

INTERNATIONAL ELECTION OBSERVATION MISSION Republic of Türkiye – General Elections, 14 May 2023

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

PRELIMINARY CONCLUSIONS

In the 14 May general elections, held in the wake of devastating earthquakes, voters had a choice between genuine political alternatives and voter participation was high, but the incumbent president and the ruling parties enjoyed an unjustified advantage, including through biased media coverage. The continued restrictions on fundamental freedoms of assembly, association and expression hindered the participation of some opposition politicians and parties, civil society and independent media in the election process. Nonetheless, the campaign itself was competitive and largely free for most contestants but characterized by intense polarization, and marred by harsh rhetoric, instances of misuse of administrative resources, and the pressure and intimidation faced by one opposition party. The election administration technically managed elections efficiently, but there was a lack of transparency and communication, as well as concerns over its independence. Measures designed to facilitate registration and voting for earthquake-affected citizens were limited, placing an additional burden on the voters to exercise their voting rights. Election day was generally well-organized and assessed positively by IEOM observers, however, instances of deficient implementation of certain procedures, particularly during voting and counting were noted.

The general elections took place amid significant polarization and intense competition between the ruling and opposition parties, advocating contrasting political agendas to shape the country's future. Following devastating earthquakes in south-eastern Türkiye on 6 February, the President declared a three-month State of Emergency in the affected areas to facilitate relief and recovery efforts, subsequently confirmed by parliament. Fundamental rights and freedoms are not fully guaranteed by the Constitution and the legal framework. In practice, freedom of assembly, association and expression are also restricted by legislation, and the independence of the judiciary remains a concern.

The legal framework, which was significantly amended in March 2022, has substantial shortcomings and does not fully provide a sound legal basis for the conduct of democratic elections. The amendments included changes to the mandate allocation system, limitations on eligibility criteria for political parties, and a new appointment mechanism for mid-level electoral councils. Some amendments, in particular regarding the formation of electoral councils, decreased election stakeholder trust in the electoral process. Positively, long-standing ODIHR and Council of Europe's Venice Commission recommendations and PACE resolutions to lower the parliamentary threshold were addressed. However, most other ODIHR and Council of Europe's Venice Commission recommendations, including those related to voter and candidate eligibility rights, equality of the vote, media freedoms and election dispute resolution, remain unaddressed, as well as numerous important European Court of Human Rights (ECtHR) rulings. Legal gaps and ambiguities resulted in legal uncertainties in various key aspects of the electoral process, and were not adequately addressed through regulation by the Supreme Electoral Council (SEC).

The election administration, led by the SEC, carried out preparations efficiently and largely within the legal deadlines, despite challenges posed by the recent earthquakes. However, a lack of transparency characterized its work, with sessions of the SEC and mid-level election councils not held in public, and despite a legal obligation, the SEC did not publish most of its decisions. The election administration generally enjoyed high stakeholder trust in its technical capacity to efficiently manage the process, although stakeholders' confidence in its independence varied.

Restrictions on voting rights of those declared legally incompetent by a court, prisoners, conscripts and students in military schools are at odds with international standards, the case-law of the ECtHR and OSCE commitments. For these elections, 60,997,843 voters were registered in-country and 3,416,098 abroad. The authorities took limited measures to facilitate address changes and voting for those affected by the earthquakes and despite civil society and political party efforts to provide free transportation for those who could only vote by returning to their original residence, a high number of these voters were potentially unable to vote. Further, late decisions on the merging of a number of polling stations and the resumption of in-person higher education, leaving only three days for students to adjust their registration, may also have hindered a significant number of people from being able to vote.

The technical registration process of candidates as managed by the SEC was inclusive. Still, party dissolution proceedings against the second largest opposition party impeded its participation, and the criminal prosecution of some prominent opposition politicians may also have hindered their candidacy. The 2022 legal amendments further tightened the criteria for political parties seeking to register with the SEC as electoral contestants. The SEC registered 4 presidential candidates and parliamentary candidate lists from 24 political parties. The parliamentary elections featured 13,037 candidates on 1,849 registered candidate lists, and 151 independent candidates. The SEC received numerous objections regarding its decisions on accepting or denying the registration of candidates. Challenges to the candidacy of the incumbent President arguing that he was seeking an unconstitutional third term were dismissed by the SEC.

The Constitution guarantees the equality of men and women. However, underrepresentation of women in politics and leadership positions demonstrates the need for further efforts from authorities and political parties to address persistent gender stereotypes that impede women's political involvement. Women make up approximately one in every four parliamentary candidates, and no women stood as presidential candidates. Women's visibility in the campaign was limited, and only some parties campaigned with messages regarding women's equality and combating gender-based violence. Of concern, some female politicians reported gender-based harassment or fear of harassment during the campaign.

