RECRUITING LAW

Law : 7179
Date Accepted : 25/6/2019
Published in the Official Gazette : Date : 26/6/2019 Number : 30813

SECTION ONE
Purpose, Scope, and Definitions

Purpose
ARTICLE 1 – (1) The purpose of this law is to execute the rules and procedures concerning recruitment procedures for enrollment, classification, call, dispatch, suspension, exemption, and assignment of the enlists for active duty, as well as the procedures for actions to be taken for the convicts. Moreover, to supervise the rules and procedures regarding the Turkish Armed Forces' personnel, including those who have taken active duties in various statuses and left the Turkish Armed Forces, or are still serving in the Turkish Armed Forces, as to the acceptance of their expiration of their compulsory military services.

Scope
ARTICLE 2 – (1) This Law shall be upheld by every male citizen of the Republic of Türkiye.

Definitions
ARTICLE 3 – (1) In the implementation of this Law;

a) Draft age: Denotes to the period, according to the civil registry records, that begins with the first day of January when a man turns to his 20 and ends on the first day of January of the year when he turns 41.

b) Military service: Denotes to the right and duty of every Turkish citizen has to perform as a homeland service in accordance with this law as stated in the Constitutions of the Republic of Türkiye Article 72.

c) Draft office: Is the local recruiting office where those who are obligated to compulsory military service are registered.

d) Ministry: the Ministry of National Defence,

e) Deserter: Refers to casuals who did not comply with the conscription orders and joined the units they were assigned to.

f) Paid Military Service: Used in reference to the compulsory military service performed by those who are found to be eligible in meeting the conditions stipulated by the law, to pay the amount stated, on condition that they perform their basic military training.

g) Call and dispatch: Is calling of men to arms and dispatching them to their units.

h) Multi citizenship: Having more than one citizenship at the same time,

i) Paid Military Service in Foreign Exchange: Performing of the compulsory military service of the Turkish citizens living abroad who fulfill the procedures and principles stipulated by this Law

j) Enlisted man: A member of the armed forces below the rank of NCO.

k) Private: Non-commissioned Officer (NCO),

l) Suspension: Suspension of military service for the reasons stated in this Law,

m) Abscond: Leaving of one's unit or area of duty for more than six days without permission,

n) Provisional discharge: Temporary suspension of military service based on a legal excuse,

o) Late joining the army: One's not joining the unit he was assigned to on time, despite receiving of order of dispatch

p) Breach of sick leave or furlough: One's not returning to the unit he was assigned to within six days following the end of leave of absence or sick leave he was given without an excuse.

q) Tour of duty: Period of active service,

r) Exemption: Failure to perform military service due to reasons specified in this Law,

s) Effectives: Those who are taken under arms to serve their compulsory military service,

t) Tour of active service: The period beginning as of the date of dispatch written on dispatch document and ending on the date of discharge.

u) Short of Service: Denotes to those who were found to have performed their compulsory military services in less than the set term,

v) Medical Report: Includes the decision of a physician or of a health board concerning the eligibility of the candidates for military service,

w) Medical Board: A committee comprised of health institutions authorized to provide health reports as prescribed by the Ministry of Health.

x) Covert: Are those who have not been recorded in the civil registries, although they have reached the 20 years of age.

y) Notification and mobilization of the personnel: Refers to the document indicating the destination, time, and the mobilization number of the unit the obliged reserve has to join during mobilization or at times of war.

z) Classification: Denotes to the assessment of qualifications of the personnel subjected to mobilization, through the information system, in accordance with their health conditions, level of education, professions, physical abilities, and other relevant qualifications to be determined by the Ministry.

aa) Call for Under Arms: Refers to a document that calls vehicles and personnel to be armed for training and training purposes such as maneuvers, exercises, shooting practices, and conferences in peace time,

bb) Basic military training: Is the teaching, developing of skills and behaviors in the recruits through training and education to prepare them for military service in body and spirit, regardless of their corps, for a period determined by the Ministry.

cc) Discharge: Refers to the disarming of the active personnel whose liabilities are considered to have been completed, or fulfilled their compulsory military service; and of those who were taken under arms in their reserve period when the need for their service ceases; as well as of those who had joined the Turkish Armed Forces by special laws and carry uniforms,

dd) Reserve NCO: Is the one who is registered as sub-sergeant after having their due training,

ee) Reserve NCO Candidate: Is the personnel who is found to be eligible for appointment as a reserve sergeant after having been elected and classified in corps.

ff) Reserve NCO Nominee: Is the graduate of higher education institutions offering two or three years' of education; graduate of higher education institutions abroad that are accepted as equal by the competent authorities; and the graduate of higher education institutions offering four or more years' of education, or the graduate of higher education institutions abroad that are accepted as equal by the competent authorities.

gg) Reserve Personnel: Is the one who has performed his military service in accordance with the provisions of this Law and those who are deemed to have performed their military service.

hh) Reserve Officer: Is the one who is appointed a third-lieutenant after having completed due Reserve Officer training.

ii) Reserve Officer Candidate: Is the personnel who is found to be eligible for appointment as a Reserve Officer after having been elected and classified in corps.

jj) Reserve Office Nominee: Is the graduate of higher education institutions offering four of more years' education, or the graduate of higher education institutions abroad that are accepted as equal by the competent authorities.

kk) Reserve Period: Is the period extending from the end of the active duty to the end of the draft age.

ll) Reserve Service: Is the military duty where the reserve personnel are called under arms in need during their reserve period.

mm) Draft: Is the determining of the eligibility of a person for military service as to his health status, level of education, profession, and qualifications.

nn) Draft Period: Is the period extending from the beginning of the military age to the end of the active service.

oo) Draft Resister: Is the one who fails to attend draft in due time.

pp) Obligee: Is the male Turkish citizen who is obliged to perform or be deemed to have performed his compulsory military service in accordance with the stipulations of this Law.

SECTION II
General Principles

Military obligation

ARTICLE 4 – (1) Every male citizen of the Republic of Türkiye is obliged to perform military service.

(2) In accordance with the provisions of this Law Military Service is performed as a third lieutenant, Reserve NCO, sergeant and as a private.

(3) Military recruitment is conducted by the Ministry.

(4) In the event of war or of an imminence of war, the guiding principles for taking the obligees, subject to this Law, under arms to perform their military service shall be determined by the President.

Military Age and Service

ARTICLE 5 – (1) Military Age is composed of three periods: draft, active service, and reserve.

(2) Tour of Duty; is six months for the rank and files, and is twelve months for the third lieutenants and reserve NCOs. President holds the authority to increase the length of the tour of duty one fold or decrease it by half as needed. Term of duty thus determined shall not be less than six months.

(3) Should the rank and files will, upon the positive assessment of the line disciplinary chiefs and in deemed necessary numbers to be declared by the Ministry, they may continue to perform their military services for a minimum period of six months as of the date they are entitled for discharge and shall be discharged as stipulated in this Law. Requests to be made for withdrawal by those who continue their military service thus shall not be granted. Provisions regarding the term that is not considered within the scope of the military service shall not apply. Different certificates of discharge shall be given to the obligees for their military services, one for their first six-month service, and one for their extended six-month service.

(4) The number, requests, preferences, as well as the personal service and benefits of the rank and files shall be implemented by the relevant force commands in accordance with the stipulations of this Law.

(5) Following qualifications are sought for eligibility to continue military service:

a) Not to have been deprived of public rights.

b) Even if the sentences they were given were suspended, commuted, or included within the scope of general amnesty or pardoning, or were even given a deferment of the announcement of the verdict; they should not be convicted of the

1) Crimes against the security of the state, repulsing people from military, humiliation of the Turkish Nation, the State of the Republic of Türkiye, the State institutions and government organizations; infamous crimes such as embezzlement, corruption, calumniation, bribery, theft, fraud, forgery, breach of trust, perjury, sexual assault, sexual harassment, deprivation of liberty, prostitution, unnatural bestiality, fraudulent bankruptcy; crimes of dishonoring, smuggling, collusive tendering, disclosing of State secrets,

2) Desertion, assaulting a commander or a superintendent, recalcitrant insubordination, insulting a superior, defiance, conspiracy, and mutiny;

3) Crimes mentioned in Article 148 of the Military Penal Code 1632, dated 22/5/1930,

c) Not to be convicted for a month or more than a month for an offense other than for negligence.

d) Not to be a member of or have any cohesion or affiliation to any terror organization or group that the National Security Council adjudicated judicially to have designs on the security of the State.

e) Not to have aligned himself with terror organizations, or helped those organizations or used public resources to or let others support those organizations, or made their propagandas.

f) To have a clean security archive record.

g) Having unit command's positive qualification certificate.

(6) Of those who continue their military service under the scope of Paragraph 3:

a) Those who are determined ineligible to continue their military service due to lack of discipline or morality upon a certificate of qualification drawn by line disciplinary chiefs based upon information and documentation of any nature,

b) Those who are determined inadequate and unsuccessful in their service determined by a certificate of qualification drawn by line disciplinary chiefs based upon information and documentation of any nature,

c) Those who are given an "not eligible for military service" medical report by the competent health boards during their service, and those whose total days of sick leaves, granted for any reason, exceed twenty days,

d) Those who are found out to be indulged in illegal political, subversive and separatist activities; and those who are observed to have embraced these views,

e) Those who are detained for more than ten days for any offense,

f) Those whose sentences of condemnation are finalized for the crimes mentioned in Paragraph 5 after the commencement of their active duties,

are discharged by their battalion commander at the lowest level or by his equivalent competent military authority (his equal in the Navy and Air Force).

