

# **GUIDE FOR DIPLOMATIC MISSIONS IN TÜRKİYE**



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# **MINISTRY OF FOREIGN AFFAIRS DIRECTORATE GENERAL OF PROTOCOL ANKARA, 2022**

## **INTRODUCTION**

The Guide to Diplomatic Missions in Türkiye aims to inform the members of diplomatic and consular missions and international organizations throughout their tenure in Türkiye on certain basic procedures to be followed as well as privileges and immunities.

The status of embassies, consular posts and international organizations in Türkiye is governed by the provisions of the Vienna Convention on Diplomatic Relations (VCDR, 1961), the Vienna Convention on Consular Relations (VCCR), 1963), host country agreements of various international organizations in accordance with relevant Turkish laws and regulations and-based on the principle of reciprocity.

This Guide is compiled from legal documents, rules and regulations and practices of Türkiye. However, it should be considered as a reference and a set of general guidelines for Diplomatic Missions, Consular Posts and International Organizations in Türkiye, rather than a legally binding document. Further reference should be made to the Circular Notes sent by the Ministry, application forms and other information available at the Diplomatic Portal.

## **1 GENERAL INFORMATION**

### **1.1 DIPLOMATIC MISSIONS**

Regarding the diplomatic immunities and privileges, in conformity with the provisions of the 1961 Vienna Convention on Diplomatic Relations (VCDR), the members of Diplomatic Missions are considered in three categories.

- Diplomatic staff members (Those listed in the List of Diplomatic Corps/holders of 1st category ID cards),
- Administrative-technical staff members,
- Service staff members.

The type of passport and/or title and duty of a member of a foreign mission are among the factors which determine the category of each staff member in line with the VCDR and Turkish legislation and based on the principle of reciprocity. Nevertheless, it is at the Ministry of Foreign Affairs' (hereinafter referred to as the Ministry) discretion to determine or change the category and to clarify the status of a staff member.

### **1.2 CONSULAR POSTS**

In conformity with the provisions of 1963 Vienna Convention on Consular Relations (VCCR), the staff members of the Consular Posts are considered in three categories.

- Consular Officers

- Consular employee (administrative-technical)
- Members of the service staff

### **1.3 INTERNATIONAL ORGANIZATIONS**

The members of the international organizations are considered in three categories.

- International staff
- Administrative-technical staff members,
- Service staff members.

The immunities and privileges of the members of Representations of International Organizations accredited to Türkiye shall be limited to those which are specified in the host country agreements and the international conventions to which Türkiye is a party.

### **1.4 FAMILY MEMBERS**

The provisions of the VCDR (Article 37) do not explicitly define the term "family member" and therefore each State has its own interpretation. Please refer to the ID Cards Section for more detailed information on the subject.

## **2 PROTOCOL PROCEDURES FOR THE ARRIVAL OF MEMBERS OF STAFF AT DIPLOMATIC/CONSULAR MISSIONS AND INTERNATIONAL ORGANIZATIONS**

### **2.1 NOTIFICATION OF ARRIVAL**

Missions should notify the Ministry (Protocol Department) within a week after the arrival of a staff member by sending a Verbal Note. The Verbal Note should include the arrival notification form, to be filled online through [diplomatic.mfa.gov.tr](http://diplomatic.mfa.gov.tr). This form also serves as "ID Application Form". Notification should include also family members.

Five copies of the arrival notification form fully completed, duly signed and sealed, together with passports, one copy of each passport and 2 photographs of each person concerned should be attached to the Verbal Note.

The Verbal Note and should explicitly state the name of the predecessor, the category (i.e. diplomatic, administrative-technical or service) and the title of the officer as well as the functions she/he will assume (e.g. in charge of political, cultural, economic, administrative affairs or chief of chancellery).

## **3 IDENTITY (ID) CARDS**

The rules and procedures about the ID cards are stipulated in the "Regulation on Identity Cards for the Resident Foreign Missions" (Official Gazette on 23 July 2013, edition: 28717).





In Türkiye same-sex marriage is not legalized, therefore same-sex partners cannot be qualified as family members of diplomats in terms of diplomatic/consular status. In consequence ID cards cannot be issued for them. They have to apply for a residence permit to the relevant Turkish authorities (without the intermediary of the Ministry) as is the case for regular foreigners.

### **3.1.2 RENEWAL**

ID cards should be returned to the Ministry for renewal, the latest by two weeks prior to the date of expiration. If the term of office is not indicated in the Verbal Note, the ID card will be renewed for two years.

The children, who are not entitled to ID cards, are obliged to get a residence permit from the Ministry of Interior by direct application.

### **3.1.3 LOST/THEFT**

The Ministry should be informed immediately in case of loss or theft of ID cards.

Requests for a new ID card following the loss, damage or any change in the previous card should be made by a Verbal Note. In case of loss, a copy of the police report should be attached to the Note.

## **3.2 DOMESTIC WORKERS**

The Red and Green Band ID holders of the diplomatic missions, consular posts and international organizations can apply to employ domestic workers on certain conditions.

Domestic workers employed by staff members of diplomatic missions, consular posts or representations of International Organizations are subject to the requirements of the current visa and residence regulations. Legal entry and stay in the country of the person to be employed as a domestic worker is essential. When recruiting a person living in Türkiye as a domestic worker, members of diplomatic missions must ensure that this person is a legal resident of Türkiye and there are no legal restraints for his/her employment.

For employment, the relevant mission should send to the Ministry "a Letter of Undertaking" (two copies in Turkish and two copies in English) for approval. In any case, the "Letter of Undertaking" should be sent to the Ministry before the expiration of the domestic worker's visa/residence permit.

Documents certifying that the domestic worker is covered by the current social security provisions of the "sending state" or a "third state" (the country of origin of the domestic worker) with 3 copies of The relevant pages of the passport (bearing visa if applied), 4 information forms for arriving domestic workers and 2 photographs, copy of the ID card of the employer, contract between the domestic worker and the employer and its Turkish translation should be attached to the Verbal Note requesting the approval of the Ministry. If the domestic workers' social security does not cover the health insurance in Türkiye, a separate local health insurance (private insurance companies are accepted) is necessary. Relevant documents should be attached to the application.

The Ministry does not issue ID cards for domestic workers employed by members of

mission in Türkiye. After obtaining the Ministry's approval they have to apply for a residence permit to be issued by the Migration Management (Göç İdaresi).

For renewals of residence permits, regular payments of insurance premiums should be certified by a Note with the relevant documents attached.

### **3.3 LOCALLY EMPLOYED STAFF**

In case of a local staff employment (Turkish citizens, permanent residents and third country nationals with a valid residence permit), diplomatic missions, consular posts and international organizations must notify the Ministry with the labour contract and the papers documenting that she/he enjoys social security coverage.

The local staff employed by foreign missions must also be registered to the "Diplomatic Portal/Local Staff" Module. This module of Diplomatic Portal is reference for all operations related to the local staff. Local staff members who are not registered in this module would not be accepted as mission staff and can not engage any official activities associated with MFA. The foreign missions are liable for any legal consequences of employing unregistered local staff.

### **3.4 TEMPORARY ASSIGNMENTS**

Temporary assignments should be notified by a Verbal Note to the Ministry within one week after the arrival of the personnel in Türkiye.

The Verbal Note should contain:

- The duration of the assignment,
- The title, duty or occupation of the personnel,
- The reason of the temporary assignment,
- Family members accompanying the temporarily assigned personnel, if any.

The passport of the personnel should be attached to the Verbal Note. A visa indicating their temporary assignment status will be affixed to the passport.

The duration of temporary assignments should not exceed 6 months.

### **3.5 ACCREDITATION PROCEDURES FOR MILITARY ATTACHES**

Diplomatic missions wishing to appoint a defence, military, naval or air attaché to Türkiye must request written consent by way of a Verbal Note addressed to the Protocol the Department of the Ministry. Detailed CV of the candidate should be attached to this notification. (Date of birth should be indicated in the CV.)

If a mission plans to appoint a military administrative attaché to the office of the military attaché, the status and the rank of the military officer should be clearly stated in the Verbal Note.

### **3.6 APPOINTMENT OF CONSULS GENERALS**

In accordance with the relevant provisions of the VCCR, appointments of Consul Generals should be notified by the diplomatic missions to the Directorate General of Consular Affairs (KOGM) at the Ministry. An exequatur will be issued following the consent of the Ministry as stipulated in the VCCR.

