumstances of the emigrants in Western Europe – and especially Germany. However, despite these regulations, there are many problems in the implementation of, especially, the status of privileged non-citizens.

As for the naturalisation of foreigners in Turkey, the law did not change much except for the implementation of a three year waiting period for the spousal transfer of citizenship. The naturalisation practices are discretionary and this is justified by reference to the national security of Turkey. Those who acquire automatic citizenship are only those who are registered as legal migrants, and in order to register under this category, a person has to be of Turkish descent. The fact that there is practically no social mobilisation on the part of foreigners in Turkey for furthering their rights creates no incentive for the state to address the issue of foreigners living in Turkey. The most prevalent policy towards the foreigners is turning a blind eye towards their exploitation in the informal labour market.

#### **4 Recent Debates on Citizenship and the New Citizenship Law**

One of the recent developments with regard to emigrants and citizenship rights is about voting from abroad. Even though Turkish citizens residing abroad could vote in Turkey's general elections, there was no practical method for implementing this other than setting up ballot boxes at the airports for those emigrants who travelled to and from Turkey. This changed with the 2008 amendment to the law on elections and voter registration.<sup>52</sup> This outlines the methods through which Turkish citizens living abroad can vote in general elections, the election of the president and referenda in Turkey. There are four different methods of voting: by regular mail, at the borders (during 75 days prior to the election date – this was already practiced during previous elections), at the consulates abroad (during the 45 days prior to the election date) and electronically (during the 30 days prior to the election date). The Constitutional Court cancelled the possibility of voting through mail ballots because it violates the secrecy of voting. The implication of this law is still to be seen as the next general elections will be scheduled around 2012.

The most important recent development in the field of citizenship has been the adoption of the new citizenship law in Turkey on 29 May 2009. The history of Turkish Citizenship Law, as recounted above, shows that there were numerous changes to the law since 1964. These were seen as necessary in order to comply with the interests of emigrants from Turkey and to harmonise the law with the changes in international laws and norms. These amendments transformed the law into an inconsistent patchwork (Aybay, 2008: 81). Harmonisation of the citizenship law with the European Convention on Nationality was also stated as a rationale for the new law on citizenship. In the parliamentary debates, the minister of the interior stated that the main goal of the new law is to eliminate the inconsistencies of the previous law and to respond to the current circumstances.<sup>53</sup>

There are a couple of substantive changes to the acquisition and loss of citizenship. The most important change regards the withdrawal of citizenship from males who have not served in the military and those citizens who acquired another country's citizenship without informing the authorities. In the previous law, these were punishable with the withdrawal of

<sup>52</sup> Law No. 5749/2008 amending the Law No. 298/1961 on Elections and Voter Registration.

<sup>53</sup> Minister of Interior, Besir Atalay, Parliamentary minutes, 28 May 2009.

Turkish citizenship. The new law eliminates this possibility. The other difference from the previous law is the possibility of withdrawing the citizenship of those who volunteer to serve in the military of another country without informing Turkish authorities. The category of *çıkarma* or exclusion from citizenship without the possibility of re-naturalisation is eliminated with the new law.

With regard to the acquisition of citizenship through the decision of authorities, the new law adds an eighth condition for naturalisation: that the person does not pose a problem to the national security and to the public order (art. 11/g). The new law also makes it possible for Turkish authorities to ask the person willing to naturalise to give up his/her previous citizenship if authorities see the need for it. The new law maintains the three year waiting period for spouses married to Turkish citizens. In the case of adoption, the new law allows the naturalisation of the adopted non-adult if it does not pose a problem to national security or public order. Adopted children are allowed to naturalise without completing the residency requirement.

In the previous citizenship law those who were of Turkish origin could naturalise exceptionally without having to complete five years of residence in Turkey. The new law on citizenship has a temporary article which states that the residency requirement for those of Turkish origin will be two years until 2010 and will increase to five years thereafter. The rationale behind this is to eliminate discrimination against those who do not have Turkish origins in the naturalisation procedures. In line with non-discrimination principles, the new law does not include those with Turkish origin among those who can naturalise exceptionally but includes those who are recognized as immigrants (art. 12/c). However, the new law on settlement (2006) accepts as immigrants only who have Turkish origin and close links to Turkish culture. Immigrants to Turkey can be naturalised exceptionally without having to wait for five years once their immigration procedures are completed.<sup>54</sup> This seems to allow for indirect positive discrimination for those of Turkish origin even with the new law in place. The status of citizens from Turkish Republic of Northern Cyprus has not been changed with the new law. If they apply for citizenship, they have the right to acquire Turkish citizenship without the requirements for regular naturalisation.