(7) In accordance with the provisions of the Law 257 on Allowances for the Rank and Files issued on 23/2/1961, those who continue their military service as per Paragraph 3 shall be paid a sum not less than the net minimum wage.

(8) The Ministry determines the education and training periods of Third Lieutenants and Reserve NCOs.

(9) Military service commences on the date written on the dispatch certificate given on the first dispatch. Two folds from the end of the military age shall be deducted for services exceeding the prescribed term for military service.

(10) President may extend or reduce the military age by five years.

(11) No obligees shall be exempted from military age unless they perform their compulsory military service or deemed to have done so as set forth in this Law.

Assessment and allocation of requirements

ARTICLE 6 – (1) The Office of the Chief of General Staff notifies Ministry on the requirements and the projected allocations of the Turkish Armed Forces. The Ministry allocates the funds in accordance with the requirements and projected allocations.

Third Lieutenant Appointment

ARTICLE 7 – (1) A certain number of graduates of higher education institutions offering four or more years' of education, and those who have a degree from an overseas higher education institutions that are recognized as equivalent by the competent authorities, are grouped as Reserve Officer Candidates. The number of obligees exceeding the numbers determined by the Turkish General Staff attend to their compulsory military services as reserve NCOs or ranks and files on their own will.

(2) Prior to their grouping as Third Lieutenants, Turkish Armed Forces' needs and obligees' consent are taken into consideration.

Reserve NCO Appointment

ARTICLE 8 – (1) The number of Reserve NCOs the Turkish Armed Forces needs are chosen from among;

a) the graduates of higher education institutions offering two or three years' of education and of higher education institutions abroad that are accepted as equal by the competent authorities,

b) the willing graduates of higher education institutions offering four or more years' of education, or the graduate of higher education institutions abroad that are accepted as equal by the competent authorities,

the exceeding number of Reserve NCOs perform their compulsory military service as rank and files.

(2) Prior to their grouping as Reserve NCOs, Turkish Armed Forces' needs and obliges' consent are taken into consideration.

SECTION III
Paid Military Service

Paid Military Service

ARTICLE 9 – (1) A number of Obligees, determined by the Ministry taking into consideration of the needs of the Turkish Armed Forces, who are willing and eligible, shall be considered to have performed their military service provided that they paid the due amount in advance, which is determined by multiplying civil servant's monthly coefficient on the day of payment by 300,000 indicative figure, within the period determined by the Ministry before they are taken under arms and complete one month of basic military training.

(2) Should the number of applicants exceed the number determined for the paid military service, those who will benefit from the paid military service shall be designated by lot. Should the number of applicants be less than the number determined for the paid military service, all the applicants will benefit from the paid military service. **Repealed Clause: 30/6/2022-7415/17 Art.) (…) (Revised clause: 30/6/2022-7415/17 Art.)** Should those who obtain the right to benefit from the paid military service in the lots renounce, shall not be given any further right.

(3) **(Revised clause:2/4/2026-7577/12 Art.)** The amounts to be received within the scope of the first paragraph shall be deposited to the account of the Ministry's central accounting unit. The portion of this amount calculated by multiplying the indicator figure of 240,000 with the monthly coefficient of civil servants shall be recorded as revenue to the general budget, and the remaining portion shall be transferred to the Defence Industry Support Fund.

(4) The Ministry holds the right to determine the amounts to be paid and set rules for implementation.

(5) Those who do not participate in the process as per this article and determined to be draft evader, and those who do not attend to their paid military service until the date their counterparts are entitled to be discharged shall be excluded from the scope and shall have to complete their compulsory military service as rank and files. Those who are excluded from the scope shall be reimbursed upon request.

(6) **(Revised: 30/6/2022-7415/17 Art.)** Those who have;

a) Already had started their active military service,

b) Been declared to be draft evaders on the roll-call date, remained hidden, or those who renounced their rights prior to drawing of lots after applying for paid military service, or those who fail to make their due payments within two months as of their application, shall not benefit from paid military service.

(7) **(Addendum: 30/6/2022-7415/17 Art.)** Those who evaded the draft or remained hidden until the roll-call date, shall be liable to pay an additional sum, to the amount hereby stipulated in this Article sub-Clause 1, for every month of their absence until their application. The additional sum is calculated by multiplying the indicator 3.500 with the effective civil servants' monthly coefficient effective on the date of the application, and with the number of months, they remained absent; this excludes those produce valid excuse. In the calculation of the period

remained absent, 1 to 30 days shall be accepted a month. Days exceeding a month shall be added to the following month. **(Addendum :2/4/2026-7577/12 Art.)** Amounts collected as an extra charge shall be recorded as revenue in the general budget.

(8) In case of mobilization and war, the provisions of this article shall not apply.

SECTION IV

Military Service of the Teachers, Members of the Security Services, General Command of Gendarmerie and Coast Guard Command Personnel, and the Medical Doctors

Teachers' Military Service

ARTICLE 10 – (1) Should the Ministry of National Education deems it necessary, upon the approval of the Ministry, Reserve Officer candidates to be taken under arms, and those who are to be designated by the Ministry of National Education from among those practicing their professions as teachers shall be given to the orders of the Ministry of National Education following a one-month basic military training.

(2) The Ministry of National Education shall pay the monthly salaries, allowances, benefits, and compensations prescribed for the third lieutenants by the Turkish Armed Forces' Personnel Law No. 926 dated 27/7/1967 to the teacher obligees who are to be employed as per first paragraph.

(3) These obligees, shall nor wear official uniforms, are subject to the same period of service as that of the third lieutenants; their service begins on the day set by their local draft offices, their places of appointment shall be determined by the Ministry of National Education; at the end of their terms of duty they shall be discharged as Third Lieutenants; those who are duly discharged from their teaching profession by the Ministry of National Education while performing their compulsory military service shall be sent to the corps commands to complete their remaining service as regular soldiers as their affiliation with the Ministry of National Education is terminated.

(4) Provisions of the Turkish Armed Forces Disciplinary Law No: 6413 dated 31 January 2013, regarding desertion, breach of sick leave or of leave of absence, draft resisters, evasion of enlistment, joining late to their positions as draft resisters, shall be applied to those who are given to the orders of the Ministry of National Education

(5) The Ministry and the Ministry of National Education shall jointly set the procedures and principles regarding the implementation of this article.

(6) In case of mobilization and war, the provisions of this article shall not apply.

Military Service of the members of the Security Services

ARTICLE 11 – (1) All military service procedures shall be postponed for members of the Police Department, who are still affiliated with their permanent staff and/or ranks as members of the Police Department, as well as for those who are being taught and trained in the police

training and education institutions, and for those who have passed the entrance exams for those institutions and not yet enrolled the ranks of the Police Department.

(2) Those who have completed ten years of service in the Police Department as part of the first paragraph, with the exception of those who will not be considered to have performed a public service, shall be considered to have completed their military service. The time served on temporary assignments, overseas mission protection, overseas education and other duties shall be taken into account in the calculation of the ten-year service period. Ministry of Interior shall convey any information on such obligees to the Ministry.

(3) The ten-year period shall begin on the date of actual recruitment following the obligees graduation form the institutions covered in the first paragraph. Any personnel who leaves the Police Department for any reason before completing the ten-year period or who are transferred to another institution or who have been expelled from the profession within this period shall perform military service in accordance with the provisions of this law.

(4) Those who have been entitled to education at the educational and training institutions covered by the first paragraph after the commencement of the compulsory military service shall first have to complete their military service.

(5) In case of mobilization and war, the provisions of this article shall not apply.

Military service for the members of the General Command of Gendarmerie and of the Coast Guard Command.

ARTICLE 12 – (1) All military service procedures shall be postponed for those who are entitled to receive education and training at the Gendarmerie and Coat Guard Academy, or for those who are entitled to receive education on behalf of the Gendarmerie General Command and the Coast Guard at universities, faculties or colleges, and vocational schools, or for those who have taken the entrance exams to those institutions.

(2) Provisions of Article 48 shall be applied in the calculation of the time spent in the service of regular and contract officers or NCOs, specialized staff, and NCOs serving in the positions of the General Command of Gendarmerie and Coast Guard Command, and to the deduction of their military obligation after leaving their posts and their affiliations.

(3) The time the expert gendarmes spent in service, whether they have resigned or been dismissed, shall be considered service. Those whose terms of service meets the term of service set for the files and ranks subject to military service shall be considered to have completed their military service. In accordance with the provisions of this Law, those whose terms of service are found to be less than the term of service set for the files and ranks shall complete their missing days as ranks and files.

(4) The provisions of Article 46 shall be applied in the calculation of the time to be deducted from the military service for those who graduate from the Gendarmerie and Coast Guard Academy, or for those who have attended and graduated from universities, faculties, colleges or vocational schools in favor of the Gendarmerie and Coast Guard Command.

