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Turkey: Marriage registration and the issuance of marriage certificates

Introduction

This note describes marriage registration procedure and the issuance of marriage certificates in Turkey. In doing so, the note will include a description of the administrative structure and the legislative framework related to the issuance of civil status documents, as well as a description of archives and registration routines, related corruption and the trustworthiness of civil status documents.

The note is based on open source information and can be shared with interested parties. The research was concluded in June 2019.

The administrative structure and legislative framework in Turkey

Administratively, Turkey is divided into 81 provinces (in Turkish called *iller/ili*) which are again divided into smaller administrative districts. All levels of administration are governed from state level on the basis of the Turkish constitution.¹

Civil registration

Issuance of all civil status documents, such as marriage-, birth- and death certificates is undertaken by the Citizenship and National Registration Office, known as “Nüfus”.² As prescribed in the Turkish Civil Registration Services Law from 2006 civil events are registered in the Central Civil Registration System (MERNIS), an electronic, central database established in 2000. The actual registration can be conducted at any of the 966 civil registration offices located across Turkey.³ The employees at the civil registration offices can access the information in MERNIS as well as enter information when registering a civil event.⁴

¹ European Asylum Support Office, *EASO Country of Origin Information Report – Turkey*, November 2016, https://coi.easo.europa.eu/administration/easo/PLib/EASOCOI_Turkey_Nov2016.pdf p. 20. Accessed on 21st of March 2019

² The Danish National ID Centre, *Issuance procedures and security features of Turkish identity cards (Kimlik)*, 13th of June 2018 <https://nidc.dk/da/Analyser-og-trends/Analyser-udarbejdet-af-National-ID-center>, p.1. Accessed on 18th of September, 2018

³ Turkish Ministry of Interior, <https://www.nvi.gov.tr/ministry-of-the-interior/the-central-civil-registration-system>. Accessed on September 27, 2018

⁴ Department of Foreign Affairs and Trade, <https://dfat.gov.au/about-us/publications/Documents/country-information-report-turkey.pdf>, 9th of October 2018, p. 52. Accessed on 25th of June 2019

It is difficult to determine to what extent regulations on civil registration are followed in Turkey. According to the Australian Refugee Review Tribunal record keeping can be sporadic.⁵

Marriage registration in Turkey

Marriage is regulated by the Turkish Civil Code.⁶ Turkey has four types of marriage; civil marriage, religious marriage, traditional marriage and marriage by proxy.⁷ This note primarily regards the religious marriage, but it also touches upon the civil marriage.

Religious marriages are performed by Muslim muftis. Only Muslim Muftis can perform religious marriages that are legally valid, leaders of other faiths cannot.⁸ In May 2015 a Constitutional Court decision awarded religious marriages equal legal validity to a civil marriage. Prior to this, it was not allowed to hold a religious marriage before having obtained a civil marriage.⁹ In November 2017, a law was adopted allowing Muslim clerics (Muftis) to perform marriages with the same authority as Turkish civil municipal marriage officers.¹⁰

In 2016 97,1% of all recorded marriages in Turkey were registered by both the religious and civilian authorities. Whereas, according to the Turkish Statistical Institute, only 1,8% of Turkish marriages was just registered religiously.¹¹ The exact number of religious marriages is difficult to determine, since many have been celebrated unofficially prior to religious marriages gaining legal validity in 2017.¹²

Not a lot of information on the actual registration of marriage in Turkey is available. According to the Refugee Documentation Centre in Ireland, the couple must go to the local Marriage Office (local branches are located in all provinces of Turkey) to register. Here, the Marriage Director issues a marriage booklet (in Turkish:

⁵ Australia: Refugee Review Tribunal, *Turkey: 1. Please advise whether official records of birth and marriage in Turkey are unreliable. 2. What is the current treatment of Kurdish people in Istanbul? In the rest of Turkey? Do they have state protection? 3. Please provide information (including policies) about the HADEP and the DTP. How are members treated by the Turkish government? 4. Are there reports of assaults/rapes by government officers/police against Kurdish women? 5. Information about relocation? Is a Kurdish accent recognisable throughout Turkey?*. 28th of April, 2011. <https://www.refworld.org/docid/4e5226682.html>, p. 1. Accessed on 8th of April 2019

⁶ DFAT, 9th of October 2018, p. 25

⁷ Irland. Refugee Documentation Centre. *Country Marriage Pack; Turkey*. January 1, 2015. <https://lifos.migrationsverket.se/dokument?documentSummaryId=34857>, p. 1-3. Accessed on September 19 2018

⁸ United States Commission on International Religious Freedom, *USCIRF Annual Report 2018 – Tier 2 – Turkey*, 25th of April 2018, <https://www.refworld.org/docid/5b278efb2.html>, p. 201-202, accessed on 25th of June 2019

⁹ UK Home Office: *Country Policy and Information Note – Turkey: Women fearing gender-based violence*, May 2018. <https://www.refworld.org/docid/5983216f4.html>, p. 13. Accessed on 25th of September 25, 2018

¹⁰ United States Commission on International Religious Freedom, 25th of April 2018, p. 201; DFAT, 9th of October, p. 25

¹¹ UK Home Office, May 2018, p. 45

¹² UK Home Office, May 2018, p. 31

Evlenme Cuzdani).¹³ The booklet contains pictures of the couple as well as personal information.