In the campaign freedoms of association and assembly were mostly respected and the elections offered voters a choice between genuine political alternatives with some notable exceptions. The Green Left Party faced widespread pressure, intimidation and arrests of their supporters, which served as a significant obstacle to its equality of campaign opportunities. Most parties conducted a robust campaign with polarization evident in an often negative tone, marked by inflammatory messages and harsh language, as well as mutual accusations of terrorism and extremist views. The president is not explicitly subject to the same restrictions in the campaign period as other high level public officials, and often campaigned while performing his official duties. Moreover, cases of campaigning during the inaugurations of numerous large-scale infrastructure projects by several incumbents, the misuse of administrative resources, and announcements of significant social benefit programmes provided undue advantage of incumbency, and blurred the line between party and State, at odds with paragraph 5.4 of the 1990 Copenhagen Document.

The legislation does not contain comprehensive regulations on party and campaign finance, which, combined with the limited enforcement, significantly decreased stakeholders' trust in the integrity and accountability of the regulatory system. Due to a lack of interim campaign finance reporting, voters had limited information about campaign incomes and expenditures before election day. Campaign finance legislation leaves most long-standing ODIHR and the Council of Europe's

GRECO recommendations unaddressed, including on the introduction of spending limits, enhancing transparency, and improving the effectiveness of the oversight mechanism.

Legal provisions on defamation and insult of certain public officials, combined with the recent criminalization of disseminating false information, frequent blocking of websites and online content removal, and cases of arrests and prosecutions of journalists in the election period had a detrimental effect on freedom of expression and contributed to self-censorship. The ODIHR EOM media monitoring found that public broadcasters clearly favoured the ruling parties and their candidates, despite constitutional guarantees of impartiality. Some monitored private media in their coverage favoured either the opposition or the ruling party, while others provided more diverse coverage of contestants. Despite its regulatory role, the Radio and Television Supreme Council did not adequately address these complaints filed against the public broadcaster, which alleged a lack of impartial coverage and access to paid airtime.

The legal framework does not fully guarantee effective redress for electoral disputes, as it grants final authority over the electoral process and results to an administrative body. This undermines legal integrity and is not in line with paragraph 5.10 of the 1990 OSCE Copenhagen Document and international good practice. The election administration, law enforcement bodies, and courts did not enjoy the confidence of a number of stakeholders in resolving electoral grievances impartially and effectively. The process for handling complaints at all levels of the election administration lacked transparency and SEC decisions that were published generally were not sufficiently reasoned.

The law does not provide for non-partisan citizen and international observation of the election process, despite previous ODIHR and Council of Europe's Venice Commission recommendations and at odds with Council of Europe standards and OSCE commitments. However, the SEC accredited a number of international organizations to observe the elections. Observation by those nominated by electoral contestants is permitted and the public is permitted to observe the vote count. Civil society organizations that attempted to get accredited, and some international observers were rejected accreditation.

Election day was largely peaceful, although a few incidents occurred in and around polling stations. The opening and voting processes were generally well-organized and assessed positively; however, IEOM observers reported several instances of inconsistent implementation of important safeguards, such as the sealing of ballot boxes and verifying voters' IDs. In some polling stations observed, the layout did not fully guarantee the secrecy of the vote, and family and group voting were frequent. Overcrowding was reported from every seventh polling station. Regrettably, IEOM observers were denied access in at least 36 polling stations. During the vote count, significant procedural errors were observed, mainly due to the omission of important reconciliation procedures. In several cases, persons other than BBC members participated in the count, raising concerns over its integrity. The tabulation process observed was efficient but sometimes impacted by an inadequate premises, multiple procedures conducted concurrently and overcrowding, detracting from transparency. In the hours following the count in the absence of official information from SEC, media began reporting results, causing uncertainty.

PRELIMINARY FINDINGS

Background

In January 2023, President Recep Tayyip Erdoğan announced plans to move the 2023 general elections from the constitutionally scheduled date of 18 June to 14 May, to avoid the potential

negative impact on voter turnout due to coinciding events in June. On 6 February, a series of major earthquakes struck the South-East of the country, causing significant loss of life and infrastructural damage.¹ As a result, on 8 February, President Erdoğan declared a three-month State of Emergency in the impacted provinces to aid in relief and recovery efforts, which was subsequently approved by the parliament on 9 February.² On 10 March, in line with the Constitution and with the consensus of all political parties, the President called for early general elections to take place on 14 May.

The political landscape has been dominated by the ruling Justice and Development Party (AK Parti), in power since 2002, currently led by President Erdoğan. Elections unfolded amidst considerable polarization and intense competition among contrasting political agendas aiming to shape the country's future. Contestants based their strategies on major coalitions, the People's Alliance and the Nation Alliance, respectively.³ Concerns of various international organizations about systematic targeting of some opposition parties and figures in the recent years were reiterated by some IEOM interlocutors emphasizing the potential impact on their ability to participate in elections. Dissolution proceedings against the People's Democratic Party (HDP), initiated in March 2021, continued throughout the elections.⁴ In connection to the ongoing case, HDP chose to run its candidates under the Green Left Party (YSP) and formed the Labour and Freedom coalition with the Worker's Party of Türkiye (TİP). In December 2022, Ekrem İmamoğlu, the mayor of Istanbul and a widely regarded potential presidential candidate for the Republican People's Party (CHP), was sentenced to more than two years' imprisonment, together with a political ban which would preclude him from holding public office, for insulting members of the Supreme Electoral Council; the sentence did not enter into force as case is currently under appeal.⁵