Military Service of the Medical Doctors

ARTICLE 13 – (1) Following their basic military training, Medical Doctors who will be recruited as Reserve Officer candidates in places and in numbers to be determined jointly by the Ministry and the Ministry of Health at every call and/or assignment term shall be given to the orders of the Ministry of Health, and shall be temporarily discharged from their duties until they fulfill their compulsory military service. Ministry of Health shall carry out all personal rights of such personnel throughout their compulsory military service term. Of those whom the Ministry of Health reports to have served their compulsory military service shall be considered to have completed their compulsory service, and be discharged as Third Lieutenants. Those who are duly dismissed from the medical profession while performing their duties at the Ministry of Health shall be notified to the Ministry to complete their remaining compulsory military service term as privates. The provisions of Article 35 shall be applied to those who fail to fulfill their compulsory military service duly. In the calculation of the missing term, the time served in the public shall not be considered.

(2) Medical Doctors who have completed their compulsory military service as Third Lieutenants, in places and in numbers determined jointly by the Ministry and the Ministry of Health at every call and/or assignment, shall be considered to have completed their compulsory public service.

(3) The Ministry and the Ministry of Health shall jointly determine the procedures and principles on implementation of this article.

(4) In case of mobilization and war, the provisions of this article shall not apply.

SECTION V
Calls and Recruitment

General Principles for call

ARTICLE 14 – (1) The credentials of the citizens reaching the draft age shall be obtained from the Ministry of Interior via electronic data interchange.

(2) The call for those who have reached the draft age and older births begins on January 1 and continues until December 31 (including) of every year.

(3) Those whose ages corrected before entering the military age shall be called in accordance with their corrected ages.

(4) Correction of age presented after entering draft age shall not be taken into consideration for compulsory military service procedures. However, age corrections by a court ruling, other than the obligee's personal appeal shall be accepted.

Medical Examination and approval procedures.

ARTICLE 15 – (1) Health examinations of the obligees shall be carried out in accordance with the procedures and principles specified in the Regulation of Health Capability of the Turkish Armed Forces, and General Command of Gendarmerie and Coast Guard.

(2) Medical examinations shall firstly be made by the responsible family physician to whom the obligee is assigned, or by the physician at the closest official health institution to the draft office where the obligee applies. Those about whom a decision could not be made by the family physicians or by the official health institution shall be referred to the closest authorized health boards affiliated to the Ministry of Health.

(3) The allowances for those referred to authorized health boards determined by the Ministry of Health, other than those in obligees' place of duty, for purposes of determining their eligibility for military service shall be paid pursuant to the provisions of the Allowance Law N. 6245 dated 10 February 1954.

(4) No fees or contributions shall be collected for the medical examinations to be performed.

(5) The health board of the Ministry of Health authorized health institution is the sole authorized body in issuing the health reports of the obligees as to deferral of their military service for a year, suspension of their conscription, or even in issuing of "not eligible for military service" reports.

(6) The medical board reports bearing the "not eligible for military service" decision shall be valid only after the approval of the Ministry.

(7) Health examinations of the obligees residing abroad shall be made in accordance with the procedures and principles specified in the Regulation of Health Capability of the Turkish Armed Forces, and General Command of Gendarmerie and Coast Guard.

(8) Valid reports of non-eligibility of the obligees shall be forwarded to the Ministry for the final determination of their eligibility for military service. The Ministry approves these reports in accordance with the rules set out in the Regulation of Health Capability of the Turkish Armed Forces, and General Command of Gendarmerie and Coast Guard.

Medical Decisions

ARTICLE 16 – (1) Those who are enlisted are separated into groups: those who are eligible for military service, those who are suffering from temporary illness, and those who are non-eligible for military service. Those who are non-eligible for military service are shall not be taken under arms.

Objection against health decisions

ARTICLE 17 – (1) Any obligee raising objections to his medical decision shall be referred to re-examination.

Obligees who are directed charges at, informed against, and those who are directed for re-examination by the administration.

ARTICLE 18 – (1) Obligees, whose medical reports are reported to be false or raised complaints against, shall be investigated by the Ministry of Health at home, and the Ministry of Foreign Affairs shall investigate the cases of those who reside abroad. Those whose reports are found to be not reflecting the truth shall be referred to the competent health boards determined by the Ministry of Health. Final action is made according to the reports to be provided by the health boards.

(2) Should the administration finds it necessary, in case of a further doubt on the reexamination health reports, obligees shall again be referred to competent health boards determined by the Ministry of Health. Final action is made according to the reports to be provided by the health boards.

(3) Those who are referred to reexamination, as hereby mentioned, shall be given travel allowances, and in cases where those who are underarms are concerned they shall be given travel and subsistence allowances.

Obligee responsibilities

ARTICLE 19 – (1) Obligees subject to mustering are to apply to the recruiting office at home and to the Embassies or Consulates abroad, and submit their Republic of Türkiye ID-Cards along with their proofs of education, and if possible, their professional or qualification certificates, in person. Obligees may also complete the procedures through "e-State."

(2) Obligees who are unable to report to their recruiting offices owing to their illnesses or detentions/convictions are to send their due reports and submit the verdicts on their detentions/convictions.

(3) Casuals are required to collect their dispatch documents from the recruitment offices or via e-State, and are obliged to be present at their units on the date thereby stated.

Deferrals

ARTICLE 20 – (1) Recruitment procedures of those who are determined to be ill, detained or convicted at the time of call shall be deferred. Those whose recruitment procedures are deferred due to temporary illness shall be subjected to medical reexamination at the end of their medical report. Those whose recruitment procedures are deferred for three consecutive years for the same illness shall be subjected to a decision on their being fit/unfit for military service.

(2) The obligees' military services shall be deferred until they graduate or are dismissed from high schools and their equivalents or at the end of the year when they turn 22 years of age; and as for the university, college, or vocational school students and graduates' military services shall be deferred until the end of the year when they turn 28 years of age. Within this context;

a) Compulsory military service of those who registered to a school equivalent or lower than the one they had graduated from shall not be deferred.

b) In the deferrals of those who had graduated from a double-major program, the obligees' majors shall be taken into consideration.

c) Compulsory military service of the draft resisters or evaders who would be referred to medical examination in accordance with Article 21 Paragraph 1 as draft resisters prior to their appointments to relevant corps; and of those who would enroll in an educational institution until call-up period shall not be deferred within the context of this paragraph.

d) Military service of those who are attending higher education institutions abroad, shall be deferred as per the aforementioned principles upon their recognition by the authorized Turkish authorities.

(3) Of those who are discharged or graduated from educational institutions;

a) Compulsory military service of high school or equivalent degree graduates may be deferred for three years following their date of graduation upon request, additional three years for vocational and technical high school graduates; and of those who are dismissed from faculties or colleges or vocational schools and of the faculty or college graduates may only be deferred for two years following their dismissal or graduation. The military service deferrals shall not exceed the end of the year, for high school or equivalent graduates,22, for vocational and technical high school graduates, 25, for those who are dismissed from faculties, colleges or vocational schools, and for those who are dismissed from vocational schools, 28, respectively.

b) The military service of the graduates of higher education institutions offering for or more years shall be deferred for two years upon request, and those who have completed their Master's Degree shall be deferred for one year. Those who graduate from educational institutions abroad may be entitled to deferral, upon request, for up to a year to complete their equivalency procedures. The deferral period provided in accordance with this paragraph shall not exceed the end of the year they turned 32.

c) Military service of those who enroll in a higher education institution within the deferral period shall be deferred due to their studies.

d) Military service of those who graduate from high school or equivalent degree programs or of colleges or of vocational schools of higher education before entering the military age, as well as of those who are dismissed from faculties, colleges or vocational schools of higher education shall commence as of the year they enter the military age.

(4) Pursuant to the principles to be prescribed by the Ministry, the compulsory military services:

a) Of the graduates of higher education institutions offering four or more years of education who are employed in public institutions as public employees may be deferred due to the nature of their services.

b) Of those who are conducting internship or Master's Degree studies at home or abroad, either in their own or for the state's account, upon the proposal of the head of the relevant institutions affiliated to ministries such as Office of the President, Turkish Grand National Assembly (TGNA), or of those are not affiliated to any ministry, as well as of those who completed their studies may be deferred until the end of the year when they turn 32.

c) Of those who are successfully pursuing doctorate degree, specialization programs, or proficiency in art degrees at home or abroad either for their state's or for their own individual accounts,

d) Of the higher education graduates, who having had completed their internships and acquired their professional specializations conducted an original research in Türkiye or abroad that brings innovation and progress to their respective disciplines on a global scale, and those whose studies are documented and demanded by the scientific institutions they work in,

e) Of the athletes who are documented to be continuing their active sports life in accordance with the regulations issued by the Ministry of Youth and Sports, and those who will be lined up in the teams in due numbers to be determined by the Ministry of Youth and Sports, and of those who are affiliated to a ministry, to the Office of the President, and to the Turkish Grand National Assembly, or not affiliated to any ministry, or of those who are pursuing their post-graduate or Doctorate studies, upon the request of the highest ranking authority of the relevant institutions may be deferred to the end of the year they turn 35.

f) Compulsory military service of the draft resisters or evaders who would be referred to medical examination in accordance with Article 21 Paragraph 1 as draft resisters prior to their appointments to relevant corps shall not be deferred until the call-up date within the context of this paragraph. However, if the reasons for deferral of their military services are due to tasks, internship, master's degree, post-graduate or Doctorate studies undertaken and the commencement date of sports peoples' contracts with sports clubs signed before the date they were declared to be draft resisters or evaders, their compulsory military services may be deferred.

g) **(Addition:10/0/2024-7528/35 Art.)** Pursuant to Teaching Profession Law No. 7528 dated 10/10/2024, the military service of teacher candidates who are subject to compulsory military service and admitted to preparatory training at the National Education Academy shall be postponed for the duration of their training at the Academy upon the proposal of the Ministry of National Education.