Following documentation is required when registering a marriage:¹⁴

- Application form signed by the couple stating their intent to marry.
- The identity cards of the marrying parties. If the marrying parties are foreigners or have dual citizenship it is required to present a Foreign Identity Card or a passport.
- Three photographs in color of the couple taken within the previous six months.

If the wedding parties have previously been married additional documentation is required. Since religion is not recorded when registering a marriage, there are generally no restrictions when entering an interreligious marriage..¹⁵ A new document can be issued if the original is lost. It will be based on the information recorded when the original marriage booklet was issued.¹⁶

The available sources disagree on the legal age of marriage. The European Asylum Support Office and the US Department of State state that the legal age of marriage is 18 for both genders.¹⁷ Whereas the UK Home Office states that the legal age of marriage since 2002 has been set at 17 years old for both genders.¹⁸

In accordance with the revised Turkish Civil Code of 2002 a person at the age of 16, both male and female, can legally marry if the marriage has been approved by a court decision.¹⁹

Divorce

Both spouses can apply for a divorce in cases of “irretrievable breakdown of marriage”, which can be caused by various circumstances, including adultery, desertation, insanity, detrimental treatment or commitment of a humiliating act.²⁰

The Turkish Civil Code allows women who have been forced into marriage to file for annulment of the marriage within the first five years of marriage.²¹ A divorced woman cannot enter into a new marriage before at least 300 days after the dissolution of her prior marriage, unless she can provide special court permission. There is no such rule for males.²²

¹³ Irland: Refugee Documentation Centre, January 1 2015, p. 4.

¹⁴ Irland: Refugee Documentation Centre, January 1 2015, p. 6.

¹⁵ Landinfo, *Tyrkia: Ekteskap mellom tyrkere og kurdere*. 26th of January 2018.

<https://landinfo.no/wp-content/uploads/2018/04/Tyrkia-respons-Ekteskap-mellom-tyrkere-og-kurdere-26012018.docx.pdf>, p. 2. Accessed on 22nd of March 2019

¹⁶ Irland: refugee Documentation Centre, January 1, 2015, p. 5.

¹⁷ EASO, November 2016, p. 93; US Department of State, *2016 – Country Reports on Human Rights Practices – Turkey*, 3rd of March 2017, <https://www.refworld.org/docid/58ec89b3a.html>. Accessed on 25th of June 2019

¹⁸ UK Home Office, May 2018, p. 12

¹⁹ UK Home Office, May 2018, p. 12

²⁰ UK Home Office, May 2018, p. 13

²¹ UK Home Office, May, 2018, p. 12

²² UK Home Office, May 2018, p. 32

Religious and provincial variations

The practice of underage marriage is estimated to be widespread in Turkey, but most prevalent in the eastern provinces.²³ According to the United States Department of State in 2015 and 2017 early and forced marriage was also widely used in the southeast provinces.²⁴

Legislation and procedures related to foreigners

Prior to the wedding, foreigners must gather the relevant documentation translated to Turkish. Note that the documentation can vary from one district to another. It is common to be expected to provide a blood test or a health certificate.²⁵

Marriage abroad

When applying for a marriage registration abroad the couple must go to diplomatic mission of Turkey and present ID cards of both spouses along with two facial images in color of each spouse. The facial images must have been taken within the last six months, must be the same and must be taken from the front.²⁶ Couples where both parties are Turkish citizens as well as couples where one is a foreigner can be married at a Turkish diplomatic mission.²⁷

After a wedding ceremony has been performed at a Turkish Foreign Mission the marriage certificate will be delivered to the couple. The foreign missions determine a set fee in Turkish Lira for reissuance of lost documents on a yearly basis. The fee is based on the rate of the local currency to Turkish Lira, thus it will vary.²⁸ When applying for reissuance of a document the foreign mission verifies the identity through an identity sharing system, an extension of MERNIS implemented in 2005.²⁹ In case verification is not possible the reissued document will be issued on the basis of necessary correspondence with the Birth Registration Offices in Turkey.³⁰

²³ EASO, November 2016, p. 77

²⁴ United States Department of State, *2014 Country reports on Human Rights Practices – Turkey*, 25th of June 2015, <https://www.refworld.org/docid/559bd5301e.html>. Accessed on 27th of March 2019; US Department of State, 3rd of March 2017

²⁵ Embassy of Denmark in Turkey, <http://tyrkiet.um.dk/da/rejse-og-ophold/ophold-og-bosaettelse/civilretslig-spoergsmaal/indgaaelse-af-aegteskab-i-tyrkiet/>. Accessed on 25th of June 2019