Long-standing concerns about the respect of the fundamental freedoms of assembly, association and expression as well as independence of the judiciary, all key to a democratic process remained

¹ The National Disaster and Emergency Agency (AFAD) [reported](#) that the earthquakes resulted in at least 51,000 fatalities and displaced nearly 3 million people. In the weeks following the earthquakes, 1.6 million individuals were sheltering in the affected area, 323,000 outside, and 900,000 under their own means elsewhere. The number of missing citizens, not yet legally declared deceased, remains unknown.

² The affected provinces are Adana, Adıyaman, Diyarbakır, Gaziantep, Hatay, Kahramanmaraş, Kilis, Malatya, Osmaniye, and Şanlıurfa. Subsequently, the government informed the UN, the Council of Europe (CoE), and ODIHR that it would be exercising its right to derogate from certain articles of the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights (ECHR) during the State of Emergency.

³ The governing People's Alliance consists of AK Parti, MHP, Great Unity Party (BBP), and New Welfare Party (YRP). It is supported by three other parties which did not appear on the ballot: Great Türkiye Party, Democratic Left Party (DSP), and Hüda-Par. Nation Alliance, also known as "Table of Six", consists of Republican People's Party (CHP) and Good Party (*İyi Parti*); Democracy and Progress Party (DEVA), Democrat Party (DP), Felicity Party (SP) and Future Party (GP) did not appear on the ballot. Other parliamentary parties that ran for the 2023 elections are Homeland Party (*Memleket*); Innovation Party (YP) and Victory Party (ZP).

⁴ In 2021, the Public Prosecutor's Office of the Court of Cassation initiated a closure case against HDP, accusing the party of having ties with the terrorist organization Kurdistan Workers' Party (PKK), which is designated as a terrorist organization by Türkiye, the European Union, and several other countries, and requesting a five-year ban on political activities for 451 of its members. In a scheduled hearing on 11 April 2023, the HDP chose not to exercise its right to be heard by the Constitutional Court, claiming the case to be politically motivated. There is no deadline for the court to issue its decision. According to the Parliamentary Assembly of Council of Europe (PACE) 2021 report on [Functioning of democratic institutions in Turkey](#), "[t]he attempt to close the HDP appears as the culmination of a process of continued pressure. [...] It is a worrying development which has raised the question of its political motivation ahead of the next presidential and parliamentary elections planned in 2023". Moreover, on 11 May, a labour union applied to the Court of Cassation for the permanent closure of the HUDA PAR party due to alleged links to Hezbollah.

⁵ The [Congress of local and regional authorities](#) of the Council of Europe viewed Istanbul Mayor Ekrem İmamoğlu's sentence as "a direct attack on local democracy". According to a December 2022 [press statement](#) of the European Union External Action Service, the sentence was disproportionate and confirmed "the systemic lack of independence of the judiciary and the undue political pressure on judges and prosecutors in Turkey".

unaddressed in the election period.⁶ Despite a constitutional guarantee, international actors and various IEOM interlocutors continue to raise concerns about the independence of the judiciary.⁷ A July 2018 legal amendment granted governors the power to limit certain rights and freedoms for up to 15-day periods on the basis of protecting public order or security, a power that previously existed only under a declared State of Emergency.⁸ Several civil society organizations and human rights defenders met by the ODIHR EOM reported consistent pressure and targeting from the authorities, in contravention of OSCE commitments and Council of Europe standards.⁹

The Constitution provides for the equality of men and women. However, women remain underrepresented in politics and leadership positions and further efforts are needed from authorities and political parties to address persistent gender stereotypes that impede women's political involvement. In the outgoing parliament, 100 of the 577 members (17 per cent) are women. Out of 17 ministers, only one is a woman. Only 3 per cent of mayors, 2 per cent of village heads, and 11 per cent of local councillors are women. In 2021, the country withdrew from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention).

Legal Framework

The elections are primarily regulated by the 1982 Constitution, 1961 Law on Basic Provisions for Elections and Voter Registers (Law on Basic Provisions), 1983 Law on Parliamentary Elections, 2012 Law on Presidential Elections, and supplemented by the SEC regulations and decisions.¹⁰ Türkiye is

⁶ In the years leading up to the elections, several international organizations expressed concerns about the respect for civil and political rights in Türkiye. The European Commission's [2022 Report on Türkiye](#) notes that "[t]he human rights situation continued to deteriorate. Broad restrictions on the activities of journalists, writers, lawyers, academics, human rights defenders and critical voices continued to have a negative effect on the exercise of their freedoms." See also references on page 7 of the 2020 [Report of the Commissioner for Human Rights](#) of the Council of Europe on the general deterioration in the situation regarding human rights since 2016. See references of the European Commission's 2022 [Report on Türkiye](#) to a "systemic lack of independence of the judiciary".