According to the new law on citizenship, demands for naturalisation should be made to the governor's office within Turkey and to the embassies and consulates abroad. Naturalisation demands within Turkey will be examined by commissions on citizenship at the governors' offices in each province according to the new law. The reports and citizenship folders of applicants will then be sent to the Ministry of Interior for examination. The decision is made by the ministry. The minister of the interior stated at the parliamentary debates, that the hope is that this will quicken the process of naturalisation and eliminate unnecessary waiting periods.<sup>55</sup>

Another substantive change is the three year residency requirement for those who wish to reacquire their Turkish citizenship following loss through renunciation or withdrawal as a result of inappropriate conduct. Whereas the previous law allowed re-acquisition of citizenship without residency requirement, the new law accords this type of re-acquisition only for those who renounced their citizenship through a decision to exit and children who lost their citizenship when their parents lost their Turkish citizenship.<sup>56</sup> Art. 14 of the new law

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<sup>54</sup> Law No. 5543/2006 Art. 3/d and 8/4.

<sup>55</sup> Minister of Interior, Besir Atalay, Parliamentary minutes, 28 May 2009.

<sup>56</sup> Children who lose their Turkish citizenship when their parents lose theirs can apply for re-naturalisation within three years of reaching adulthood and can get their citizenship back without the residency requirement.

allows for the re-naturalisation of those whose citizenship was withdrawn or those who choose to renounce their citizenship upon reaching adulthood<sup>57</sup> only after a three year residency requirement.

The new law will be in effect when it is published in the official gazette. There were objections from the opposition parties during the parliamentary debates, but the AKP had a majority in the parliament and was able to overcome them. The main objections of the two opposition parties were the removal from the law two conditions which previously could lead to the withdrawal of citizenship: namely, the failure to serve in the military and acquisition of another citizenship without informing the authorities. The new law will be implemented through the new regulation which should be prepared within six months.

## 5 Conclusions

The findings suggest that maintaining vibrant economic links with citizens living abroad (especially those living in Germany) has been a constant concern for Turkish governments despite the severe neglect of the social problems faced by these groups. The research results show that there are a number of organisations and actors, especially in Germany, that pressure the policy-makers in Turkey to accommodate their need to integrate into their host country without having to relinquish their rights to land ownership and inheritance in Turkey. The main amendments to the Law on Citizenship in Turkey were made as a result of the realisation that the guest-workers were in fact permanent residents in their host countries. The most interesting finding is the interaction between the Turkish and German governments and the attempts of the former to formulate legislation based on the developments in Germany.

Turkish governments have demonstrated a willingness to address the practical problems faced by the Turkish people living abroad. In many cases the intentions were sincere, even though official actions to solve the problems were either slow or non-existent. However, this inability did not stem from apathy towards the real problems or the aim of strategically using the issue for political gain. It was rather the result of a general lack of political incentives, as those persons living abroad who possess the right to vote in Turkey could not practically do so unless they returned to Turkey during elections.<sup>58</sup>

As outlined in this report, there is a very pragmatic debate concerning citizenship in Turkey. The principles of citizenship acquisition and loss are rarely discussed, and immigrants have not been a real concern of policy-makers, either because they are not mobilised or because the issue is not politicised. Foreigners, like Bulgarian Turks or those

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However, this article of the law permits those who did not apply for re-naturalisation on time to acquire citizenship without having to comply with the residency requirement.

<sup>57</sup> Children who acquired Turkish citizenship when their parents naturalised, or when they were adopted and children who acquired the citizenship of another country can opt out of Turkish citizenship within three years upon reaching adulthood.

<sup>58</sup> Voting during general elections in Turkey has been a widely debated issue. Legally it is possible for Turkish people living abroad to vote during elections from the country where they reside. However, because of practical problems, such as setting up ballot boxes in other countries and the insecurity of mail ballots, this has never been practised. Fuat Boztepe, who is the head of the department in charge of workers abroad at the Ministry of Labour, stated that the greatest problem occurs in countries where there are a significant number of workers and the host country does not allow ballot boxes to be put in public spaces. Given the number of people who could vote, setting up ballot boxes only in the consulates and embassies does not provide a solution (interview with Fuat Boztepe, Head of the Department of External Relations and Services for Workers Abroad at the Turkish Ministry of Labour and Social Security, 14 May 2003). The amendment to the law on voting –mentioned in section 4 may alter the scene dramatically.

who come from Central Asia, are not considered part of these immigrant groups since, in most cases, they acquired Turkish citizenship based on their cultural, linguistic and religious background.

There are many cases of immigrants who find ways of working in Turkey and leaving the country every three months (this applies to many Bulgarian Turks who do not have citizenship). Many foreigners who do not need a visa to enter Turkey are employed in Turkey illegally. Even some Western European citizens who reside in Turkey without a work permit resort to this method. Very few of these immigrant groups have organised and begun trying to pressure the Turkish state. *Brücke*, a German-Turkish bridging organisation, and the Association of Foreign Wives are exceptions. Hence, if in the next five to ten years immigration issues become more important and appear in the public sphere, we might begin to see more pressure applied to Turkey.<sup>59</sup>

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<sup>59</sup> Ahmet İçduygu, Bilkent University, Department of Political Science, confirmed this possibility (interview: 15 May 2003).

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