(5) The recruitment procedures of those who deferred their military services although not being eligible for deferral and/or by providing falsified information or documents not reflecting the truth shall be conducted in consideration of their status prior to deferral; and of those who are determined to have lost their rights for deferral shall be conducted in consideration of the date they lost their right of deferral. Criminal complaints shall be filed to the public prosecution office against those who are determined not to have performed their duties or responsibilities for recruitment procedures on time.

(6) Excluding the time of war, when one of the two sons of a father or a mother is in the army the other son or in cases where there are more than two sons others' recruitment procedures shall be deferred until the discharging of their sons from active duty in the army upon the request of the father of mother. In the implementation of this paragraph those who are under 20 years of age and those who are too handicapped to support the family shall not be taken into consideration. These procedures shall be put into practice during the recruitment, and for those who would be subjected to draft together father or mother's choice for deferral shall be considered.

(7) **(Addendum: 18/22021-7281/40 Art.)** Military service for the members Turkish Grand National Assembly is suspended until the end of their term.

(8) Those whose military service has been suspended shall be dispatched duly as needed during mobilization and at times of war.

Draft resisters, hidden, evaders and late enrollees

ARTICLE 21 – (1) Of those who cannot provide a written alibi as mentioned in this Law;

a) Those who do not attend roll-call shall be referred to as roll-call resisters,

b) Those who are not yet registered shall be referred to as hidden,

c) Those who are already assigned to corps but not attended their units shall be referred to as roll-call evaders, and

d) Those who join their units later than the date they were instructed to shall be referred to as late enrollees.

In such cases, the provisions of Article 24 shall apply.

(2) On condition that draft resisters and hidden have the right to deferral, they shall be granted the right of deferral before their roll-call upon request; those do not hold the right to deferral and determined to be fit for military service in the medical examinations shall be registered in their initial corps.

(3) Draft resisters and hidden obligees whose military services are deferred in line with their alibis and shall be dispatched in accordance with the provisions of this Law at the end of their stated excuses.

(4) Draft evaders who are to be enrolled as privates, other than those released from prison, shall directly be dispatched upon their detention. Of those who were granted the right to deferral, as suggested in the provisions of this Law, shall be dispatched on the first business day that follows the period of deferral.

(5) Draft evaders to be enrolled as Reserve Officer and Reserve NCO candidates shall be dispatched in the first call-up period that follows their detention. Of those who were granted the right to deferral, as suggested in the provisions of this Law, shall be dispatched on the first business day that follows the period of deferral.

Principles for recruitment

ARTICLE 22 – (1) Those who are found to be eligible for military service shall be dispatched to the army in accordance with the rules to be determined by the Ministry.

(2) Obligees taken under arms in peacetime and during mobilization shall be paid transportation fee and ration allowance.

Alibis and conscription procedures

ARTICLE 23 – (1) Those who are called for military service, if unable to attend the dispatch, should present their written excuses on;

a) His own detention or conviction,

b) His medical recovery condition documented by a medical institution report,

c) A medical report proving his own, his spouse's or second degree relatives' (by lineage or marriage) diagnosed disease who are in a life-threatening condition,

d) Death of his spouse's or one of his second-degree relatives (by lineage or marriage) or in-laws within fifteen days prior to dispatch, to be documented by a medical report,

e) His own marriage or marriage of any of his relatives by lineage or marriage (including second degree) within fifteen days prior to his dispatch,

f) Birth of his child within two months prior or two months after dispatch order to their local draft offices.

(2) The provision of the first paragraph of Article 24 shall not be applied to the evaders of the first paragraph hereby stated.

(3) Those that fall within the scope of clause (b) of the first paragraph shall immediately be referred upon completion of their recovery. The others shall be summoned in the subsequent dispatch.

(4) In case of mobilization and war, the provisions of this article shall not apply.

Penalties to be given to draft resisters, hidden and draft evaders

ARTICLE 24 – (1) In peacetime, without an acceptable excuse;

a) For draft resisters and hidden obligees, as of the date of their resisting drafts,

b) For the draft evaders, as of the date of their evading drafts,

c) For the late enrollees, as of expiry of the time allotted to them,

d) For those who are called from among the reserves, as of the last date of their peers' joining their units, shall be subjected to an administrative fine commensurate with the days they did not join their relevant units. Of those who join their units by themselves shall pay 5 Turkish Liras for each day, and those who are apprehended and handed over to their relevant units shall pay 10 Turkish Liras for each day. In the assessment of administrative fines determined under this paragraph, Paragraph 7 of Article 17 of the Law 5326, Misdemeanor Law, issued on 30 March 2005 shall be applied by taking into account the fraction of one Turkish Lira. Administrative fines shall be paid within a month as of the date of notification.

(2) Those who are found not to be eligible for military service in their medical examinations, those who have the right of exemption from military service, and those who have deferred for the reasons stated in this Law, but have not, shall not be imposed administrative fines for the days that correspond the deferral periods.

(3) The competent authority to impose administrative fines; for the obligees is the chief of the military branch where they applied for military service in person; for those caught by the law enforcement officers is the military entrance processing commander; for other cases, the chief of the draft office where the obligee is registered. The administrative fine imposed by the head of the military branch where the obligee personally applies or is brought in will immediately be reported to the chief of the draft office where the obligee is registered.

(4) In peace, once the administrative fine is imposed as per the first paragraph, relevant military branches file a case for those who perform any of the actions mentioned in the first paragraph at times of war or mobilization and refer them to the Office of the Chief of Public Prosecutor where the obligee is registered.

Taking the Members of the Terrorist Organizations and those who engage in activities against the national security of the state under arms

ARTICLE 25 – (1) Eligible obligees who are the members, sympathizers, have any relation with the terrorist organizations or groups that are determined to be acting against national security of the State by the National Security Council, and those who do not submit their valid

excuses stated in this Law, and draft resisters and evaders shall be taken under arms upon the recruiting principles to be set by the Ministry.

Pursuit of draft resisters and evaders

ARTICLE 26 – (1) Ministry informs the Ministry of Interior for the apprehension of draft resisters and evaders to complete their military service. Detainees shall be handed over to the nearest recruiting office within office hours. Those who are apprehended outside the office hours or in places where there is no draft office shall be released upon an official report to be drawn by the relevant law enforcement unit.

Roll-call and recruitment announcements

ARTICLE 27 – (1) Issues pertaining to roll-call and recruitment announcements are made through the Turkish Radio and Television Association [*TRT*] and other national broadcasting agencies. Moreover, they are also announced through the official internet site of the Ministry and the e-State. Those announcements and declarations shall be considered as formal communiques.

(2) Announcements shall be made on national television and radio channels on dates requested by the Ministry, at least once between the hours 19:00 and 23:00 daily. The Radio and Television Supreme Council shall notify the Ministry of the channels, date and time of the announcement.

SECTION VI
Active Service

Leaves

ARTICLE 28 – (1) Conscripts are given a day's leave for each month of their active service. Those who continue their military service within the scope of the Article 5 Paragraph 3 are given one-day additional leave for each month of their military service.

(2) Conscripts demonstrating a superior success among their peers with their efforts and performances on the tasks and obligations required by military service, and those who are not directed any disciplinary charges at by their disciplinary officers, disciplinary boards, or convicted by the courts throughout their military services may be granted a three-day additional leave.

(3) Conscripts working with radioactivity are given two additional days of leave for each month.

(4) Conscripts whose spouse gives birth or dies; or any of whose relatives by lineage or marriage dies shall be granted an additional ten-days of leave upon their request.

(5) Obligees to perform their military service as Reserve Officers or reserve NCOs shall be granted leave proportionate to the periods specified in Law 926.

(6) Leaves given as per this article shall be considered as part of the military service period.

(7) Unit commands shall pay for the leaves as per Paragraph 1; and shall pay for the leaves within the scope of Paragraph 4 return trip expenses and ration allowances. For the leaves within the scope of Paragraph 1, a round trip time is given only for once.

(8) The President has the authority to permit leaves in the event of natural disasters and emergencies, except for those hereby mentioned. The President shall determine whether such leaves to be granted will be regarded as a part of military service.

Medical leaves

ARTICLE 29 – (1) One-day of the period of change of air and rack duty of the conscripts shall be considered as a part of compulsory military service for each month of the military service.

(2) Reserve officers and reserve NCOs who shall be given medical leaves equal to that of their active officer and NCO counterparts. Without prejudice to their personal rights, one-day for each month of the service period they are subject to shall be considered military service. In the calculation of the period of medical leave granted to Reserve Officers and reserve NCOs the period of leaves they were given when they were Reserve Officer Candidates and Reserve NCO Candidates shall be taken into consideration.

(3) In the event that the time spent away from the corps due to legal excuse of the Reserve Officer candidate and NCO candidates exceeds one-third of the total education and training period or those who are given disability reports shall temporarily be discharged. Those, who are found to have recovered from their illnesses by medical reports and those who are reassigned to the corps shall attend the whole new period.