⁷ In its 2019 [Interim Compliance Report](#), GRECO concluded that its prior recommendation on strengthening the independence of the High Council of Judges and Prosecutors (HCJP) in respect of potential threats to its independence from the executive authorities and political influence was not implemented. The 2020 [Report of the Commissioner for Human Rights](#) of the Council of Europe states that "many [...] factors contributed to a deterioration of the independence of the judiciary, in particular as regards the safety and security of tenure of judges". In a May 2022 [submission](#), the International Commission of Jurists referred to "years of concerning trends in relation to rule of law and judicial independence in Turkey". See also references of the European Commission's 2022 [Report on Türkiye](#) to a "systemic lack of independence of the judiciary and undue pressure on judges and prosecutors".

⁸ A group of 141 CHP members of parliament challenged the constitutionality of this amendment; on 30 June 2022, the Constitutional Court issued its [decision](#) dismissing the case. The European Parliament [resolution](#) of 13 May 2019 on the 2018 Commission Report on Türkiye stated that the new Law 7145 "preserves many of the powers...under the [post-coup attempt] state of emergency and basically enables [the state of emergency] to continue with all the limitations this entails on freedoms and basic human rights."

⁹ In Paragraph 10.3 of the 1990 OSCE Copenhagen Document, the OSCE participating States recognized citizens' right to "form, join and participate effectively in nongovernmental organizations which seek the promotion and protection of human rights and fundamental freedoms, including trade unions and human rights monitoring groups. The 2020 [Report of the Commissioner for Human Rights](#) of the Council of Europe stated that "Turkish officials, including at the highest level, regularly target human rights defenders and rights-based NGOs, frequently labelling them as terrorists and public enemies", with the judiciary initiating "proceedings against NGOs and human rights defenders immediately after statements by politicians or defamatory articles published in pro-government newspapers."

¹⁰ Other relevant laws include 1983 Law on Political Parties, 2017 Law on the Organization and Duties of the Supreme Electoral Council (SEC) and the 1983 Law on Meetings and Demonstrations.

a party to major international and regional human rights instruments related to the conduct of democratic elections.¹¹

The legal framework does not fully provide a sound legal basis for the conduct of democratic elections. The Constitution, adopted under martial law, does not sufficiently guarantee the rights and freedoms that underpin democratic elections, as it focuses on prohibitions to protect the state and permits legislation that imposes further undue limitations.

Amendments to various laws adopted in March 2022, based on a proposal from AK Parti and MHP, introduced significant changes to the electoral framework.¹² The amendments were adopted within a few weeks in a process lacking sufficient inclusiveness.¹³ Positively, some of the changes addressed previous ODIHR, Venice Commission and PACE recommendations for lowering the threshold for political parties to gain parliamentary representation, and facilitating electoral participation for voters with visual impairments.¹⁴ However, other amendments, including the new method for appointment of mid-level electoral councils, diminished election stakeholder trust in the electoral process, and were unsuccessfully challenged in the Constitutional Court.¹⁵

Long-standing ODIHR and Council of Europe's Venice Commission recommendations for addressing key shortcomings in the legal framework to align it with international standards remain unaddressed, as well as numerous rulings of the European Court of Human Rights finding a violation of fundamental freedoms.¹⁶ The unaddressed recommendations include on the seat distribution method among constituencies, political party eligibility, the right to vote and to be elected, media freedoms, campaign and campaign finance regulation, non-partisan observation, and election dispute resolution. Moreover, the legislation contains various gaps and ambiguities, undermining legal certainty in key areas of the process.¹⁷

¹¹ These include the 1965 Convention on the Elimination of All Forms of Racial Discrimination, 1966 International Covenant on Civil and Political Rights, 1979 Convention on the Elimination of All Forms of Discrimination Against Women, 2003 Convention Against Corruption, and the 2006 Convention on the Rights of Persons with Disabilities. Türkiye is a member of the Council of Europe's Venice Commission and Group of States Against Corruption (GRECO) and is a party to the 1950 European Convention for Human Rights and the 2001 Convention on Cybercrime. Türkiye has neither signed nor ratified the Council of Europe's Framework Convention for the Protection of National Minorities.

¹² The changes include, among others, a lower parliamentary threshold, a revised system for seat allocation, changes to eligibility criteria for political parties and a new appointment method for mid-level electoral councils.

¹³ See the 2022 Venice Commission and ODIHR [Joint Opinion on the Amendments to the Electoral Legislation](#) by Law No. 7393 of 31 March 2022

¹⁴ Many IEOM interlocutors noted that the civil society and opposition parties were not sufficiently consulted before the amendments were adopted. See also the [Joint Opinion](#) in which a set of recommendations for reconsidering or revising the amendments were put forward, which remain unaddressed.

