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IRB – Immigration and Refugee Board of Canada

Turkey: Exit procedures at airports and land borders, including documents required to cross the border at a land crossing (2017-January 2020) [TUR106388.E]

Research Directorate, Immigration and Refugee Board of Canada

1. Exit Procedures

According to article 2 of Turkey's Passport Law, both "Turkish citizens and foreign subjects are obliged [to present] valid passports or a passport substitute document to enter Turkey and to [exit] Turkey. ..." (Turkey 1950). In a telephone interview with the Research Directorate, a representative of Yabancılar İletişim Merkezi (YIMER 157), a telephone helpline operated by the Directorate General of Migration Management which provides information to foreigners on "issues such as visa, residence permit, international protection and temporary protection" (Turkey n.d.a), indicated that exit procedures are the same at both airports and land borders (Turkey 13 Dec. 2019).

The Global Detention Project (GDP), "a non-profit organisation based in Geneva that promotes the human rights of people who have been detained for reasons related to their non-citizen status" (GDP n.d.), states that

[c]ontrol of Turkey's borders is the principal responsibility of the Turkish armed forces, although the gendarmerie (under the Interior Ministry) also administers rural areas and borders. (GDP Oct. 2019)

However, in a follow-up telephone interview, the YIMER 157 representative noted that Hudut Kapısı Büro Amirliği, which is a branch of the Turkish National Police, is the government authority responsible for enforcing entry and exit procedures at borders (Turkey 7 Jan. 2020). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

For information on the cancellation of passports and restriction of movement for alleged *Hizmet* [Gülen movement] supporters, see Response to Information Request TUR106389 of January 2020.

1.1 Foreigners

According to article 103 of the Law on Foreigners and International Protection, it is within the mandate of the Directorate General of Migration Management to "... carry-out functions and actions related to the entry into, stay in and exit from of [sic] foreigners in Turkey ..." (Turkey 2013). Article 5(1) of the Implementing Regulation on the Law on Foreigners and International Protection provides that "[e]ntry into and exit from Turkey shall be through the border gates with a valid passport or a document substituting a passport. ..." (Turkey 2016). The YIMER 157 representative explained that foreigners' passports should be valid for [at least] 6 months and that they must also present their permits when exiting the country (Turkey 13 Dec. 2019). The representative further indicated that foreigners receive exit stamps on their passports when leaving Turkey (Turkey 13 Dec. 2019). In a follow-up telephone interview, the same source noted that all permit types must be presented when exiting the country (Turkey 7 Jan. 2020). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Article 14(4)(b) of the Implementing Regulation on the Law on Foreigners and International Protection further provides the following: "Exits shall be made through the same port. Exits shall be permitted after collecting transit visa fee, if persons wish to exit through a port or border gate other than the entry port" (Turkey 2016). Additionally, on the matter of exit fees for foreigners, the YIMER 157 representative stated that fees only apply if the foreigner overstays [the duration of stay provided by their visa or permit] (Turkey 13 Dec. 2019). The Turkish government's website also states that foreigners who overstay their visa may be "asked to pay fines, deported or banned [from] future travel to Turkey for a specific period of time" (Turkey n.d.b).

1.2 Turkish Citizens

Information on rules and procedures for Turkish nationals exiting Turkey was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

According to the International Air Transport Association (IATA), the "trade association for the world's airlines, representing some 290 airlines" (IATA n.d.a), a departure tax of 15 Turkish lira (TRY) "is levied on Turkish nationals traveling abroad" (IATA n.d.b). An article written by Deloitte Turkiye, a member firm of the Deloitte network [1], indicates that article 20 of Turkish Law No. 7186 of July 2019 on the Amendment to the Income Tax Law and Certain Laws cites an increase of departure fees on Turkish citizens travelling abroad from 15 TRY to 50 TRY (Deloitte Turkiye 1 Aug. 2019). Similarly, according to the website of the Istanbul Sabiha Gökçen International Airport (ISG), "Turkish citizens flying to international destinations have to pay a 50 [TRY] departure tax per head" (ISG n.d.). The website of the Istanbul Airport indicates that citizens "are obliged to pay a departure fee in exchange for a transaction stamp while leaving the country" (Istanbul Airport n.d.). According to the same source, the following groups of people do not "need to get a departure fee stamp":

- People having a residence permit abroad as of the date of exit,
- People departing with an identification document issued by the Turkish Republic of Northern Cyprus,

- Children aged below 7,
- People departing with safe-conduct pass (Pasavan) and similar documents,
- Staff of road, air, sea and rail mass transport and cargo vehicles travelling for commercial purposes. (Istanbul Airport n.d.)

Similarly, the ISG website lists Turkish citizens living abroad (as of the date of departure) and those under the age of 7 and "staff/crew of freight/passenger carrying commercial vehicles" as exempt from the departure fee (ISG n.d.).

1.3 Exit of Temporary Protection Beneficiaries

1.3.1 Syrians

The US Department of State's *Country Reports on Human Rights Practices for 2018* indicates that "[t]he [Turkish] government issued individual exit permissions for Syrians under temporary protection departing the country for family reunification, health treatment, or permanent resettlement, and required an individual exception for all other reasons" (US 13 Mar. 2019, 37). According to the Asylum Information Database (AIDA), "a database managed by the European Council on Refugees and Exiles (ECRE) [2], containing information on asylum procedures" and related issues (ECRE n.d.a), "Syrians seeking a family reunification departure from Turkey must first register with [the Directorate General of Migration Management] as a temporary protection beneficiary before they can subsequently request and obtain an 'exit permission' to leave Turkey to a third country" (ECRE n.d.a). The same source further indicates that "highly qualified Syrians" were "usually" prevented from exiting Turkey due to being issued V91 codes [3] (ECRE n.d.a). An essay published on the website of the Middle East Institute, a non-partisan think tank (Middle East Institute n.d.), similarly indicates that the Turkish government has refused "exit permits to Syrians with university qualifications" (Hintz and Feehan 10 Jan. 2017).

1.3.2 Other Nationalities

AIDA states that beneficiaries of temporary protection must seek exit permission from the Directorate General of Migration Management "to exit Turkey to a third country either for the purpose of a temporary visit or on a permanent basis for the purpose of resettlement" (ECRE n.d.a). However, *US Country Reports 2018* mentions that "[u]ntil September [2018] non-Syrian conditional refugees accepted by a third country for resettlement through a UNHCR process also needed to obtain exit permission before leaving the country" (US 13 Mar. 2019, 37). Further and corroborating information could not be found among the sources consulted by the Research Directorate with 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.

Notes

[1] Independent firms that operate under the Deloitte brand "collaborate to provide audit & assurance, consulting, financial advisory, risk advisory, tax and related services to select clients" while working "in accordance with national laws, regulations [and] customary practice" (Deloitte n.d.).

[2] The European Council on Refugees and Exiles (ECRE) is "an alliance of 104 NGOs across 41 European countries" that aims to "protect and advance the rights of refugees, asylum-seekers and other forcibly displaced persons in Europe and in Europe's external policies" (ECRE n.d.b).

[3] A V91 code refers to "temporary protection holders in need of exit permission" (ECRE n.d.a).

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