### **3.7 HONORARY CONSULATES**

Establishment of Honorary Consulates in Türkiye depends on the consent of the Ministry (KOGM- Directorate General of Consular Affairs). An Exequatur prepared by the Ministry as consent upon the receipt of the "Consular Commission" or similar instruments of notification of the sending state.

## **4 VISAS**

A staff member assigned to a diplomatic mission, consular post or to the representation of an international organization should obtain the initial diplomatic or service entry visa (if required) before entering Türkiye from the respective Turkish diplomatic missions abroad.

With the assumption of office in Türkiye, the Ministry will issue a multiple-entry visa along with the ID card upon application of the mission.

## **5 DEFINITE DEPARTURE PROCEDURE**

The Protocol Department should be notified about the final departure of staff and their family members by using the "Definite Departure Notification Form". This online form should subsequently be sent in a duly signed and sealed form attached to a Verbal Note to the Ministry within one week after the date of departure. ID cards as well as the firearms licenses, and airport entrance cards should be returned to the Ministry along with the Verbal Note. For some exceptional cases ID cards can be returned within one month separately. Airport entrance cards can be returned to the General Directorate of State Airports Authority as well as to the Ministry.

## **6 REGISTRATION, SALE, TRANSFER, RE-EXPORT OF MOTOR VEHICLES ( IMPORTED AND LOCALY BOUGHT); THEFT- ACCIDENT, TECHNICAL INSPECTION AND DRIVING LICENCES**

### **6.1 GENERAL PROVISIONS**

Imported vehicles can be sold only to persons who do not benefit from exemption, and they can be transferred only to persons who benefit from exemption.

Following the procedures of import, sale, transfer, export or abandonment to the customs

of the vehicles belonging to foreign missions and their staff, the relevant customs administration shall inform thereof the Ministry of Foreign Affairs.

## **6.2 MOTOR VEHICLES BELONGING TO FOREIGN MISSIONS, DIPLOMATIC MISSION MEMBERS AND ADMINISTRATIVE AND TECHNICAL STAFF**

Missions, diplomatic staff, administrative and technical staff may acquire motor vehicles duty-free and VAT-free for the needs of the mission or for personal use. Depending on how a motor vehicle is acquired, different rules and procedures apply as described below.

### **6.2.1 IMPORT**

#### **6.2.1.1 PRIVATE VEHICLES**

Diplomatic as well as administrative and technical staff may import private vehicles exempt from customs duties on the basis of the diplomatic exemption letter approved by the Ministry of Foreign Affairs (Annex- 1/Form B) or, if certain requirements are met, they may also purchase vehicles from the domestic market benefiting from exemptions.

The Protocol Department will return the endorsed form to the mission. The endorsed form is then to be presented at customs clearance. The customs office will indicate on the form that the vehicle is classified as a 'diplomatic vehicle'. The same procedure applies to second-hand vehicles.

Diplomatic as well as administrative and technical staff may be allowed to own a second vehicle for his/her spouse on the condition that the vehicle is registered with her/his own name. The right to import a new vehicle instead of a disposed vehicle shall be evaluated on the basis of reciprocity and if applicable, bilateral agreements.

Private vehicles imported by diplomatic staff as well as administrative and technical staff shall be sold, transferred, abandoned to customs or exported upon the expiration of the term of office.

#### **6.2.1.2 SERVICE VEHICLES**

Foreign missions may import, in reasonable numbers, service vehicles exempt from customs duties on the basis of the diplomatic exemption letter approved by Ministry of Foreign Affairs. Missions may purchase domestically produced vehicles on the same conditions benefiting from exemptions.

Reasonable numbers and reciprocity shall be the basis for the number of service vehicles of the missions. The necessary arrangements on the quotas shall be made by the Ministry of Foreign Affairs.

#### **6.2.1.3 IMPORT PROCEDURES**

The process of importing a vehicle can be commenced once the vehicle in question is

deposited in the warehouse of customs authority through which the import will be made.

Import procedures shall be carried out on the basis of the diplomatic exemption letter dully filled by the foreign mission (Annex-1/Form B). The following should be indicated in the diplomatic exemption letter which should be sent attached to a Verbal Note:

- certificate of title
- original purchase invoice
- traffic license or their copies
- all the specifications of the vehicle including its accessories
- information regarding its date and location of entry into Türkiye.

If the vehicle to be imported enters Turkey from a different port of entry than where the import procedure is to be done (for example the vehicle enters from Mersin port but the import procedure is planned to take place in Ankara ) it is required that the dispatch documents (İrsaliye Belgesi) issued by the Customs Authority where the vehicle entered Turkey for the delivery of vehicle to the relevant customs administration shall be submitted to the customs administration within 7 days as of the date of issue. Concerning the request for the extension of the delivery date of the vehicle to the customs administration, the related party should apply within 15 days following the date of issue of the dispatch document to the Ministry of Foreign Affairs. The result shall be conveyed directly to the customs administration upon the approval of the Ministry.

Any amendment or correction to be made afterwards in the engine or chassis numbers of the imported vehicle shall be requested by a verbal note. If the demand for amendment, which should be based on reasonable and valid causes, is deemed appropriate by the Ministry of Foreign Affairs, the necessary amendment shall be made on the original document by the relevant customs administration.

If the imported car is older than three years on the date of purchase by foreign missions, diplomatic or administrative and technical staff, an annotation shall be attached to the diplomatic exemption letter, prescribing that "It cannot be sold to those who do not benefit from tax exemption." These vehicles should be registered in the Vehicle Tracking Program No. 1 by selecting "Diplomatic Exemption Letter" option.

#### ***6.2.1.4 PRIVATE CARS OF 4TH CATEGORY FOREIGN MISSION CARD HOLDERS***

4th category foreign mission card holders are allowed to import one car through Turkish Touring Club. They are entitled to "MA-MZ" plates (black prints on white). Following documents should be submitted to the Club for application:

- ID card issued by the Ministry,
- Passport,
- Driving license,
- Invoice and registration book of the car,
- A deposit calculated according to the engine power (HP) and model year of the car is required as guarantee.

The Touring Club issues a document called "Yabancı Taşıtlar Geçici Giriş Karnesi" valid for a maximum of 2 years that can be extended according to the to the expiry date of the ID card.

Private cars of 4th category foreign mission card holders can only be transferred to persons enjoying the same status, but not sold to persons who have no tax-exempt status. If the car is transferred or exported, the deposit will be paid back.

#### **6.2.1.5 HIRING PRIVATE DRIVERS FOR PRIVATE CARS**

Private cars of the staff members of the diplomatic/consular missions can only be used by the owner, her/his spouse and children and the drivers with a contract authorized by Notary.

#### **6.2.2 Purchasing a motor vehicle in Türkiye:**

New vehicles purchased by a registered importer (including general agents), or new vehicles purchased and manufactured by commercial manufacturers in Türkiye are considered to have been purchased in Türkiye.

Missions, diplomatic mission members can purchase a car in Türkiye exempted from customs duties and VAT based on the principle of reciprocity. The process of purchasing a car in Türkiye consists of following steps:

- Diplomatic missions should apply to the Ministry through a Verbal Note to purchase a car in the local market with an exemption from applicable taxes. The Verbal Note should include the pre-sale contract for the car.
- The Ministry issues a certificate for "Exemption from VAT (KDV) and SCT (Special Consumption Tax/Özel Tüketim Vergisi (ÖTV)).
- The Ministry also allocates a number for the diplomatic license plate of the motor vehicle according to the status of the buyer (CD/CM/CC/CG) and notifies the Ministry of Interior of the new plate number and asks the relevant Provincial Directorate of Security (İl Emniyet Müdürlüğü)- Ministry of Interior to issue the license plate.
- The buyer gives the Exemption Certificate issued by the Ministry to the car dealer where the purchase was done, and completes the registration of the car and obtains the license plates at the Provincial Directorate of Security.

### **6.3 SALE**

#### **6.3.1 PRIVATE VEHICLES**

It is required to have the prior permission of the Ministry of Foreign Affairs for the sale of private vehicles. Only one vehicle may be sold to those who do not benefit from customs exemption during the-term of office of each staff member. If a private vehicle enjoying the exemption is older than three years when purchased by its owner, it cannot be sold to those who do not benefit from customs exemption on the basis of the principle of reciprocity; however, these vehicles may be exported, transferred or abandoned to the customs.