¹⁵ The complaint was lodged on 12 April 2022 by 136 CHP MPs. It argued that the new method, which included the replacement of sitting senior judge members on the councils, before their terms ended, with potentially less-senior judges, undermines the competence and independence of election administrators, judicial security, and stability of electoral law. The Constitutional Court [decision](#), issued on 28 September 2022, was unanimous on the constitutionality of the new method. However, one-third of the 15-judge panel dissented on the constitutionality of the early termination.

¹⁶ This concerns in particular ECtHR rulings in which a violation of Article 18 of the Convention was found, relating to former HDP Co-Chair Selahattin Demirtas and philanthropist Osman Kavala, who have been in prison for over five years, despite rulings by the ECtHR demanding their immediate release.

¹⁷ For instance, legal ambiguities and gaps persist in provisions regulating pre-electoral coalitions; the misuse of official position and administrative resources by presidential office holders; lack of penalties for non-compliance with presidential campaign finance rules; sanctioning powers for election-related media violations; and regulation of second round of the presidential election.

Electoral System

The president is directly elected for a five-year term from a single nationwide constituency and may serve up to two terms.¹⁸ Under the 2017 constitutional amendments, a third term is allowed only if an early election is called by the parliament during a second term. If no candidate obtains more than 50 per cent of the valid votes cast, a second round between the two top candidates is held two weeks later.

Members of the 600-seat unicameral parliament are elected for a five-year term through a proportional system in 87 multi-member constituencies. Pre-electoral coalitions are allowed, but parties running in a coalition must submit individual lists.¹⁹ In line with a long-standing ODIHR and Council of Europe's Venice Commission recommendation, the 2022 legal amendments reduced the national threshold for parties and coalitions to be eligible for seat allocation from 10 to 7 percent.²⁰ Under a newly revised method, mandates are allocated directly to individual parties according to the *D'Hondt* method, including those within an alliance.²¹ As noted in joint Venice Commission and ODIHR opinion, this method, combined with the high electoral threshold, could potentially disadvantage smaller parties within coalitions.

Parliamentary constituencies align with the administrative boundaries of the 81 provinces, except for 4 provinces divided into multiple constituencies.²² In March 2023, the SEC published a decision on the redistribution of seats among constituencies based on the 2022 population data. The SEC applied a formula required by the law, which, despite a long-standing ODIHR and Council of Europe's Venice Commission recommendation, significantly undermines the equality of the vote. As the result, 38 of the 87 electoral constituencies have a deviation of more than 15 per cent from the average number of citizens, with more than half of those above 30 per cent, not in line with international good practice.²³

Election Administration

The election administration is comprised of the SEC, 81 provincial electoral councils (PECs), 1,095 district electoral councils (DECs), and 204,353 ballot box committees (BBCs).²⁴ The SEC consists of seven regular and four substitute members, all of whom are senior judges appointed for six-year

¹⁸ This was the third direct presidential election; prior to 2014, the president was elected by parliament. The 2017 constitutional amendments reduced the presidential term from seven to five years.

¹⁹ The ballot format envisaged that votes are cast for a specific political party, not a coalition as a whole. Any votes within the frame of the coalition but not clearly cast for a particular party were labelled as "joint votes" and allocated to the parties in the coalition proportionately to the votes cast for them.

²⁰ See Paragraph 34 of the 2022 Venice Commission and ODIHR [Joint Opinion](#), which "encourages the Turkish authorities to consider, after an extensive public debate, the possibility of decreasing the threshold even further."

²¹ Previously, seats were allocated in two stages, first by allocating seats within constituencies among pre-electoral coalitions, individual parties, and independent candidates, and then distributing the seats allocated to a pre-electoral coalition among its constituent parties. See paragraph 16 of the 2022 Venice Commission and ODIHR [Joint Opinion](#).

²² Constituencies have between 1 and 36 seats. Istanbul and Ankara have three constituencies, and İzmir and Bursa two. In March 2021, two presidential decrees revised the boundaries of the provinces of Diyarbakır, Giresun, Muş and Ordu.

²³ For example, the deviation was 67 per cent in Güzce, 49 per cent in Osmaniye and 48 per cent in Kilis. Paragraph I.2.2.iv of the 2002 Venice Commission [Code of Good Practice in Electoral Matters](#) (Code of Good Practice) recommends that the permissible departure from the norm should not be more than 10 per cent, and should certainly not exceed 15 per cent except in special circumstances.

²⁴ The total number of BBCs include 11,212 BBCs set up for polling stations abroad, at customs offices and for counting of out-of-country votes, 332 BBCs in penitentiary facilities and 924 BBCs appointed to conduct mobile voting.

terms.²⁵ Not in line with its legally prescribed composition, the SEC acted as an 11-member body, allowing all substitute members to participate in the sessions and vote.²⁶ Eligible political parties had the right to appoint non-voting members to the SEC and mid-level councils, as well as full members at district and polling station levels.²⁷

SEC sessions were not open to public, and despite its legal obligation to publish all its decisions, only around 11 per cent were published, significantly reducing transparency of its work. In accordance with its legal mandate, the SEC is responsible for overseeing and regulating the electoral process; however, the regulations adopted by the SEC for these elections did not sufficiently supplement the legislation, as the majority merely reiterated existing legal provisions.²⁸