Desertion and breach of change of air/leave

ARTICLE 30 – (1) Should the commander or the chief of the military institution grants an investigation permission pursuant to the relevant laws, the filed cases on the deserters or violators the rules of change of air/leave shall be referred to the authorized Public Prosecutor's Office following the last day of the period determined for the crime to occur. The procedures shall be notified to the draft offices to which they are registered.

(2) Deserters and violators of the rules of change of air/leave shall be sought by the law enforcement officials upon the warrants issued by the judicial authorities. Those apprehended by the law enforcement officials shall be handed over to the nearest judicial authority to be subjected to an action to be taken in accordance with the directives of the judicial authority.

(3) Of the obligees who are not subject to an arrest warrant issued by the judicial authorities, or those who did not breach their permission for change of air/leave, or those who go apply to military authorities by themselves, or those who are handed over by the law enforcement authorities to the military authorities shall freely be transferred to their units or institutions they are appointed without any payment as to their travel and ration allowances.

(4) Of the obligees who desert for a short-term or lapse leave, those who surrender to military authorities by themselves shall freely be transferred to the units or institutions they are appointed without any payment as to their travel and ration allowances.

Other periods counted for military service

ARTICLE 31 – (1) The time spent for diagnosis and treatment at health institutions during active service **s**hall be considered as part of military service.

(2) Detentions and periods of detention of those acquitted in trials shall be considered as military service.

(3) In the event that those who have been held or lost during operations against terrorism return to their units, their cases shall be considered by a board to be set up b**y** the force commands they are affiliated to. Cases of those who are found to be culpable in their abduction or loss shall be forwarded to the competent judicial authorities. The periods of those who are absolved by the board and of those who are subjected to a decision of non-prosecution or acquitted shall be considered to be of military service, and their unpaid personal rights during the investigations shall **d**uly be paid. The rights of the Reserve Officers and of the Reserve NCOs, are protected under the stipulations of the supplementary Article 30 to Law 926.

Periods not considered to be of military service

ARTICLE 32 – (1) The following periods shall not be taken into consideration in enumeration of active duty or of the reserve service.

a) Desertion, breach of change of air/leave, short term desertion and exceeding of change of air/leave, and periods of indiscipline,

b) The periods served in sentence given by the courts,

c) Non-judicial punishments that are explicitly stated, as not to be taken into consideration in enumeration of the service, in Law 6413,

d) The periods spent in the treatment of those who are proven to be guilty of attempting or having others to make themselves unfit for service by court ruling, or the periods spent in the treatment of illnesses caused by such attempts, or the periods spent in the treatment of those who are determined to be in need of receiving an in-patient treatment for the diseases or sicknesses caused by drug or stimulant usage or by other means by court ruling,

Circumstances preventing obligees recruited as reserve officers or reserve NCOs

ARTICLE 33 – (1) While the obligees are serving as third lieutenants or reserve NCOs, or are Reserve Officer candidates, or Reserve NCO Candidates, or are candidates for nomination as Reserve Officers or as Reserve NCOs;

a) Those who are convicted of crimes specified in Law 1632 Article 30, and in Law 926 Article 50;

b) Those who are deprived from public rights regardless of the duration, and those who are removed from public services owing to administrative decisions,

c) Those who are dismissed from the Turkish Armed Forces for any reason, or as a result of court decree, or as a result of an abiding conviction before their completion of their military services as Reserve Officers or Reserve NCOs,

d) Pursuant to the rules and principles set by the Ministry, of the Reserve Officer Candidates or reserve NCO candidates;

1) Those who are determined to be ineligible for appointment as Reserve Officers or Reserve NCOs due to their indiscipline and/or immoral behavior,

2) Those who tarnish the Turkish Armed Forces' legal personality, or those who proceed by action compatible with reputation of the national service, or those who are

determined to be acting in line with the illegal political, subversive and separatist ideological activities they have adopted,

3) Those who fail in Reserve Officer and reserve NCO trainings and educations;

e) Officers, NCOs, specialized sergeants, and contracted rank and files who are dismissed from the Turkish Armed Forces due to their lack of discipline or immoral behavior before the expiration of their military services,

shall complete their military services as privates. Their terms of service is the same of those who serve as ranks and files.

Enlistment, change of status, and discharge

ARTICLE 34 – (1) The enlistment of the dispatched obligees shall be notified to the Ministry via their draft offices.

(2) A discharge certificate issued by the commanding unit or by the director of the institution is given to the obligee, and is sent to the draft office where the obligee is recorded together with his personal detachment file.

(3) Should the educational level of those who are still serving in the military change, their requests for changing their status to that of Reserve Officers' or to Reserve NCO's shall not be taken into consideration.

Procedures regarding the incomplete service

ARTICLE 35 – (1) Pursuant to the Notification Law (Law 7201) dated 11/2/1956, obligees who had not completed their military service in due period are sent notifications via the draft offices they are registered to. Should the obligees fail to report to the draft office within two months of receipt of the notification, they shall be subjected to the stipulations of Article 24 regulating the procedures for the evaders. The Ministry sets the rules and procedures for the completion of the remaining period.

(2) Those who fail to report to the draft offices within two months shall be reported to the ministry of Interior to be arrested. The detained obligees are taken to the nearest military office within the office hours. Should they be arrested outside the office hours or where there is no draft office are released immediately upon a report drawn and signed by the relevant law enforcement unit.

Detainees and the convicts

ARTICE 36 – (1) The fulfillment of the penalties and measures imposed on the obligees sentenced to one year or less imprisonment for crimes they committed before or during military service, as well as the offenses specified in the Turkish Criminal Law, Law 5237, dated 26 September 2004, Article 50 sub-paragraphs (c), (e) and (f), or the obligees sentenced to judicial fine shall be left to the end of the completion of military service. Those, convicted, when discharged, are not released but handed over to Public Prosecutor's Office by their units or institutions to serve their sentences.

(2) Obligees sentenced to a penalty binding freedom for more than a year shall be handed over to Public Prosecutor's Office by their units or institutions. Penal institution administration

sending the relevant documents notifies the draft office, where the obligee convicts are registered, within fifteen days of their release from prison to serve their military service. Those who do not apply to their draft offices within the given period shall be subjected to the same procedures declared for draft evaders.

(3) The statute of limitations does not apply for remanded convictions.

Documents such as diplomas, certificates and driving licenses

ARTICLE 37 – (1) Obligees holding a diploma, certificate or driver's license acquired in accordance with the provisions of relevant legislation, and drafted under the provisions of this Law and performing their military service in ranks and files, may be employed in the duties assigned to them by the authorized command/chief's approval and may also be tasked in the performance of professional services provided that the conditions specified in special laws are met.

SECTION VII
Overseas Deferrals and Military Service in Foreign Exchange

Overseas Deferrals

ARTICLE 38 – (1) In foreign countries;

a) Those who hold residence permit including work permit or a direct work permit as employees, employers or a professional or as an artist;

b) Those who have the status of a seaman sailing under the colors of a foreign country;

c) Those who have multiple citizenship rights as residents,

upon their application to the Turkish Consulates, where they are registered, in proof of their statuses, their military service may be deferred until the end of the year they turn 35, in accordance with the procedures and principles to be prescribed by the Ministry.

(2) Deferral procedures for those who are found to be ineligible for deferral or those who spend more than half of a calendar year abroad within the period of deferral, those who lose their rights of deferral or relinquish their rights of deferral on their own will shall be revoked.

Military service in exchange for foreign currency

ARTICLE 39 – (1) Excluding the permits given upon asylum; those who hold the title of an employee, an employer, or a professional, or of an artist having a residential permit or direct work permit including residential permit in countries recognized by the Republic of Türkiye, or that of a seaman sailing under the colors of a foreign country;

a) Excluding the time spent at home, those who have been working for more than at least three years,

b) Those who receive the distant education given by the Ministry,

shall be deemed to have completed their military service on condition that they apply to the draft offices they are registered to via the Turkish Consulates with the documents proving their

status, and on condition that they pay the amount to be found by multiplying the indicative figure in Article 9 by the monthly coefficient of a civil servant in Euros or equivalent convertible foreign currency at the buying rate of exchange determined by the Central Bank of the Republic of Türkiye on the date of foreign currency amount is to be deposited; the Ministry shall set the procedures and principles concerning distance education.

(2) Those residing abroad and holding multiple citizenship rights, as well as those who were born abroad, reside abroad and hold a permanent residence permit shall benefit the provisions set forth in this Article Paragraph 1, without requiring a proof of working condition provided that they have been actually residing in the country for at least three years.

(3) Of those whose applications for military service in exchange for foreign currency are accepted;

a) Those who do not pay the foreign currency they are required to pay,

b) Those whose wages or salaries are transferred abroad,

c) Those who are on duty abroad,

d) Those who have already started their military service, other than the military service in exchange for foreign currency,

e) Those who received residential or work permit upon asylum,

f) Those who apply for military service in exchange for foreign currency by false statements, or deceive authorities by willful falsehood in the preparation of the official documents,

g) Those who are determined not to have met the conditions of eligibility

will not be able to benefit from their right to military service in exchange for foreign currency. The application of such obligees will be declared null and void by the Ministry.