Permission for sale shall be granted at the end of the two-year-period following the import date of the vehicle. Heads of foreign missions shall be granted permission for sale for a second vehicle when they leave Türkiye at the end of their term.

If the owner of the vehicle leaves Türkiye definitely this period may be reduced to one year. The Ministry of Foreign Affairs may curtail this period further in case of *force majeure*. In such circumstances, foreign missions shall be required to complete all necessary procedures within two months following the granting of the permission for sale.

Sale of vehicles of administrative and technical staff shall be subject to the provisions of this Article.

### **6.3.2 SERVICE VEHICLES**

Service vehicles which are younger than three years old (model yılı) on the day of import date (entry into Turkey) may be sold, on a reciprocal basis, to Turkish citizens five years after its import following the permission of the Ministry of Foreign Affairs. The buyer should pay all the accumulated taxes. Taking into account reciprocity, it is possible to curtail the five-year period.

### **6.3.3 SALE RESTRICTIONS**

Buses, minibuses, trucks, trailers and other vehicles cannot be sold to persons who do not benefit from customs exemption. However, these vehicles may be transferred under certain conditions.

### **6.3.4 SALE PROCEDURES FOR THE MOTOR VEHICLES IMPORTED TO TURKEY**

Permission for sale shall be requested through a verbal note including a copy of diplomatic exemption letter of import (İthal Takrir Örneği) approved by customs administration, duly sealed, and copies of recent insurance policy and traffic license documents. The vehicle to be sold must meet all the conditions set out by the Ministry of Foreign Affairs.

Following the application, the Ministry issues a “Satış İzin Belgesi”. Authorizations of sale having a two-month validity may be extended for once if requested with a verbal note before the expiry date. Permission for sale shall not be given again for the same vehicle.

In case of definitive leave, permissions for sale may be granted two months before the date of departure. The departure date should be indicated in the verbal note. The validity of this permission cannot be extended.

Upon granting authorization of sale, the vehicle shall be delivered to the customs. It means exit of the vehicle from Turkey, the Customs Administration issues a “Report of the Delivery and Receipt (Teslim Tesellüm Tutanağı)” for the motor vehicle and retains the vehicle in customs warehouse. The seller also submits license plate and registration certificate which owns to the Traffic Department of the Provincial Police Department. Upon the receipt of the plate and certificate the Traffic Department issues “De-registration Certificate (İlişik Kesme Belgesi)” conforming that the procedure of the deregistration has been completed.

When these above mentioned two documents are submitted to the Ministry, the Ministry

directly sends a “Final Sales Document (Kesin Satış Yazısı)” to the Customs Authority where the motor vehicle is stored informing the Customs Authority of the identity and address of the new buyer. The Buyer, then, proceeds with the transactions of paying all the applicable taxes for the customs clearance and the entry of the motor vehicle to Türkiye.

#### **6.4 SALE PROCEDURE OF A MOTOR VEHICLE PURCHASED IN TÜRKİYE TO AN INDIVIDUAL WITH NO TAX EXEMPT STATUS**

- 1- Permission for sale can only be granted after the completion of five years for service vehicles and two years for private vehicles from the date of registration of the vehicle.
- 2- Permission for sale of a motor vehicle to an individual or entity that do not have tax exempt status shall be requested through a verbal note. Verbal note should contain a copy of the registration certificate, insurance policy and the identity card of the buyer.
- 3- Upon receiving the verbal note, the Ministry sends an official online letter to the Tax Office informing about the sale of the vehicle. The Tax Office calculates applicable taxes that should be paid by the buyer.
- 4- When the buyer submits the receipt of the payment of the taxes to the Ministry, the Ministry sends a letter to the concerned Provincial Police Department for the deregistration of the car from the previous owner.
- 5- The buyer and seller can realize the transaction in a Notary. When the Ministry receives a copy of the “Notarized Deed of Sale “closes the file for the sold vehicle.

#### **6.5 EXPORT (EXIT OF THE VEHICLE FROM TURKIYE)**

It is required to notify the Ministry of Foreign Affairs in advance about the export of vehicles imported to Türkiye with the diplomatic exemption letter FORM B (“gümrük mühürlü takrir örneği). Export request shall be submitted with a verbal note, containing the specifications of the vehicle, name and title of owner, license plate number, export date and customs authority where export will be carried out. License copy and recent insurance policy and approved diplomatic exemption letter of import of the vehicle or a copy approved by the customs authorities shall be also attached to the verbal note.

If the vehicle is purchased in Türkiye, the verbal note should contain a license copy and recent insurance policy.

#### **6.6 TRANSFER**

Service vehicles, private vehicles of diplomatic, administrative and technical staff may be transferred to persons enjoying customs exemption. There is no time limitation for the transfer procedures.

Foreign missions shall apply to the Ministry of Foreign Affairs with a verbal note containing the specifications of the vehicle, names and titles of seller and owner and license plate number to obtain the transfer permit. A copy of the diplomatic exemption letter of import approved by the Ministry of Foreign Affairs and recent insurance policy and license copy shall



be also attached to the verbal note.

The transfer shall be made on the basis of the transfer permit issued by the Ministry of Foreign Affairs. Date of registration in the name of the new owner is considered as the new import date for that vehicle.

Transfer procedure shall be reported to the customs authorities which carried out the import procedures and to the Ministry of Foreign Affairs by the customs authorities carrying out the procedure.

## **6.7 OTHER VEHICLES**

The rules applied to private vehicles shall also apply to the vessels in the yacht class and marine boats and to motorbikes. The Ministry of Foreign Affairs shall determine how many vehicles each mission member may own exempt from custom duties, considering ~~also the~~ reciprocity. After owners of vessels in the yacht class and marine boats leave Türkiye, the yachts registered to their names are allowed to stay in Turkish ports. This period cannot exceed five years.

Provisions for vehicles do not apply to non-motorized caravans. Approval of the Ministry of Foreign Affairs is sufficient for sale, transfer or export of such vehicles.

## **6.8 THEFT AND ACCIDENT**

Incidents of theft or accident shall be documented by court decisions, official letters issued by prosecutors, highest civil authority or police units. In case of an accident, the wreck of irreparable cars shall be abandoned to the customs after obtaining the prior permission of the Ministry of Foreign Affairs.

Permission for replacement of such stolen or fully damaged vehicles shall be at the discretion of the Ministry of Foreign Affairs.

## **6.9 CHARGES FOR LICENCE PLATES AND REGISTRATION**

Certain fees will be charged by the traffic authorities.

## **6.10 MOTOR VEHICLE INSURANCE**

Third party liability insurance is mandatory for all motor vehicles licensed in Türkiye. The insurance policy should be submitted to the Ministry when applying for importation, transfer, sale and re-exportation permits.

The insurance companies can also extend the coverage to passengers and the driver through the personal accident insurance.

Third party liability insurance policies issued by companies which are not subject to Turkish jurisdiction are not acceptable.

## **6.11 TECHNICAL INSPECTION**

Periodic technical inspection of motor vehicles is compulsory in Türkiye.

As technical inspection is a service rendered by a private company, diplomatic exemption from applicable fees cannot be granted.

The Ministry issues sales, transfer, re-export and other permissions only for vehicles that have been cleared in this inspection.

## **6.12 DRIVING LICENSES**

National driving licenses of the members of diplomatic and consular missions and international organizations are accepted in Türkiye along with a Turkish translation approved by the foreign mission to be presented to the relevant authorities.

Those who have a national driving license can apply for a Turkish driving license to the local traffic authorities with an officially certified translation.

Those who do not have a national driving license can obtain a Turkish driving license under the same rules and procedures which exist for Turkish nationals.

## **7 PERSONAL AND HOUSEHOLD ITEMS, GOODS**

### **7.1 IMPORTATION BY 1ST CATEGORY ID HOLDERS AND OFFICIAL IMPORTS - PURCHASES**

Importation of personal and official goods and household items are effected through a franchise document (Form A).

Missions are allowed to import electronic devices (TV, video, mp3 player, computer etc.) in reasonable quantities. For example, 4 TV sets for a three person's family or 10 refrigerators for the official use of a mission with 15 employees would exceed reasonable limits. The Ministry has the right to evaluate and accept or refuse applications and therefore the Ministry should be consulted before placing an order for such items.

240 liters of spirits (hard liquor) and 200 cartons of cigarettes can be imported annually for personal consumption. Quotas for official purposes may exceed the above-mentioned figures. Reciprocity is also applied in determining the quotas for each mission. Importation of other goods including alcoholic beverages (wine, beer, etc.) and tobacco should be kept at a reasonable level.