Following the 2022 legal amendments, PECs and DEC members were re-appointed in July 2022 for two-year terms to supervise the administration of elections in their respective areas. The amendments revised the selection method of PEC and DEC members from the judiciary.²⁹ Some IEOM interlocutors voiced concerns that the new appointment procedure may increase susceptibility of the judicial members with limited professional experience to political influence. PECs and DEC members observed by the ODIHR EOM were professional and well-organized, but their closed sessions and systematic non-publication of decisions undermined transparency. Most BBCs were appointed in accordance with the law; although, often after the legal deadline, as some DEC members had difficulties assigning polling staff due to a lack of nominated members from political parties.³⁰

The election administration efficiently managed the technical preparations for the elections and complied with most legal deadlines,³¹ despite significant challenges posed by the earthquakes.³² The election administration generally enjoyed high stakeholder trust in its technical capacity to efficiently manage the process, but stakeholders' confidence in its independence varied, due to low trust in the judiciary, current and past controversial decisions of the SEC and a lack of transparency in some

²⁵ Six members are appointed by and from among Supreme Court of Appeals judges and five from the Council of State. Substitute members are determined by a draw, two from each body. In the current SEC composition, six members were appointed in January 2020, and five in January 2023.

²⁶ A quorum is the majority of seven members, except for decisions related to election results, which require all seven members to participate. By law, decisions are made by the majority of the seven members. The SEC did not make public which judges have been selected as substitute and which as regular members.

²⁷ Political parties with a parliamentary group and the top four parties from the previous elections can each nominate a non-voting representative to the SEC. Fulfilling eligibility criteria at the provincial and district levels is required for political representation in lower-level councils and committees; however, the membership for lower-level councils ends if a party does not run in the upcoming elections. Current non-voting members of the SEC include representatives from AK Parti, CHP, HDP, *İYİ Party*, and MHP. In April 2023, HDP lost its right to be represented in electoral councils, except for the SEC, as it decided not to run in the upcoming elections.

²⁸ Such SEC regulations included those on parliamentary candidate registration, appointment procedures for BBC members and representatives to mid-level electoral councils, and tabulation procedures at DEC members and PECs.

²⁹ PECs are comprised of three judges. DEC members, with seven members, are chaired by a judge and comprised of two civil servants and four political party nominees. As per the new method, in July 2022, PEC and DEC judiciary members were selected through a lottery process from a pool of first-tier judges, instead of the previous method of automatic assignment based on seniority in the respective area.

³⁰ The affected political parties cited insufficient capacity and low interest in participation. Moreover, a number of requests for exemption from duty by civil servants was also reported.

³¹ The SEC faced delays in finalizing voter lists and determining polling station locations; in some cases, DEC members appointed BBC members after the legal deadline.

³² In February and March, the SEC conducted several on-site inspections to assess the damage in election administration facilities and decided to use alternative premises, containers and tents for DEC buildings in 15 affected districts and polling stations in the provinces of Adana, Adıyaman, Gaziantep, Hatay, Kahramanmaraş, Kilis, Malatya and Osmaniye.

aspects of its work. Representation of women in the election administration remained low.³³ All SEC members were men, women comprised only 11.7 per cent of PEC and DEC members combined, and presided over 27 per cent of PECs and 46 per cent of DEC.

Mandatory training was provided only to BBC members from the civil service, mainly during the week before election day. Training sessions observed by the ODIHR EOM were informative but not fully comprehensive, and the format provided only limited opportunity to raise queries and clarify doubts on election procedures. Party-nominated members had the option to participate voluntarily or access training materials online. PECs and DEC, including newly appointed members, did not receive any training, this led to inconsistent application of some procedures.³⁴ The election administration conducted a limited voter information campaign through broadcast media and printed materials, focusing on changes in voter registration data, arrangements for voters with disabilities, ballot validity, and voting modalities. Although not required by the law, voter education materials were not available in any language other than Turkish. Positively, all audio-visual voter education materials included sign-language interpretation.

Early voting was available to some 3.38 million voters registered in the out-of-country voter register; polling stations were set up in 167 diplomatic representations and other localities across 73 countries from 27 April to 9 May. Votes from abroad were counted centrally in Ankara by specially designated counting committees under the overseas DEC. In addition, voters registered abroad could cast their ballots at polling stations in 46 customs gates from 27 April to 14 May.

Citing security concerns, inadequate polling premises, or sparse population and upon the request of governors and PECs, the SEC relocated or merged 861 polling stations across 28 provinces, primarily in the South and South-East, as late as one week before election day. The late merging, including after the legal deadline of 14 April, potentially impacted the ability of 57,170 voters to vote. Some IEOM interlocutors raised concerns that these changes are potentially politically motivated and noted a lack of timely notification about them. The SEC informed that there were several objections against the SEC decisions on merging of polling stations, all of which were rejected.