(4) Amounts paid by the participants whose applications are cancelled, or whose applications are not completed despite the payments made, or who made an overpayment shall be refunded to the bank account they will provide in Turkish Lira, over the rate of exchange on the date of refund, or to their legal agents or inheritors. Refund shall not be made to those who, after having completed the application procedures and making the payment, demand their exclusion from military service in exchange for foreign currency, or those who become ineligible for military service, those who pass away, those who are allowed to cease to be a Turkish citizen, and to those who are deprived of Turkish citizenship.

(5) The requests to be made by those who apply for removal from military service in exchange for foreign currency after having made their payments and completing the application procedures shall not be accepted.

(6) Those, whose applications are nullified by the Ministry pursuant to Paragraph 3 sub-Paragraph (e) may not benefit from the provisions of this article despite their being eligible for military service in exchange for foreign currency once again.

(7) Payments made are entered to a special currency account, in Euros, to be opened for the Treasury at the Central Bank of the Republic of Türkiye by the Ministry of Foreign Affairs. Sums are then converted into Turkish Lira, based on the buying rate of exchange on the date of transfer, and entered into the Ministry of Treasury and Finance Central Accounting Directorate account as revenue.

(8) Transfer fees and the costs arising from foreign currency collection and from the transfer of the sums to a special foreign currency account shall be collected from the obligees by representations abroad. The Ministry of Foreign Ministry, upon consultation with the Ministry of Treasury and Finance, shall determine transfer fees and other costs.

(9) Those, who are excluded from military service in exchange for foreign currency in accordance with the defunct Military Law 1111 dated 21/6/1927 shall not be allowed to benefit from military service in exchange for foreign currency. The procedures and principles governing the reimbursement of the paid foreign currencies to the excluded obligees or to those that have been subjected to the same Law mentioned shall be established and promoted in a directive issued by the Ministry.

(10) Ministry of Foreign Affairs holds the authority and responsibility in processing the applications of those who wish to benefit from military service in exchange for foreign currency pursuant to this article.

(11) In case of mobilization and war, the provisions of this article shall not apply.

SECTION VIII
Benefits and punitive measures

Benefits

ARTICLE 40 – (1) With the exception of those who perform their active duties within the scope of Article 9, obligees performing their duties in rank and files shall be provided with the following rights:

a) The amount of aid to be given to the families of the rank and files in need shall be determined by the President of the Republic of Türkiye.

b) In recruitment of the military students, of non-commissioned officers/NCOs, of contracted officers/NCOs, as well as in the recruitment of specialized sergeants and contracted sergeants/privates from external sources the following additional points may be awarded:

1) Up to five percent of the exam full score for those who are discharged after completing their first six month military service, and up to fifteen percent of the exam full score for those who are discharged after completing their term of service in accordance with the Article 5 Paragraph 3;

2) Of the graduates of vocational schools or vocational high schools and technical high schools; up to ten percent of the exam full score for those who are discharged after completing their first six month military service, and up to twenty percent of the exam full score for those who are discharged after completing their term of service in accordance with the Article 5 Paragraph 3

c) Those who do not have a house registered to their name may be given a priority in the housing units built by the Housing Authority.

d) City line ferries and mass transportation services, run by the public and municipal administrations, shall be free of charge during their terms of active service.

e) The staff may benefit from the museums and archeological sites free of charge during their terms of active service.

(2) First Paragraph sub-Paragraph (a) shall not be applied to those who continue their military service under the Article 5 Paragraph 3.

(3) Among those who continued their military service within the scope of Article 5 Paragraph 3, and discharged at the end of this term, and request service debit pursuant to Law 5510, Social Security and General Health Insurance Law, dated 31/5/2006 Article 41 sub-Paragraph (b); for the requests to made for the time spent within the scope of Article 5 Paragraph 3, the part to be calculated by multiplying the sub-limit of earnings taken as basic to premium by 45% as stipulated in Law 5510, Article 82 shall be paid by the Ministry within three months as of the date the Directorate of Social Security Institution notifies the Ministry on the payment.

(4) The Ministry establishes the procedures and principles regarding the recruitment and classification of the graduates of technical schools, vocational schools and technical colleges as well as of those of vocational and technical high schools, and of the obligees actively working in the fields of agriculture, tourism and seasonal works in accordance with the needs and priorities of the Turkish Armed Forces in consideration of the obligees' requests for period of recruitment.

Punitive measures

ARTICLE 41 – (1) The registration of the students who fail to fulfill their military obligations, provided that the deferral periods allowed under this Law are taken into consideration, shall be temporarily suspended by the relevant secondary and higher education institutions upon the request of the Ministry until they fulfill their military service. No fees or tuitions shall be applied to the obligees whose registrations to the mentioned institutions are suspended.

(2) Deserters, draft evaders and those who evade from performing action drills and personal mobilization training in peacetime shall not be allowed to participate in public or special service. Relevant draft offices shall fine a criminal complaint with the Chief Public Prosecutor of the district concerning those who have recruited them for public or special service.

(3) The punitive measures set forth in Article 24 shall be applied to the deserters, draft evaders and those hide themselves out, as well as to those who evade from performing action drills and personal mobilization training in peacetime.

SECTION IX
Exemption from Military Service

Exemption of the obligees, public officials, and the relatives of the civilians who passed away

ARTICLE 42 – (1) Of those who lose their lives while fulfilling their military service, those who are declared of absence, those who are disabled requiring disability pension, and those

who are proven by a court order to have lost their lives owing to the circumstances stemming from military service after their discharge;

a) Obligee, whose parents jointly request, or in cases where one of the parents died one of the siblings the remaining parent requires, shall not be taken under arms unless otherwise wills or is discharged if he is still under arms.

b) In cases where both parents could not decide jointly or both are dead; the brother under arms has the right to request discharge, if he does not have a brother under arms or if the brother under arms does not request discharge, the brother in line of service shall not be taken under arms unless he wills otherwise.

(2) Of those who lose their lives as underlined in Law 3717, Anti-terror Law, dated 12/4/1991;

a) Obligees, and their brothers born to the same parents, who are fulfilling their military service as well as the children of the civilians falling under the scope of Law 3713 Article 21 Paragraph 1 sub-Paragraph (j),

b) Sons of those who lost their lives while resisting the 15 July 2016 coup attempt and acts of terror and the ensuing events willingly without any obligation, and all the boys born of the same parents,

c) All the sons of the public officials, including those of the rural security guards, and one their own brothers born to the same parents,

shall not be taken under arms unless otherwise will and those under arms shall be discharged upon their request. The exemption of the brother from military service shall be determined by the procedure specified in Paragraph 1 sub-Paragraphs (a) and (b). The Ministry determines the places where the brothers who do not fall in the scope of exemption and those, who, although falling under the scope of exemption, refuses to benefit from exemption will serve.

(3) In case of mobilization and war, the provisions of this article shall not apply.

Deferrals and exemptions of those granted citizenship subsequently

ARTICLE 43 – (1) Those who acquired Turkish citizenship *post facto* shall perform their military service at the age and level of education when they acquired citizenship, together with the other obligees who enter the age of military service the same year. Those who certify that they had completed their military service or are deemed to have completed their military service in the countries they came from before acquiring citizenship, and those who were 22 years of age or older in the year of their naturalization shall be considered to have completed their military service. Their military service shall be deferred, upon request, for two years as of the date of naturalization. In the last year of their deferral period they shall be summoned and be subjected to the same procedures with those who enter the age of military service the same year. In case of mobilization, they might be sent to the army as needed.

(2) The military service of those who regained their Turkish citizenship after having had lost it for various reasons shall be conducted in accordance with the provisions of this Law in consideration of their previous military service summary.

(3) The provisions of this article shall not apply to those who are granted Turkish citizenship subsequently by line of descent.

Those who perform their military service in Turkish Republic of Northern Cyprus (TRNC)

ARTICLE 44 – (1) Turkish citizens who certify that they have performed their compulsory military service in the Turkish Republic of Northern Cyprus (TRNC) shall be considered to have performed their military service in scope of the provisions of this Law.

Deferrals and exemptions in special cases

ARTICLE 45 – (1) The procedures for the obligees who are exempted or deferred from military service under bilateral agreements on acceptance of military service performed in either country shall be performed in accordance with the provisions of the mutual agreement signed. The Ministry shall establish the procedures and principles on exemptions and deferrals to be applied under the agreements.

(2) Volunteers to be specially appointed by the President of the Republic of Türkiye upon the proposal of the Ministry in peacetime, states of emergency or mobilization or in times of war, before their military service shall be exempt from military service should they comply with the conditions set by the President.

Military school leavers

ARTICLE 46 – (1) One-third of the period, in months, of the dismissed students spent in the National Defence University, and from other universities, faculties, colleges, and vocational schools for education shall be deduced from the total period of military service. In cases where this period corresponds to the length of military service, the obligees shall be deemed to have completed their military service.

(2) Those who hold the right to apply as a Reserve Officer Candidate, or as a Reserve NCO Candidate within the scope of Paragraph 1, should they wish and in case they be elected, shall be subjected to the term of service of the Reserve Officer Candidate or Reserve NCO Candidate regardless of their previous term of service.