Import "takrir" (Form A) should be prepared in 4 copies. All relevant fields of the "takrir" should be duly filled in (including the arrival date, port of entry, number and date of the customs' notice or "ordino", bill of lading and airway bill.). Copies of the customs' notice or the "ordino" and the bill of lading should also be attached to the "takrir."

"Takrir" for consumer goods should be accompanied by an invoice, containing adequate description and itemized list.

"Takrir" for durable goods should contain a full description (make, model, type, size,

weight and price) of each article.

In order to avoid unnecessary paperwork, "takrir's" including only one item should be avoided.

"Takrir" should be signed by the Head of Mission, Acting Head of Mission or the Deputy Head of Mission.

Two copies of the approved "takrir" should be submitted to the customs authority, one copy will be kept at the Ministry and one by the missions themselves.

## **7.2 IMPORTATION BY THE ADMINISTRATIVE-TECHNICAL STAFF**

Administrative-technical staff of diplomatic missions and consular posts can import their household and personal goods with a "letter of guarantee" issued by the diplomatic mission. This document should be directly presented to the local customs authority.

These personnel can also purchase durable household and personal goods from the duty-free stores in Türkiye.

The application for such purchases should be made with a "takrir" prepared by the diplomatic missions. The "takrir" should bear the ID card numbers.

Administrative-technical staff may import only one of each kind of electrical and electronic devices such as washing machines, TVs, videos etc.

Durable goods temporarily imported by the members of administrative- technical staff of diplomatic missions and consular posts cannot be sold or transferred. They should be re-exported at the end of the term of duty or abandoned to the customs.

## **7.3 IMPORTATION OF MACHINERY AND EQUIPMENT**

Importation of machinery, construction materials and heavy equipment by diplomatic missions is subject to the prior permission of the Ministry. Relevant "takrir" should contain detailed information with regard to kind, make, model, type, serial number, quantity, value, the purpose and place of use.

For construction materials, exact location and the nature of the construction have to be indicated.

## **7.4 IMPORTATION OF MATERIAL FOR EXHIBITIONS**

Importation of exhibition materials and films to be presented exclusively within the premises of a diplomatic mission should be effected through a "takrir" containing detailed information and a full list. This material has to be re-exported at the end of the exhibition. The "takrir" should be sent to the Protocol Department (PDGY) by a Verbal Note stating precisely the date of exhibition.

Importation of such materials to be presented outside the premises of a diplomatic mission must be carried out according to the general provisions of the Turkish customs law. Since the organization of cultural events of foreign origin is subject to prior permission, diplomatic

missions should apply to the Deputy Directorate-General of Bilateral Cultural Affairs at the Ministry. After the permission is granted, a letter of guarantee for the temporary importation of the relevant materials should be submitted to the customs authority.

Importation requests of exhibition material for International Fairs have to be addressed directly to the Ministry of Trade.

## **7.5 IMPORTATION OF PUBLICATIONS**

Reasonable numbers of books to be used solely by the diplomatic missions for cultural and promotional purposes can also be imported by a "takrir".

For the importation of books to be used outside of the diplomatic mission (by schools, libraries, cultural centers etc.), applications should be submitted to the Ministry of Trade.

## **7.6 DISPOSAL OF IMPORTED ARTICLES**

All articles imported by missions and their diplomatic members with a "takrir" should be duly disposed of through re-exportation, transfer or sale. Diplomatic missions are responsible for all articles not being duly disposed of.

### **7.6.1 RE-EXPORTATION**

All imported durable goods should be re-exported. Re-exportation requests should be made to the Ministry by a Verbal Note in which the venue (the name of the customs authority) and approximate date of re-exportation have to be indicated. A copy of the original "takrir" of importation bearing the approval of the Ministry should be attached to the Note as well as the list (translated into Turkish) of goods to be exported.

After re-exportation of durable goods, relevant official documents should be forwarded to the Ministry for verification.

The application for exportation of durable goods purchased in Türkiye should be submitted directly to the local customs authorities along with the invoices.

### **7.6.2 TRANSFER**

Transfer of imported durable goods to diplomatic staff is permitted by the customs on the basis of a new "takrir". The Ministry should be notified of this transaction by a Verbal Note.

### **7.6.3 SALES**

The Ministry may grant permission for the sale of durable goods imported by diplomatic staff, to persons not entitled to tax exemption, only when the owner leaves Türkiye for good.

Upon prior permission of the Ministry, durable goods imported by the diplomatic and consular missions may be sold to persons not entitled to tax exemption at the end of a five year period from the date of their importation. In this case the buyer should pay the applicable taxes. Tax free sales permission of such items may be granted by the Directorate General of Customs at the end of a ten year period. This permission should be applied for by a Verbal Note to the

Ministry with a copy of the original takrir of importation.

Sales permission for durable goods is granted only if the original "takrir" contains full description of the item (make, model, type, weight, price etc.).

All relevant taxes and duties should be paid before the sale and delivery of goods to the buyer.

Following the sale, the diplomatic missions should inform the Ministry by a Verbal Note indicating the date and place of sale, price, name and address of the buyer Receipts or documents pertaining to the payment of taxes and duties should be attached to the Verbal Note.

Durable goods temporarily imported by administrative-technical staff cannot be sold or transferred. They should be re-exported at the end of the term of duty or relinquished to the customs.

## **8 DONATIONS**

Requests for donation of vehicles or other durable goods to local institutions should be made by a Verbal Note in order to obtain prior permission of the Ministry. A document certifying the consent of the recipient for this donation has to be attached to the Verbal Note. Turkish institutions are allowed to accept only ambulances and rescue vehicles as donations by foreign missions.

Collecting donations for charity purposes (e.g. disabled persons or orphans) by the foreign missions in Türkiye is subject to the Ministry's permission (Law on Collecting Donations for Charity No:2860, dated 23.06.1983 Article 27).

## **9 GASOLINE AND FUEL-OIL PURCHASES**

### **9.1 FOR MOTOR VEHICLES**

Tax-free purchase of gasoline and fuel oil by the diplomatic/consular missions and their diplomatic/consular staff are permitted through a franchise document (takrir). The Ministry issues a "takrir" covering the annual quota of the mission determined on the basis of reciprocity.

Missions should sign contracts with any major distribution companies which will equip the vehicle with an electronic chip called "vehicle identification system".

Upper limit of annual gasoline quota is 6000 lt. for official cars and 3600 lt. for personal cars. The exemption includes VAT and Special Consumption Tax (SCT).

Same procedure is applied for the official cars of international organizations.

### **9.2 HEATING AND GENERATOR FUEL**

Tax exemption for fuel oil, diesel or natural gas to be used for heating and generators of the chanceries and private houses of mission members is effected with a "takrir" (Form A-4 and A-3) issued on the basis of the reciprocity. The type of the natural gas counter (electronic card

system or mechanical) should be indicated on the "takrir" with all other necessary information.

## **10 EXEMPTION FROM THE VALUE ADDED TAX**

The Law on the Value Added Tax (VAT) no:3065 (Published in the Official Gazette dated 2 November 1984, no: 18563, Articles 15 and 19), grants, on the basis of reciprocity, exemption from this tax on officially purchased goods and services by diplomatic and consular missions. On the basis of reciprocity, diplomatic and administrative-technical staff of the missions can also benefit from VAT exemption.

There are two methods for official and personal VAT exemptions.

### **10.1 VAT EXEMPTION CARD FOR OFFICIAL PURPOSES**

The Ministry issues "Official VAT Exemption Cards" for missions with which the VAT amount on goods and services indicated on the card will be deducted immediately during the purchase. Lower limit, for these cards, is determined on the basis of reciprocity, but there is no upper limit. The scope of VAT exemption will be determined for each mission according to reciprocity from the categories of goods and services listed here below:

#### **GOODS**

- Security equipment
- Electricity and water
- Office equipment
- Electronic and electrical devices
- Food and non-alcoholic beverages
- Cleaning supplies
- Household and gardening equipment
- Medical equipment (excluding medication)
- Construction materials
- Printed matter
- Spare parts for official cars
- Clothing

#### **SERVICES**

- Security
- Maintenance, repair and cleaning work
- Shipment, packaging, storage, customs clearance

- Transportation
- Telecommunication
- Construction
- Printing and publishing
- Insurance
- Consultancy, translation, exhibition, advertisement
- Renting and leasing (Real estate and motor vehicles)
- Accommodation
- Catering, hospitality and entertainment (hotel, restaurant, patisserie)

Official VAT Exemption Cards are valid for one year, non-transferable and for official use only. In case of loss the Ministry should be informed immediately.