Voter Registration

Citizens over 18 years of age have the right to vote, except for those declared legally incompetent by court, prisoners convicted of intentional crimes regardless of the severity, conscripts and students in military schools. These restrictions on voting rights are contrary to the case-law of the European Court of Human Rights, OSCE commitments and other international obligations and standards.³⁵ Positively, on 13 March, the SEC clarified that all convicts outside of prison are permitted to vote, irrespective of whether their sentence is fully executed.

³³ Many IEOM interlocutors noted that the 2019 SEC decision on invalidating the results of the Istanbul mayoral race and the registration of the incumbent as candidate contributed to limited trust in its independence.

³⁴ For example, ODIHR EOM observers noted that DEC interpreted differently the legal provisions related to the procedure of BBC member appointment and political party representation in DEC and BBCs.

³⁵ See ECtHR, *Söyler v. Turkey*, no. 29411/07, judgment of 20 January 2013; *Murat Vural v. Turkey*, no. 9540/07, judgment of 21 October 2014. Paragraph 7.3 of the [1990 OSCE Copenhagen Document](#) calls on participating States to “guarantee universal and equal suffrage to adult citizens”, while paragraph 24 provides that restrictions on rights and freedoms must be “strictly proportionate to the aim of the law”. Article 12 of the 2006 UN [Convention on the Rights of Persons with Disabilities](#) (CRPD) provides for the equal recognition of persons with disabilities before the law. Article 29 requires States to “guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others”.

Voter registration is passive and continuous. The central voter register is maintained by the SEC, based on the civil and address registers. Voter lists were displayed for scrutiny at local government offices by 20 March, enabling voters to verify their information and request amendments until 2 April. An estimated 2 million voters were displaced due to the earthquakes, and the authorities took only limited measures to facilitate address changes and voting for those affected.³⁶ The Ministry of Interior informed the ODIHR EOM that some 453,000 citizens, 70 per cent of whom are of voting age, had changed their addresses from earthquake-affected areas to register in other provinces.³⁷ By law, individuals who have relocated, including those displaced by the earthquake, could only vote for parties and candidates in their new place of residence. A significant number of these displaced citizens were only able to vote by returning to their permanent residences. Despite the efforts of some civil society organizations (CSOs) and political parties to provide free transportation for these voters, a high number of them were potentially disenfranchised.³⁸

According to the SEC, 60,997,843 voters were registered in-country and 3,416,098 abroad. Special voter lists were compiled for 53,185 detained and eligible imprisoned voters. No special provisions were made to provide for voting at places of temporary stay, such as women's shelters and hospitals, despite a prior ODIHR recommendation.³⁹ Mobile voting was made available to 11,196 homebound voters in the urban areas, excluding those residing in rural locations, despite requests by the CSOs.

While most IEOM interlocutors did not raise concerns about the accuracy of the voter lists, some noted that, while not contrary to the law, voter lists might contain voters missing due to the earthquakes, impacting its accuracy. In addition, on 30 March the Council of Higher Education took the decision to resume in-person education after suspension for over one month at higher education institutions nationwide, this provided students with a limited three-day period to register for voting at their study locations, potentially compromising their ability to vote.⁴⁰

Party and Candidate Registration

Presidential candidates must be at least 40 years of age with a higher education. Parliamentary candidates must have a primary education and be at least 18 years old. The legislation retains excessive restrictions on candidacy rights for individuals declared legally incompetent by a court, barred from public service, conscripted to military service, or convicted of a broad range of crimes. These restrictions, with the exception of the age requirement, are at odds with the principles of non-

³⁶ On 13 March, the SEC adopted a provision allowing earthquake-affected voters who stayed in temporary shelters to register at a technical address provided by the municipalities without requiring additional supporting documentation. Many ODIHR EOM political party and civil society interlocutors suggested a more extended period for address changes, provision of transportation free of charge by the state and other alternative measures to facilitate voting of those affected.

³⁷ According to SEC, this included 133,000 displaced voters registered in new locations during the public scrutiny period.

³⁸ Several political parties and CSOs informed the ODIHR EOM of their intention to offer voter transportation to permanent addresses before the election, however, their financial and operational capacities were limited. According to Article 152 of the Law on Basic provisions, providing transportation is not illegal, unless provided in exchange of votes.

³⁹ The ODIHR EOM was informed that 153,000 women stayed in women's shelters.