²⁶ Embassy of the Republic of Turkey in Denmark, <https://www.konsolosluk.gov.tr/Procedure/ShowProcedureDetail/?procedureId=3&procedureDetailId=61>. Accessed on 24th of June 2019

²⁷ Embassy of the Republic of Turkey in Denmark, <https://www.konsolosluk.gov.tr/Procedure/ShowProcedureDetail/?procedureId=3&procedureDetailId=61>. Accessed on 24th of June 2019

²⁸ Embassy of the Republic of Turkey in Denmark, <https://www.konsolosluk.gov.tr/Procedure/ShowProcedureDetail/?procedureId=3&procedureDetailId=61>. Accessed on 24th of June 2019

²⁹ DFAT, 9th of October 2018, p. 52

³⁰ Embassy of the Republic of Turkey in Denmark, <https://www.konsolosluk.gov.tr/Procedure/ShowProcedureDetail/?procedureId=3&procedureDetailId=61>. Accessed on 24th of June 2019

Corruption and trustworthiness of civil status documents

Despite governmental efforts to increase the integrity of the public sector small scale bribery and gift giving is significant.³¹ Still the public sector remains basically effortless in attempting to create awareness on the matter, and anti-corruption activities are rare.³²

In 2009 the National Anti-Corruption Strategy Plan was adopted by the Turkish government in order to prevent future corruption, sanctioning existing corruption and raising awareness of corruption. In spite of the anti-corruption plan corruption has increased the past few years according to the Turkish Economic and Social Studies Foundation.³³ In 2016 the Turkish authorities adopted a national action plan on corruption, but the legal framework still presents gaps and corruption remains a concern.³⁴

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³¹ Asylum Research Consultancy. *Turkey Country Report*. December 15, 2016.

<https://www.refworld.org/docid/58529e5b4.html>, p. 26. Accessed on September 26, 2018

³² Asylum Research Consultancy, December 15, 2016, p. 26.

³³ EASO, November 2016, p. 47

³⁴ EASO, November 2016, p. 48

Sources

Asylum Research Consultancy. *Turkey Country Report*. December 15, 2016.

<https://www.refworld.org/docid/58529e5b4.html>

Australia: Refugee Review Tribunal, *Turkey*: 1. Please advise whether official records of birth and marriage in Turkey are unreliable. 2. What is the current treatment of Kurdish people in Istanbul? In the rest of Turkey? Do they have state protection? 3. Please provide information (including policies) about the HADEP and the DTP. How are members treated by the Turkish government? 4. Are there reports of assaults/rapes by government officers/police against Kurdish women? 5. Information about relocation? Is a Kurdish accent recognisable throughout Turkey? 28th of April, 2011. <https://www.refworld.org/docid/4e5226682.html>

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Embassy of Denmark in Turkey, <http://tyrkiet.um.dk/da/rejse-og-ophold/ophold-og-bosaettelse/civilretslig-spoergsmaal/indgaaelse-af-aegteskab-i-tyrkiet/>.

Embassy of the Republic of Turkey in Denmark, <https://www.konsolosluk.gov.tr/Procedure/ShowProcedureDetail/?procedureId=3&procedureDetailId=61>.

European Asylum Support Office, *EASO Country of Origin Information Report – Turkey*, November 2016, https://coi.easo.europa.eu/administration/easo/PLib/EASOCOI_Turkey_Nov2016.pdf

Irland. Refugee Documentation Centre. *Country Marriage Pack; Turkey*. January 1, 2015. <https://lifos.migrationsverket.se/dokument?documentSummaryId=34857>

Landinfo, *Tyrkia: Ekteskap mellom tyrkere og kurdere*. 26th of January 2018. <https://landinfo.no/wp-content/uploads/2018/04/Tyrkia-respons-Ekteskap-mellom-tyrkere-og-kurdere-26012018.docx.pdf>

The Danish National ID Centre, *Issuance procedures and security features of Turkish identity cards (Kimlik)*, 13th of June 2018 <https://nidc.dk/da/Analyser-og-trends/Analyser-udarbejdet-af-Nationalt-ID-center>

Turkish Ministry of Interior, <https://www.nvi.gov.tr/ministry-of-the-interior/the-central-civil-registration-system>.

UK Home Office: *Country Policy and Information Note – Turkey: Women fearing gender-based violence*, May 2018. <https://www.refworld.org/docid/5983216f4.html>

United States Commission on International Religious Freedom, *USCIRF Annual Report 2018 – Tier 2 – Turkey*, 25th of April 2018, <https://www.refworld.org/docid/5b278efb2.html>

United States Department of State, *2014 Country reports on Human Rights Practices – Turkey*, 25th of June 2015, <https://www.refworld.org/docid/559bd5301e.html>.

US Department of State, *2016 – Country Reports on Human Rights Practices – Turkey*, 3rd of March 2017, <https://www.refworld.org/docid/58ec89b3a.html>.