Representations of International Organizations can benefit from VAT exemption only if it is provided in the relevant host country agreements.

Each mission can apply for two official VAT exemption cards to be issued individually to two mission members. They should be returned upon the termination of the bearer's employment in the mission.

## **10.2 PERSONAL PURCHASES**

The VAT exemption for the mission members is effected through an electronic tax refund system details of which are explained in the relevant manual. Usernames and passwords for login will be provided by the Ministry simultaneously with the ID card. The invoices of personal purchases should be kept.

Following the online application to be made in quarterly periods, the printed forms and original invoices should be sent to the relevant tax office.

The lower limit for personal purchases that can be exempted from VAT is 50 TL. There is no lower limit for electricity, water and telecommunication services. The upper annual limit for the total of purchases is 50.000 Euros. However, the lower limit can be increased and the upper limit can be reduced according to reciprocity.

The ID number of the buyer should to be noted on all invoices excluding those for electricity, water and telecommunications. Otherwise, tax refund will not be possible.

This refund system cannot be applied to personal purchases of natural gas, petroleum product, cigarettes and alcohol for which the above explained "takrir" procedure has to be implemented.

### **IMPORTANT:**

- If the forms are sent to the relevant tax office after the submitted period, the evaluation and refund process shall be made in the next quarter (period).

- The submitted Form for VAT Refund can be transmitted to the relevant authorities (tax office), unless it does not exceed the current year.
- If some expenses are not included in the three-month period (exp: 1. period) of the year, it is possible to include in the following period (2,3,4 period).(but not to pass the current year)
- In case that one officer assumes his/her post in the Mission within the year, the VAT exemption period starts from the month of arrival (when she/he receives ID Card).
- Those, who complete their duty within the period, may submit the forms to the tax office in the current year; without regarding the periods as of the date of departure. (Not to pass the current year). However, the tax office evaluates and concludes these requests together with the other transactions related to the period.

<b>TERM/PERIOD</b>	<b>INVOICE DATE</b>	<b>SUBMISSION DATE ON PORTAL and TO TAX OFFICE</b>
<b>I. TERM/PERIOD</b>	1 January -31 March	1-30 April
<b>II. TERM/PERIOD</b>	1 April -30 June	1-31 July
<b>III. TERM/PERIOD</b>	1 July – 30 September	1-31 October
<b>IV. TERM/PERIOD</b>	1 October – 31 December	1-31 January

## **10.3 INTERNATIONAL ORGANIZATIONS**

### **10.3.1 OFFICIAL**

International organizations are exempt from the payment of VAT on acquisitions destined for their official use and for services received in an official capacity. They are also relieved from VAT if the goods purchased and services obtained are used for the fulfilment of the tasks in the sphere of economic and social assistance which are enshrined in their respective statutes.

For the goods and services, not listed on the VAT exemption card, the organization can apply with Verbal Note for a “VAT Exemption Document” from the Ministry of Foreign Affairs.

### **10.3.2 PRIVATE**

Delivery of goods and service provisions to be conducted during the term of office of the members of the international organizations who serve in management positions and are not Turkish citizens, shall be exempt from VAT. Similarly, first acquisition, import or delivery for their own needs shall be exempt from SCT.

On the condition that it is clearly stated in the host country agreements that VAT and SCT



exemption is granted for the staff other than managerial staff, non-managerial staff may also enjoy the same rights.

## **11 FIREARMS, HUNTING WEAPONS AND AMMUNITION**

### **11.1 FIREARMS**

Diplomatic/consular and administrative-technical staff are required to obtain the permission of the Ministry in advance to import or locally purchase firearms, hunting weapons and ammunition. Diplomatic and consular missions may import or locally purchase firearms for official use with the permission of the Ministry. If the Mission members use the registered mission weapons, they cannot additionally acquire personal firearms. Similarly if the mission members import personal firearms they cannot acquire licenses for carrying firearms registered in the inventory of the mission. Reciprocity is essential for all permits related to firearms.

Firearms imported by the members of diplomatic/consular missions must be exported upon the termination of their term of duty.

The Regulation on Firearms, Knives and Other Instruments published in the Official Gazette No: 20888 of June 01, 1991 stipulates the conditions for acquisition and importation of firearms, knives and other instruments as well as granting licenses and other related subjects.

The said Regulation clearly stipulates that a “Certificate for Temporary Entry and Origin of Firearms and Ammunition (Geçici Silah ve Mermi için Giriş ve Menşei Belgesi)” should be obtained prior to the importation to Türkiye.

To this end, the Diplomatic Mission should apply to the Ministry (PDGY) by a Verbal Note containing the necessary information (name, rank and title of the staff member, passport number and date, name of the mission, the brand, model, caliber and serial number of the firearm as well as the quantity of ammunition).

The above-mentioned certificate is prepared by the Ministry of Interior upon application through the Ministry (PDGY) with a copy to be sent directly to the relevant Police Department that will issue the license (silah ruhsatı). In case of a shotgun for hunting, the "shotgun license" (Yivsiz Tüfek Ruhsatnamesi) will be issued. Missions should submit a copy of the certificate to the relevant customs authority for customs clearance purposes.

In case a firearm is brought to Türkiye before obtaining the importation certificate, a declaration should be made to the customs authorities and the firearm should be surrendered to their custody until formalities are completed.

Firearm licenses are issued by the Police Department with 5 years validity.

Expired firearms licenses, as well as licenses issued for personnel departing from Türkiye, should be returned to the PDGY.

### **11.2 HUNTING GUNS**

Staff members of the diplomatic missions are allowed to import and purchase shotguns only for hunting purposes on the basis of reciprocity and after the approval of the Ministry.

Diplomatic missions should request by a Verbal Note the assistance of the Ministry in obtaining relevant licenses, which will be issued according to the ID card categories, to enable their staff members to purchase shotguns for hunting in Türkiye.

After the approval of the Ministry of Interior, one copy of the approval letter is sent to the relevant Police Department that will issue the hunting shotgun license (Yivsiz Tüfek Ruhsatnamesi).

Missions should submit a copy of the certificate to the relevant customs authority for customs clearance purposes.

Permission for diplomatic staff or consular officers (holders of 1st category ID cards) for purchasing shotguns can only be issued on the basis of a "Certificate of Ownership for Shotguns"(Yivsiz Tüfek Sahipliği Belgesi) or "Foreign Hunting Certificate"(Yabana Avcılık Belgesi).

Presentation of these documents to the authorized vendors is essential for purchasing shotguns.

The above-mentioned certificate and license are prepared by the Ministry of Agriculture and Forestry upon application by the missions through the Ministry. Importation procedures of shotguns are the same as firearms.

## **12 AIRPORT ENTRANCE CARDS**

The State Airports Administration issues special airport entrance cards for the authorized staff members of the diplomatic missions to enable them to meet and see off their official guests, delegations and diplomatic couriers at Ankara, İstanbul and other airports. Reciprocity is applied in granting the airport entrance cards as well as in determining the number of cards for each mission.

To apply for airport entrance cards, foreign missions need to send a Note Verbal and the request form to the Ministry of Foreign Affairs. The Ministry then forwards the application to the relevant authority.

The airport entrance cards are issued by Ministry of Transport and Infrastructure-General Directorate of State Airports Authority (Devlet Hava Meydanları İşletmesi Genel Müdürlüğü) and can only be obtained from this Authority.

These cards are valid until the end of the following calendar year from the day it is issued (Example: The card which is issued on May 2022 would be valid until 31 December 2023) Expired airport entrance cards as well as the cards issued for personnel departing from Türkiye should be returned to the General Directorate of State Airports Authority

Airport entrance cards grant access only to certain designated zones of the airport indicated on the card. Airport entrance cards are strictly personal and non-transferable to other mission members.