SECTION X
Provisions regarding Indemnities and Treatment

Indemnities

ARTICLE 47 – (1) To those who are fulfilling their military obligation within the scope of this Law; to be effective as of the date of their dispatch to their units; to the rank and files who lose their lives or discharged upon becoming seriously injured until the completion of their military service, to the reserve officers or reserve NCOs who lose their lives or discharged upon becoming seriously injured until their completion of their service schools, and who are

discharged earlier than their terms of service despite the due treatments given in such cases, an amount of compensation shall be paid for once, on condition that they do not receive any salary within the context of the Law 5434, Republic of Türkiye Pension Fund Law, dated 8/6/1949, or they do not receive any salary within the scope of Law 5510, or are not entitled to benefit from the provisions of the Law 2330, Cash Compensation and Monthly Indemnification Law, dated 3/11/1980; the widow and orphans of those who lose their lives shall be paid an amount to be calculated by multiplying the indicator 400.000 with civil servants' monthly coefficient, for once; and the seriously injured shall be paid a sum, depending on the degree of their disability to be determined in accordance with the Regulations for the Degree and Rate of Disability, dated 3/11/1980, to be obtained by multiplying the corresponding indicator, shown below, with civil servants' monthly coefficient, for once only**.** However, this payment shall not be made to the draft evaders, deserters, to those violating the conditions for change of air/leave, to those who injure themselves to the extent that they become unfit for military service, to those who are convicted of having made false statement to evade military service, to those who lose their lives, or to those who become totally disabled as a result of their actions, or commit suicide on the date the events subject to indemnity take place. No tax other than stamp tax shall be deducted from this compensation, and this indemnity cannot be seized. The Ministry holds the right to set the regulations for the procedures and principles regarding the payment of compensation.

Degree of disability	**Indicator of the Indemnity to be paid**
1	400.000
2	360.000
3	330.000
4	300.000
5	270.000
6	240.000

(2) To those receiving treatment after having become a subject to an attack or accident while performing their duties at home or abroad, in peacetime or in wartime, shall be given monthly health benefits, not for more than thirty-six months as of the date of the incident/accident, upon the medical board report stating "[he] is still receiving treatment" to be issued by the health institution where he is receiving treatment as of the date of their discharge

a) Two-thirds of the net salaries of the rank and files, and of the specialized sergeants on duty (with a year in service, commissioned at the headquarters, single), (excluding the extra benefits mentioned in Statutory Decree 375 Article 28 dated 27/6/1989, and the assignment pays and Foreign Language compensation paid in accordance with the Law 500, "The Law Regarding the Salaries, Wages, Allowances of the Members of Turkish Military Unit Personnel to be Assigned to Turkish Republic of Northern Cyprus and the Unit's Various Expenditures,"

b) To the Reserve Officers, two-thirds of the net salaries of their equivalent Third Lieutenants on duty (commissioned at the headquarters, single) (excluding the extra benefits mentioned in Statutory Decree 375 Article 28, and the assignment pays and Foreign Language compensation paid in accordance with the Law 500),

c) To the reserve NCOs, two-thirds of the net salaries of their equivalent reserve NCOs on duty (commissioned at the headquarters, single) (excluding the extra benefits mentioned in Statutory Decree 375 Article 28, and the assignment pays and Foreign Language compensation paid in accordance with the Law 500),

shall be given monthly health benefits by the Ministries they are affiliated to and the Ministry of Interior from the allocated budget. No cutbacks can be made from those payments as to the insurance premiums or to the health benefits provided during treatment. In cases where the incident/accident occur due to use of pleasure-giving drinks and substances, or serves to self-interest or to the benefit of the others, or is committed with the aim of causing harm to others, health benefits shall not be paid.

(3) Of those whose treatments still continue;

a) Those who are entitled to receive an emolument on the basis of the Law 5434 defunct Article 45 or to receive war disability pension on the basis of Law 5434 defunct Article 64, and those who are entitled to receive invalidity of official/war disability pension within the scope of Law 5510 Article 47, on the first payday as of the date of they are put on salary,

b) Those, whose treatments are ended upon a conclusive medical board report without occurrence of disability, as of the first payday,

payments regarding the health benefits shall be terminated. Health benefit payments made during treatment shall not be reclaimed from the personnel.

SECTION XI
Procedures for the Personnel of Various Status Leaving the Turkish Armed Forces

Retirement of active duty and contracted officers and NCOs, specialized NCOs and contracted rank and files

ARTICLE 48 – (1) The principles regarding the military service duration of those who retire and of those who are discharged from the Turkish Armed Forces are as follows:

a) One-third of the total number of months those who are appointed as active duty officers or NCOs after having completed their higher education, which they attended either at the National Defence University or at other universities, faculties or higher education institutions and vocational schools on behalf of Turkish Armed Forces; and the total amount of time they spent as active duty officer or NCOs,

b) One-third of the total number of months the active duty officers and NCOs hired from external resources, and the candidates of the mentioned ranks, spent in their basic training until the end of their trail period, and the entire period they spend on active duty following the trial period,

c) One-third of the total term of the preliminary contract and the contract made with the contracted officers and NCOs, and of the candidates of the mentioned ranks,

d) One-third of the total number of months the contracted specialized NCOs spent,

e) One-third of the total term of the preliminary contract and the contract made with the contracted rank and files, and contracted files, and of the candidates of the mentioned rank and files,

f) The entire period the obligees spend under arms upon hire, while they are still under arms, in the statuses required by the Turkish Armed Forces,

shall be considered as military service.

(2) Those who fulfill the period set for the rank and files shall be considered to have completed their military service. The remaining period of those who could not fulfill the required period shall be complemented, in consideration of the term of service they are subjected to, as rank and files, as stipulated in the provisions of this Law.

(3) Should those who hold the right to be a candidate reserve officer or candidate reserve NCO intend to become a reserve officer or reserve NCO, and if they are found eligible for candidate reserve officer or candidate reserve NCO, shall be subjected to the period of service as reserve officers or reserve NCOs, without taking their previous periods in service into consideration.

(4) Specialized ranks and contracted ranks and files whose contracts are abrogated, shall complete their remaining military service as rank and files in the units, before being discharged, to be determined by the Ministry.

(5) Any regulations devised in special laws pertaining to the military obligations shall not be applied should they be contrary to this Law.

SECTION XII
Reserve Period

Mobilization source

ARTICLE 49 – (1) Obligees who have completed their military service and the personnel who have retired from the Turkish Armed Forces for various reasons shall be taken to mobilization source.

(2) In case of mobilization and war, the reserve personnel shall be deployed as needed.

Age limit

ARTICLE 50 – (1) Of the reserve personnel; reserve officers and reserve NCOs, in terms of age, shall be liable for military service as stipulated in the Law 5434, specialized ranks, in terms of age, shall be liable for military service as stipulated in Law 3269 dated 18/3/1986; ranks and files shall be liable for military service until the end of military age.

Call to arms

ARTICLE 51 – (1) In peace, reserve personnel may be called to arms in groups or in full for mobilization and war, as well as for state of emergency.

(2) Nevertheless, the duration of the exercise or training shall not exceed forty-five days. The President might extend this period during mobilization, state of war, and state of emergencies as needed.

The notification and mobilization of personnel

ARTICLE 52 – (1) It is imperative that the notified reserve personnel be notified of their duties by the units and institutions here they were last assigned to in peacetime. The notification procedures of those who could not have been informed by their relevant units or institutions, military draft offices shall duly be responsible for their notification.

(2) Reserve personnel called to the relevant military draft offices is obliged to receive his invitation to join his force.

Civil servants and employees taken under arms

ARTICLE 53 – (1) As stipulated in the provisions of the Law 657, upon being taken under arms, the reserve personnel working as civil servant shall be considered to be on leave until the end of his service. When mobilization and the state of war ends, this personnel return to civil service equivalent to the service they were performing in peacetime. Civil servants, who having had attended the mobilization exercises and individual mobilization exercises and discharged in peacetime return to their appointed posts.

(2) The provisions of relevant laws shall apply for the reserve employees taken under arms.

Promotion and clothing of the men taken under arms

ARTICLE 54 – (1) The provisions of Law 926 shall be applied to the procedures and principles regarding the promotion of reserve officers and reserve NCOs.

(2) Reserve personnel are obliged to wear military uniforms upon being taken under arms.

Continuing and completed judicial prosecution of the obligees taken under arms

ARTICLE 55 – (1) In case of mobilization and war; in case where the reserve personnel to be taken under arms and personnel in active duty is being tried for indictable offences, excluding those requiring imprisonment for five years more, their trials or the execution of their sentences shall be deferred to the end of their military service.

(2) The statute of limitation for litigation and penalties shall not apply for such periods deferred until after discharge.

Recruitment, joining, and draft resisters

ARTICLE 56 – (1) The recruitment of the reserve personnel who wishes to join his unit via draft office shall be realized through the activities to be carried out by the military entrance processing command within the framework of local and centralized planning.

(2) Reserve personnel receiving mobilization order; upon declaration of mobilization, those who wish to be dispatched to their relevant units via draft offices shall apply to the nearest draft office within six hours as of the declaration of mobilization, those who wish to joining their units by themselves shall apply their relevant units within 48 hours as of the declaration of mobilization. Those who are living abroad shall apply the relevant consulates within six hours and join their units within 48 hours as of the declaration of mobilization.

(3) Those who are living abroad shall be invited by the Embassies and Consulates in the countries where they are living.

(4) Should there be any delays in joining the units during mobilization and in times of war, the obligees shall have to document their excuses. Provisions of Article 24 shall be applied to those who fail to document their excuses for their late joining to their units.