### Guidelines for Entrance Card Application Form:

- All sections in the form should be filled.
- PDF forms should be filled electronically (can be find on Diplomatic Portal-Forms)
- The printout should be approved by the Chief of Mission. (Signature and seal)
- Expired entrance cards should be returned to the General Directorate of State Airports Authority.
- Application documents should be submitted in two copies.
- A copy of the foreign mission ID card or Turkish national ID card and two recently taken photos should be attached to the application form.
- If the personnel (local staff) has a Turkish nationality, the following documents should also be appended:
  - » Criminal record
  - » Information for customs
  - » Archive research form
  - » Copy of the ID card
- For further information,-please contact General Directorate of State Airports Authority through the contact details below

Devlet Hava Meydanları İşletmesi Genel Müdürlüğü,  
Havacılık Acil Yardım ve Güvenlik Dairesi Başkanlığı  
Emniyet Mahallesi, Mevlana Bulvarı, No:32 Etiler 06560  
YENİMAHALLE / ANKARA

Tel: 0312 204 26 25

## **13 DIPLOMATIC BAGS**

### **13.1 ACCOMPANIED DIPLOMATIC BAGS**

The diplomatic courier has to present a courier letter in English or French indicating her/his status and the number of packages containing the diplomatic bag. The courier letter should be signed and sealed by the sending authority (Ministry of Foreign Affairs or the Embassy or Consulate General). No other document is required for the passage of diplomatic bags through Turkish customs.

The diplomatic bags containing documents and other articles for the official use of diplomatic missions should be duly sealed.

The diplomatic bags (pouches, bags and boxes) should be of reasonable size and weight (total weight should not exceed 30 kg. per container).

The diplomatic bags meeting these requirements cannot be detained, opened or scanned through x-ray, except in the cases where the principle of reciprocity has to be applied.

### **13.2 UNACCOMPANIED DIPLOMATIC BAGS (INBOUND OR OUTBOUND)**

A courier letter and a separate bill of lading for each incoming or outgoing unaccompanied diplomatic pouch, bag and box of reasonable size not exceeding 30 kg. per piece should be presented to the customs authorities by an official of the Mission holding an Airport Entrance Card. The total quantity of the diplomatic bags that can be cleared for the missions per day is five. The Diplomatic bags over 30 kg. per package can be inspected by the customs authorities, upon the consent and under the supervision of an official of the diplomatic mission, if there are serious grounds for presuming that it contains items other than documents and articles for the official use of diplomatic missions.

Unaccompanied diplomatic bags cannot be detained, opened or scanned through x-ray, except where the principle of reciprocity has to be applied.

Unaccompanied diplomatic bags (and accompanied diplomatic bags) exceeding 30 kg. in weight per container coming from abroad can be claimed from the customs only upon the presentation of "takrir" indicating the contents and bearing the approval of the Ministry.

For the exportation of unaccompanied diplomatic bags exceeding 30 kg. per package, a "takrir" indicating its contents and approved by this Ministry, should be sent attached to a Note Verbal requesting permission. If the diplomatic pouches include articles bought in Türkiye, the original copies of the invoices should be presented to the customs authorities.

### **13.3 DIPLOMATIC BAGS CONSIGNED TO THE CAPTAIN OF A COMMERCIAL AIRCRAFT OR NAVAL VESSEL**

Diplomatic bags may be entrusted to the captain of a commercial aircraft or naval vessel by the sending authority. The bag should be dispatched at the cabin of the captain. Such diplomatic bags of reasonable size and weight will be granted free passage through the customs if the captain holds an official letter indicating the number of packages, signed and sealed by the Ministry of Foreign Affairs of the sending state.

The diplomatic bag should be delivered to the official of the Embassy or Consulate General holding an airport entrance card by the captain or staff of the aircraft or naval vessel at the customs-free area or vice versa.

The above-mentioned rules also apply to the diplomatic bags of the representations of international organizations.

## 14 OBJECTS OF CULTURAL HERITAGE

Importation and re-exportation of articles of natural and cultural heritage of foreign origin are subject to strict rules and procedures, as stipulated in the Law for Protection of Cultural and Natural Heritage (Published in the Official Gazette No: 28963, dated 23 July 1983).

All objects of cultural heritage (including collections) which may be imported by the diplomatic members with "takrir" cannot be sold or transferred to any person. They should either be re-exported or donated to State Museums.

The rules for acquisition, sale, transfer, importation and exportation of the cultural heritage of ethnographical nature are defined in the "Regulation on the Cultural Heritage of Ethnographical Nature" (published in the Official Gazette No: 19803, dated 3 May 1988).

Exportation of any item, as defined in the article 3 of the said regulation (quoted below) acquired in Türkiye may be permitted by the customs on the basis of an expertise report, issued by the State Museums.

*Article 3: Acquisition, sale and transfer of articles of cultural heritage of ethnographical nature that are not complementary to the museum collections and that have no documentary value and coins from the Sultans of Ottoman period such as Abdülmecit, Abdülaziz, Murat V, Abdülhamit II, Mehmet Reşit V and Vahdettin, are not subject to prior permission and registration.*

Members of the Diplomatic Missions and Consular Posts are advised to apply directly to the local state ethnographical museums to obtain expertise reports before exporting any item acquired in Türkiye which fall within the scope of article 3 of the aforementioned Regulation and the Law for Protection of Cultural and Natural Heritage No: 2863.

Exportation of items of cultural heritage listed in the Article 4 of the Regulation (quoted below) is strictly forbidden.

*Article 4: All types of articles of cultural and natural heritage that belong to geological, pre- historical and historical period and which have documentary value with regards to geology, anthropology, prehistory, archaeology and history of art reflecting the social, cultural, technical and scientific characteristics of their specific period: all articles of cultural heritage of ethnographical nature symbolizing the religious beliefs, customs and traditions of the Turkish Nation up to the end of the Ottoman Empire Period which are rare pieces and complementary to the museum collections with documentary value; other movable cultural assets that belong to the period of National Liberation, Turkish Republic and Atatürk period may not be taken out of country.*

## 15 COMMUNICATION EQUIPMENT

Diplomatic and consular missions do not need prior permission for the installation of satellite antennas (receiver only), fax, and telex or telephone lines in their premises for the official use of the missions on the basis of reciprocity.

However, installation of wireless systems (transmitters and receivers) regardless of the capacity of the system is subject to prior permission of the relevant Turkish authorities.

The requests for permission for wireless systems should be addressed to the Ministry by a Verbal Note in which the technical specifications of the system, frequencies proposed for use, exact latitudes and longitudes, type, make, model of the equipment, number of the hand units and auto receivers etc. must be indicated. Two copies of duly filled, sealed and signed TGM-1 forms should be attached to the Verbal Notes as well. Reciprocity should be guaranteed for the installation of similar systems by the Turkish Missions in the country in the Verbal Note. Only after the permission is granted, necessary equipment can be imported by a "takrir".

For satellite antenna systems which comprise VSAT system with a receiver and transmitter, a VSAT agreement should be signed with the competent authority before the import permit can be issued.

The request of the mission will be evaluated by the competent authority, after all the required procedures are fulfilled and a copy of the said agreement together with the completed forms of TGM 25-A, sent in annex of the Note.

## **16 LEASE, PURCHASE, SALE AND OTHER ACQUISITION PR DISPOSITION OF REAL ESTATE BY DIPLOMATIC/CONSULAR MISSIONS AND INTERNATIONAL ORGANIZATIONS**

### **16.1 APPROVAL OF THE MINISTRY**

All Missions shall notify and request the consent the Ministry prior to a proposed lease, purchase, sale or other forms of acquisition or disposition of a real property.

This requirement applies to properties acquired for chancery or residential use by the foreign government for its diplomatic and consular missions in Türkiye.

Missions shall also notify and request the consent of the Ministry in advance for any alterations, renovations, additions on existing real estate or changes in their use.

Missions are advised to get into contact in due time with the Ministry before engaging into legally and financially binding commitments and seek THE Ministry's approval, which can only be granted after coordinating with other central and local authorities.

### **16.2 PROCEDURE**

The approval process is initiated upon the delivery of a Verbal Note to the Ministry. The Verbal note shall include the following information:

- Exact address,
- Intended use of property, i.e., chancery, chancery annex, residence.
- Method of acquisition, i.e., purchase, lease (including lease term), alteration, expansion,
- A copy of the title deed (tapu senedi).

- Occupancy Permit (Yapı Kullanma İzin Belgesi – İskan Belgesi)

Diplomatic/consular mission located in shared buildings requesting permanent security presences should attach the written consent of the building management for the instalment to the request Note Verbale.

Properties acquired by foreign missions for diplomatic or consular purposes are to be used as originally intended. Property approved for diplomatic or consular purposes should not be used by other government offices, or commercially leased in part or as a whole without the explicit consent of the Ministry.

The Ministry can give its approval only if local building codes and regulations as well as security requirements are met.

**Some relevant useful information:**

Requirement for an Occupancy Permit: All buildings and offices to be used should have occupancy permit issued by the municipality.

Zoning Approval Process: Depending on the location of the property, the occupancy permit may be issued only after the office or residential use is in line with the zoning plan of the municipality.

Expansion or alteration of existing properties: Missions are required to obtain all relevant construction permits and to comply with local building codes and regulations.

Permits will not be issued by the municipality without the official approval of the Ministry. Private contractors should be informed that applications for building and construction permits, together with copies of all technical documents must be submitted to the Ministry for review and transmission to the relevant local authorities before any actual work can be performed.

The information provided above is not exhaustive, and missions are cautioned to fully explore the zoning and land-use implications of a particular property acquisition or renovation project before concluding any contract.

## **16.3 PROPERTY TAX EXEMPTION**

### **16.3.1 DIPLOMATIC PROPERTIES**

Based on VCDR, customary international law, and bilateral agreements, foreign governments are entitled to exemption from real estate taxes on properties owned by the government and used by its diplomatic mission. Such properties include chanceries and chancery annexes, and the residences of the heads of missions. Residences occupied by members of the diplomatic mission accredited to Türkiye may also be granted exemption based on reciprocity.

Any portion of property which is not used for diplomatic purposes of that sending State will not benefit from tax exemption or inviolability.

The procedure for obtaining exemption for properties in Ankara is as follows:

Recordation Taxes: Based on the purchase price of a property, the tax is normally paid by the buyer at the time the new ownership is registered.

The Mission must submit a written request to the Ministry requesting exemption from the recordation tax. The Ministry sends an official letter to the relevant authority for the tax free purchase as appropriate.

Transfer Tax: Based on the sales, price of a property, the tax is normally paid by the seller at the time a property is sold. If a Foreign Mission is the seller, the same procedure applicable to recordation taxes should be followed.

Property Taxes: Based on the value of a property, the tax is paid annually by the owner of the property.

Following the conclusion of the purchase, a diplomatic note should be sent to the Ministry requesting exemption from property taxes. The note should include the address of the property, the date the title deed was recorded, and reference to any earlier Ministry notes regarding the purchase.

If exemption is applicable, the Ministry will inform directly the relevant authority.

### **16.3.2 CONSULAR PROPERTIES**

Based on the VCCR, foreign governments are entitled to exemption from real estate taxes on properties which are owned by the government and used as chancery or residence of the carrier consular chief of mission.

## **17 WASTE COLLECTION FEE**

Diplomatic and consular missions and international organizations are not exempted from waste collection fee (waste collection and sewerage services) since it is a specific fee for a service rendered by the municipalities and not a tax.

## **18 ALLOCATION OF RESERVED PARKING SPACE**

Request for reserved on-street parking space in front of a chancery, chancery annex or residences should be made by in writing to the Ministry. Reciprocity and propriety are the main criteria for meeting such requests.

If approved, reserved parking signs will be installed accordingly.

## **19 PETS**

Pets may be brought to Türkiye provided that they have been vaccinated (for dogs: rabies, distemper, parvo, hepatitis, leptospirosis; for cats: rabies and other epidemic diseases).

International Veterinary Health Certificate; Identity Card; Vaccination Card; and CITES certificate (Convention on International Trade in Endangered Species of Wild Fauna and Flora) for the pets in the framework of CITES are required. Vaccination against rabies should be done minimum one month before travel and the immunity period should not be expired.



Important note: In order to avoid customs duties, mission members should bring their pets accompanied. Unaccompanied pets are subject to various customs duties and charges.

## **20 TRAFFIC OFFENCES**

Members of diplomatic and consular missions are expected to observe local laws and regulations in line with the Vienna Conventions.

When mission members are responsible for traffic offences committed in vehicles with special registration plates, local police authorities will notify the alleged offender's mission of the incident.

Administrative traffic fines may be waived on the basis of reciprocity.

Mission members should call the traffic police in case of car accidents, even if no person is injured and the damage is of purely material nature.

### **20.1 PREPAYABLE VIOLATIONS**

Pre-payable violations are relatively minor traffic infractions that do not require a court appearance, and can be resolved by paying the fine. Should a mission or family member be cited for such an offense, the Ministry expects the violation to be resolved with one of the following methods:

#### **20.1.1 PAYING THE SCHEDULED FINE ASSOCIATED WITH THE VIOLATION**

#### **20.1.2 CONTESTING THE VIOLATION IN COURT**

If a mission or family member believes the fine was issued unjustly, they are expected to contest the violation on its merits in court. The Ministry expects an alleged offender to pay the fines ruled by the court in its disposition.

#### **20.1.3 CLAIM OF IMMUNITY FROM JURISDICTION**

The Ministry has no authority to adjudicate, modify, or cancel such fines and probationary conditions associated with traffic violations. Missions, staff and family members who believe they have been summoned unjustly may contest the summons. If a mission or family member cannot appear before court, the Ministry expects the fine to be paid or a claim of immunity be presented in the form of a Verbal Note to resolve the matter.

### **20.2 MUST APPEAR VIOLATIONS**

A traffic violation that requires a court appearance is commonly referred to as a "must appear offense".

The offence committed in such cases does not automatically impose a fine that a mission member can pay in lieu of a court appearance. Rather, due to the seriousness of the offense, the

individual is required to attend judicial or administrative proceedings.

Some common examples of must appear traffic offences include: reckless driving; driving under the influence (DUI) of alcohol or drugs; driving while intoxicated (DWI); driving without a valid license or driving while under a driving license suspension.

Should a mission or family member be cited for a violation that requires a court appearance, once the Ministry is notified, it formally will request a waiver of immunity in each case to allow local adjudication of the matter. The Ministry expects the violation to be resolved by one or the other way as explained below:

#### **20.2.1 THE SENDING STATE GRANTS A WAIVER OF IMMUNITY**

As with the pre-payable violation, upon receiving a written waiver of an alleged offender's immunity prior to the scheduled court date, the Ministry will notify the court. Again, the Ministry expects an alleged offender to pay any fine and to comply with any probationary condition imposed by the court in its disposition.

#### **20.2.2 THE SENDING STATE DECLINES A WAIVER OF IMMUNITY**

Upon receiving a written denial from the sending State prior to the scheduled hearing date, the Ministry will inform the court in written form that the mission or family member is immune from its jurisdiction and cannot appear for the hearing. The Ministry may require that individual's departure from Türkiye if his or her record indicates a serious offense endangering public safety.

### **20.3 ALCOHOL RELATED DRIVING OFFENCES**

Alcohol-related driving offences present a particularly serious threat to public safety. Accordingly, in the case of a first-time DUI or DWI offense, which does not involve death or personal injury, it is the Ministry's policy to request a mission or family member's immunity to be waived to permit adjudication in accordance with national law.

Should the sending State waive immunity to allow due process, the Ministry will abide by the court's verdict of the DUI or DWI charge. Should the individual be found guilty of the charge, the Ministry expects the mission member to pay any fine and to comply with any probationary condition imposed by the court in its verdict.

The Ministry takes very seriously allegations of alcohol-related driving offences presented in official police reports. Consistent with the Ministry's deep concern regarding the potentially tragic consequences presented by alcohol-related driving incidents, it is the Ministry's policy to request definite departure from Türkiye of the mission or family member involved for the second time in a DWI or DUI offense.

### **20.4 SERIOUS TRAFFIC OFFENCES**

Serious motor vehicle offences include the crimes of DWI or DUI, and reckless driving, where those crimes result in death or personal injury to another person. In the case of a serious offense, if the Ministry's request for a waiver of immunity is declined by a sending State, it is the Ministry's policy to request the alleged offender to leave Türkiye. In an exceptional case, the

Ministry may request a mission member or a family member to leave Türkiye, even if a waiver is granted and the person involved is to be prosecuted in Türkiye.

Should a mission or family member is repeatedly involved in minor driving offences, the accumulation of which evidences a serious disregard for Turkish law and public safety, the Ministry may also request the individual's departure from Türkiye.