(5) Obligees having the excuses mentioned in Article 23 do have to submit the proofs of their excuses to the draft offices, despite the invitations they received for mobilization exercises and personal trainings. Such obligees shall not be deemed as draft evaders. They shall be dispatched together with the reserve personnel following the end of their excuses. Those who are called to arms and not applied to the draft offices until the last dispatch day of his peers, and those who took their dispatch orders from the draft offices and did not join their units until the end of the travel time allocated to reach their units shall be considered as draft resisters, and shall be subjected to the provisions of Articles 24 and 25 hereby mentioned, and their incomplete services shall be completed.

Deferral of reserve personnel

ARTICLE 57 – (1) The procedures and the principles regarding the deferral of the reserve personnel shall be determined by the Office of the President.

Individuals having medical problems

ARTICLE 58 – (1) Reserve personnel who declare a change in their medical conditions, upon receiving their orders of duty in peacetime, during mobilization and wartime, shall be referred by the military authorities to the closest health board designated by the Ministry of Health. Action shall then be taken in accordance with the report to be given by the health board. The remaining military service of those who are given health leave shall have to be complemented following the recovery period.

Discharge

ARTICLE 59 – (1) In case of mobilization and war, the date of discharge shall be determined by the Office of the President.

SECTION XIII
Miscellaneous and Final Provisions

Draft offices

ARTICLE 60 – (1) Draft offices shall apply the same procedures for those who are registered to other draft offices just as of those who are registered in their own offices, and notify the relevant draft office.

Regulation

ARTICLE 61 – (1) The regulations concerning the determination of the procedures and principles regarding the implementation of this Law shall be issued within six months as of the introduction of this Law.

(2) Until the regulations stipulated by this Law enter into force, the provisions of existing regulations that are not contrary to this Law shall continue to be implemented.

Provisions amended

ARTICLE 62 – (1) (Related to the Military Penalty Code numbered 1632, dated 22/5/1930 and has been executed in its place.)

(2) (Related to the Republic of Türkiye Retirement Fund Law numbered 5434, dated 8/6/1949 and has been executed in its place.)

(3) (Related to the Armed Forces Pension Fund Law numbered 205, dated 3/1/1961 and has been executed in its place.)

(4) (Related to the Turkish Armed Forces Internal Service Law numbered 211, dated 4/1/1961 and has been executed in its place.)

(5) (Related to the Allowances for the Rank and Files Law numbered 257, dated 23/2/1961 and has been executed in its place.)

(6) (Related to the Foundation and Trial Procedures of Military Courts Law numbered 353, dated 25/10/1963 and has been executed in its place.)

(7) (Related to the Foundation of the Disciplinary Courts, Proceedings, Disciplinary Offenses and Penalties Law numbered 477, dated 16/6/1964 and has been executed in its place.)

(8) (Related to the Law Regarding the Salaries, Wages, Allowances of the Members of Turkish Military Unit Personnel to be Assigned to [Turkish Republic of Northern] Cyprus and the Unit's Various Expenditures numbered 500, dated 14/7/1964 and has been executed in its place.)

(9) (Related to the Civil Servants Law numbered 657, dated 14/7/1965 and has been executed in its place.)

(10) (Related to the Turkish Armed Forces Personnel Law numbered 926, dated 27/7/1967 and has been executed in its place.)

(11) (Related to the Cash Compensation and Monthly Salary Allocation Law numbered 2330, dated 3/11/1980 and has been executed in its place.)

(12) (Related to the Compensation Law for Flight, Parachute, Submarine, Diver, and Frogman Services Law numbered 2629, dated 28/2/1982 and has been executed in its place.)

(13) (Related to the Anti-Terror Law numbered 3713, dated 12/4/1991 and has been executed in its place.)

(14) (Related to the Law on Contracted Officers and Non-Commissioned Officers to be Employed in the Turkish Armed Forces numbered 4678, dated 13/6/2001 and has been executed in its place.)

(15) (Related to the Law on the First Allowance on Appointment to the Turkish Armed Forces Law numbered 5143, dated 21/4/2004 and has been executed in its place.)

(16) (Related to Law on the Execution of Sentences and Security Measures numbered 5275, dated 13/12/2004 and has been executed in its place.)

(17) (Related to the Social Security and General Health Insurance Law numbered 5510, dated 31/5/2006 and has been executed in its place.)

(18) (Related to the Turkish Armed Forces Discipline Law numbered 6413, dated 31/1/2013 and has been executed in its place.)

(19) (Related to the Statutory Decree numbered 375, dated 27/6/1989 and has been executed in its place.)

Laws Repealed

ARTICLE 63 – (1) Law 1111, Military Law, dated 21/6/1927; and the Law 1076, Reserve Officers and Reserve Military Officers, dated 16/6/1927 have been repealed.

(2) References made to Law 1111 and to Law 1076 in legislation shall be considered to have been made to this Law.

Transitional provisions

PROVISIONAL ARTICLE 1 – (1) Age limits mentioned in the defunct Law 1111 shall apply to the obligees, whose military services were deferred within the scope of Law 1111, before the introduction of this Law, on condition that the obligees do not lose their rights for deferral.

(2) The Ministry of Interior shall inform the Ministry of the need for conscripts of the General Command of the Gendarmerie and the Coast Guard Command, and the need shall be met in accordance with the provisions of this Law by the Ministry for a period to be declared by the Office of the President. The personnel given to the orders of the General Command of the Gendarmerie and the Coast Guard Command under the principle of obligation shall be subjected to the same provisions applied to other obligees. The General Command of the

Gendarmerie and the Coast Guard Command, as stipulated in this Law meets the number, requests, preferences, and personal rights of those who perform their military service at the General Command of the Gendarmerie and the Coast Guard Command within the scope of Article 5 Paragraph Three.

(3) Those who have not began active military service as of the effective date of this Law, for whatever reason, draft evaders, draft resisters and the hidden obligees, upon their own will, shall be entitled to benefit from the provisions stated in Article 9, provided that they apply by 1 November 2019 and pay the fee set forth in Article 9 until the mentioned date. In this context, the collection of administrative fines imposed on those who complete their military service by payment, pursuant to the Law 1111 and Article 24, shall be waived. The Ministry shall determine the procedures and principles regarding the implementation of this paragraph.

(4) The principles set forth in Article 5 shall apply to those who have completed their six-month military service period and are willing to continue their military service under Article 5 Paragraph Three as of effective date of this Law. Of those, whose requests are accepted will continue to serve in the military for another period limited to six-month.

(5) The date of discharge of the ranks and files who completed their military service on the effective date of this Law is the date they are sent to their hometowns, determined in consideration of the transportation facilities in the region.

(6) The collection of unsettled administrative fines, imposed as per the Law 1111, from those who have completed their military service as well as from those who are still performing their military service shall be waived.

(7) The collection of administrative fines, still unsettled on the date of dispatch, imposed pursuant to defunct Law 1111, and this Law Article 24, on the obligees who began their active military service within six months starting from the effective date of this Law shall be waived.

Rules and Procedures governing those, who were excluded from the paid military service as stipulated in the Repealed Law 1111, deemed to have completed their military service.

PROVISIONAL ARTICLE 2 – (Addendum: 30/6/2022/7415/18 Art.) – (1) Of those who are excluded from the scope of the paid military service in accordance with the repealed Law 1111; and those who failed to pay the due foreign currency or those who were excluded from the scope of the paid military service for being abroad for more than at least 184 days within any given year; on condition that they apply to the representatives in foreign countries or to the recruiting offices by themselves, through the intermediary of their representatives or guardians until 31/12/2025; and pay the sum to be calculated by multiplying the indicator 40.000 with the effective civil servants' monthly coefficient effective on the date of the application over the EURO, or its equivalent value of any convertible foreign currency, buying rate of exchange declared by the Republic of Türkiye Central Bank, within 10 (ten) work-days following their date of application;

a) Should those who had paid less than the due amount of foreign currency stipulated in Article 39 Paragraph 1 on the date of their application pay the remaining amount within 10 (ten) work-days shall be deemed to have completed their military service.

b) Those who paid the due amount or more than the amount of foreign currency stipulated in Article 39 Paragraph 1 on the date of their application shall be deemed to have completed their military service. However, the amount of foreign currency they had overpaid shall not be returned.

(2) The payments to be made within the scope of this article; shall be collected by the representatives in foreign countries, and those to be collected inland by the Republic of Türkiye

Central Bank in accordance with the stipulations of Article 39 sub-Clause 7 and 8 shall be registered as a revenue in the budget.

Validity

ARTICLE 64 – (1) This law enters into force at time of its publication.

Enforcement

ARTICLE 65 – (1) The provisions of this Law shall be executed by the President.

TABLE SHOWING THE EFFECTIVE DATES OF LEGISLATION AMENDING LAW NO. 7179 OR ANNULMENT DECISIONS ISSUED BY THE CONSTITUTIONAL COURT

Number of the Amending Law/Decree-Law or the Annulment Decision of the Constitutional Court	Amended or repealed Articles of Law No. 7179	Date of Entry Into Force
7226	39	26/3/2020
7281	20,39	5/3/21
7415	9, Provisional Article 2	13/7/2022
7528	20	18/10/2024
7566	40	1/1/2026
7577	9	17/4/2026