When summoned for traffic infractions, it is important that mission and family members take one of the available steps to resolve the case. Should a violation is grave, administrative and judicial consequences may automatically follow without prior notification to the Ministry by local authorities. Such consequences may include the loss of driving privileges; a conviction and sentence in the alleged offender's absence resulting in costly fines; or, particularly in a must appear case, the issuance of an arrest warrant for failure to appear in court. In order to help prevent such unfortunate consequences, the Ministry should be notified of such summons.

## **20.5 USING FLASHING CAR LIGHTS OR EMERGENCY LIGHTS**

Only vehicles (police cars, ambulances, fire department vehicles, etc.) having priority passage rights in the traffic can carry and use flashing lights or emergency lights. The use of such lights by missions and their members is strictly forbidden.

## **21 PRIVATE LEGAL DISPUTES**

It is the responsibility of all the Missions and their members to pay rents and public utility charges (electricity, water, gas, bank credits, telephone etc.) on their chanceries and residences by the due date. If the Missions and their members sign a contract with non-privileged persons and organizations in accordance with Turkish Law, they are required to comply with legal obligations arising from the contract. In any case, if one of the parties is a Turkish citizen or organization, they have the right to apply to Turkish judicial bodies even if the contract appoints another country's court for legal conflicts.

Article 49 of the Law (number: 5718 dated 27.11.2007 published in the Official Gazette dated 12.12.2007 edition: 26728) on International Private Law clearly states that "in cases of legal conflicts stemming from private law relations, foreign countries do not enjoy judicial immunity and in such kind of legal conflicts notification (tebligat) can be made to the diplomatic representative of the foreign country". Although the notification (tebligat) should be made to the Missions through the Ministry of Foreign Affairs, the Ministry has no legal right to interfere in the court proceedings. In such cases the Ministry strongly recommends all Foreign Missions to make their objections timely and to follow the legal procedures directly or through a legal representative (attorney).

## **22 LABOUR LAW DISPUTES**

As the labor law disputes involving foreign missions have been gradually increasing, the Ministry reiterates the contents of its circular Note no: 429252 dated 12 October 2006. Labor relations between the Foreign Missions and their locally employed (contracted) personnel - Turkish nationals or third country nationals with a residence permit in the country- are ruled by the Labor Law No: 4857 dated 22.05.2003 (issued in the Official Gazette edition: 25134 dated 10.06.2003) and other relevant legal instruments.

Missions are expected to observe the rules and procedures of the relevant Turkish Labor Law. In case of a legal disagreement or dispute on a labor issue concerning Turkish nationals or third country nationals residing in Türkiye, Missions have no judicial immunity (International Private Law No:5718 Articles 44 and 49). Consequently, missions should follow the court proceedings and interfere timely to defend themselves directly or through a legal representative. Rulings of the labor courts regarding compensations should be observed.

## **23 LEGAL NOTIFICATION (TEBLIGAT)**

Legal notification (Tebliğat) to foreign missions is made in accordance with Article 45 of the Turkish Regulation on Service (Tebliğat Tüzüğü, date of Council of Ministers: 20.8.1959, No: 4/12059, published in the Official Gazette dated 11.9.1959, No: 10303) based on the Law for Service of Documents (Tebliğat Kanunu) dated 11.2.1959, No: 7201.

In case of legal complaints or invitation to courts, legal notification to foreign missions must be made through the Ministry. In cases when documents are served directly to the address of the foreign missions, such notification (tebliğat) should be either directly declined or forwarded to the Ministry in case of receipt.

When foreign missions decline to acknowledge receipt of legal notifications properly served by a Verbal Note of the Ministry, the date of the Ministry's Verbal Note shall be considered as the date of service effected to the mission.

## **24 ENGAGEMENT OF THE SPOUSES AND DEPENDENT CHILDREN OF DIPLOMATS IN GAINFUL OCCUPATION**

### **24.1 GENERAL**

The spouses of the staff members of the Diplomatic Missions and Consular Posts in Türkiye are subject to the following requirements regarding employment in gainful occupation.

- The acknowledgement of the reciprocity by the relevant Embassy.
- The Embassy should send a Verbal Note to the Ministry informing that in accordance with the VCDR and VCCR it waives the diplomatic or consular status of the concerned spouse.
- It is within the discretion of the Ministry to grant or deny a work permit to the applicant in view of its established policy and on the basis of reciprocity.
- If the Ministry evaluates the request favorably then the application is forwarded to the Ministry of the Interior or other relevant institutions for further evaluation. Different regulations are applied for diverse sectors of employment. In case of employment by a Turkish firm, the firm should ask for an authorization from the relevant Turkish authorities in line with regulations governing the employment of foreign nationals.
- The Ministry informs the mission and the concerned Turkish institution when the work permit is granted. The spouse concerned may begin to work after obtaining the work permit.

- The necessary work and residence permits (maximum two years) should be applied for through the Ministry.

## **24.2 BILATERAL EMPLOYMENT AGREEMENTS**

Bilateral Employment Agreements can be concluded regarding gainful employment of spouses and unmarried dependent children of diplomatic agents, administrative-technical staff, under a certain age, at specified jobs without waiving diplomatic immunities and privileges, on the basis of reciprocity and in accordance with laws and regulations that permit employment of foreigners. In such cases, family members are subject to civil and administrative law, tax and social security requirements of the receiving state with regard to gainful employment.

## **25 VIP LOUNGES**

The Deputy Directorate of Protocol Department (PRTY) is in charge of making necessary arrangements for the use of VIP Lounges by Head of Foreign Missions and visiting delegations. In principle, requests for utilization of VIP Lounges are evaluated on the basis of strict reciprocity by the Deputy Directorate of Protocol Department.

The members of accompanying delegations can use the VIP Lounge only when they are travelling with the head of delegation considered to be eligible to use VIP Lounge.

Requests forms for the utilization of the VIP Lounges can be filled online through Diplomatic Portal.

## **26 SECURITY MEASURES**

The Turkish government is committed to fulfilling its obligations under international law to ensure safety and security of diplomatic and consular missions, their personnel and family members. The Missions' questions and requests on security should be addressed to the Ministry.

The missions should keep the Ministry updated regarding the contact information of their members responsible for security issues so that they can be reached without any delay in urgent situations.

## **27 PRIVATE SECURITY SERVICES**

On the basis of reciprocity, foreign missions can hire security services from private companies in Türkiye.

If the service of private security services will be needed outside of the mission premises, prior permission must be obtained through the Ministry.

If these services will be used exclusively within premises of the mission, no permission is required. However, the Ministry should be informed in advance.

Information on private security services can be found in the Ministry's Circular Note No: 11432268, dated September, 28 2016.

## **28 MINISTRY OF FOREIGN AFFAIRS SPOUSES ASSOCIATION (DMEDD)**

DMEDD was established in 1981 with the purpose of assisting and supporting the families of Turkish diplomats and officials from other Ministries who have been assassinated on active duty abroad. It achieved the status of “Association for Public Benefit” in 1984.

In the following years, it has expanded the scope of its activities and became a prominent association that contributes to the efforts and activities nationwide in the fields of education, culture, health, as well as promotion of Türkiye.

Since its foundation, the education of children has always been one of the main priorities for DMEDD. To this end, DMEDD provides many scholarships in different categories, primarily to the children of martyrs, but also others including the children of officials in need and support staff of the MFA, children affected by natural disasters and Covid-19 as well as the high school and university level children in the developing regions of Anatolia.

In cooperation and collaboration with different official and private institutions, foundations and associations, DMEDD has provided valuable contributions to several national projects and campaigns on education, health and environment. Within the framework of social responsibility projects, DMEDD has built pre-schools, schools and dormitory buildings and financed the renovation and the refurbishment of many schools along with hospitals and health clinics. Moreover, it continues to supply educational materials, books and clothes to disadvantaged schools from different regions of Türkiye.

In addition to the above-mentioned areas, DMEDD organizes social and cultural activities in order to welcome the new members of foreign missions and international organizations in Ankara and to introduce them to the Turkish culture and lifestyle. These activities and courses include Turkish language classes, book clubs and conversation groups in different languages, Turkish history, art and traditional crafts classes, conferences, lectures, art exhibitions, concerts, Turkish and foreign culinary days, cultural tours in Türkiye, bridge courses and tournaments. Furthermore, DMEDD organizes its renowned Annual Charity Bazaar with the participation of Foreign Missions in Ankara and the contributions of Turkish Missions abroad, the proceeds of which constitutes the main source for all its activities.

All DMEDD activities are announced in its English and Turkish newsletters as well as at its web site. (<https://www.dmedd.org>)

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