⁴⁰ Starting on 20 February, in-person higher education was suspended nationwide to ensure that dormitories were available to provide shelter for persons displaced by the earthquakes. There are around 3,8 million university students in Türkiye.

discrimination and proportionality provided for in the 1990 OSCE Copenhagen Document and international good practice.⁴¹

Presidential candidates can be nominated by parliamentary parties or parties with at least five per cent of the votes in the previous elections, and parliamentary candidates by political parties deemed eligible by the SEC. Citizens may also run as independent candidates upon a deposit.⁴² Independent presidential candidacies must also be supported by at least 100,000 signatures. Voters could sign in support of only one contestant, contrary to international good practice and ODIHR recommendations.⁴³

To participate in parliamentary elections, parties must have established organizational structures in at least half the provinces and one-third of districts; in addition, they must have convened party congresses at least six months prior to election day. The 2022 legal amendments extended this requirement, by specifying that parties must have convened all national, provincial and district congresses, and could not fail to hold two consecutive congresses within a legally prescribed period.⁴⁴ The requirement of two consecutive congresses, in conjunction with the required broad organizational structure, challenges the principle of proportionality and equal treatment with respect to newly established parties.⁴⁵ The SEC deemed eligible 36 political parties out of 126 in the register.⁴⁶ Subsequently, five pre-electoral coalitions were formed.⁴⁷

The technical registration process of candidates managed by the SEC was inclusive. Still, party dissolution proceedings against the second largest opposition party impeded its participation and the criminal prosecution of some prominent opposition politicians may also have hindered their candidacy. The SEC registered four presidential candidates.⁴⁸ On 11 May, Muharrem İnce, independent presidential candidate backed by *Memleket* party announced his withdrawal from the election; however, as this is not regulated by law, and Mr. İnce remained on the ballot. Moreover, 1,849 parliamentary candidate lists from 24 political parties and 151 independent parliamentary

⁴¹ In paragraph 7.5 of the [1990 OSCE Copenhagen Document](#), participating States committed “to respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination”. See also section I.1.1.d of the [Code of Good Practice](#).

⁴² The deposit amounts to TRY 555,980 (some EUR 26,000) for the presidential election and TRY 55,598 (some EUR 2,600) for parliamentary elections. The deposit is refundable to all successfully registered presidential candidates, while to the parliamentary candidates only if they are elected.

⁴³ Paragraph 196 of the 2020 [ODIHR and Venice Commission Guidelines on Political Party Regulation](#) recommends that “a requirement that a citizen be allowed to sign in support of only one party should be avoided, as such a regulation would affect his/her right to freedom of association and could easily disqualify parties”.

⁴⁴ In addition, the amendments eliminated a previous alternate condition which had enabled participation on the basis of having a political group in the parliament, irrespective of the fulfilment of the provincial and district party branches or congresses. The Law on Political Parties stipulates the periodicity for the national congresses within a minimum of two and maximum of three years.

⁴⁵ Paragraph 7.6 of the 1990 [OSCE Copenhagen Document](#) states that “Participating States will respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities.” See also the comments made by the Venice Commission and ODIHR in their 2022 Joint Opinion.

⁴⁶ The SEC did not issue a decision with reasoning on the non-eligibility of the remaining parties.

⁴⁷ AK Parti’s request to exclude the Nation Alliance from the ballot and count the votes of each party in the coalition separately, on grounds that in none of the constituencies were all the allied parties running concurrently, was rejected by the SEC. However, the SEC granted AK Parti’s request not to allow Nation Alliance to use the name of the coalition in those 16 constituencies where only one of the allied parties was running.

⁴⁸ The incumbent Recep Tayyip Erdoğan nominated by AK Parti and MHP, Kemal Kılıçdaroğlu nominated by CHP and *İyi Parti*, and Muharrem İnce and Sinan Oğan standing as independent candidates.

candidates were registered.⁴⁹ Several political parties opted to include candidates from allied parties that decided not to submit a separate candidate lists.⁵⁰ There are no gender quota or placement requirements for candidate lists, and only a few parties implemented internal policies in this regard.⁵¹ Of the 13,037 parliamentary candidates, only 25 per cent were women. Women led 327 (18 per cent) of the candidate lists; 11 women stood as independent candidates.⁵² None of the presidential candidates was a woman.

The SEC did not publish most decisions, including on objections, related to candidate registration, detracting from transparency. Only four decisions related to a publicly undisclosed number of objections against the eligibility of three presidential candidates were published, all of which were dismissed. The registration of the incumbent President was officially challenged by more than 200 stakeholders, asserting that the incumbent was running for an unconstitutional third term and one application was subsequently submitted to the European Court of Human Rights.⁵³ The SEC dismissed these challenges on the grounds that the first presidential term of the incumbent between 2014 and 2018 did not fall under the two-term limit, since it occurred under the previous parliamentary system.⁵⁴

Campaign Environment

The legal framework establishes two periods for campaigning: the electoral period, commencing on 18 March for parliamentary elections and 31 March for the presidential election, during which certain campaign regulations applied, including a ban on misuse of administrative resources, and the campaign period, which lasted for 10 days prior to the elections and in which campaigning was subject to stricter requirements.⁵⁵ Despite a previous ODIHR recommendation, the formal campaign period is unduly short, leaving most of the *de facto* campaign period underregulated.

⁴⁹ The SEC rejected the registration of seven prospective presidential candidates and eight independent parliamentary candidates for not fulfilling the registration requirements, and nine presidential candidates for falling short of the required number of support signatures. One party was denied registration due to late submission of registration documents and one on the grounds of not submitting candidate lists in the required number of provinces. Five parties lost the right to stand in some constituencies due to failure to remove deficiencies in their registration documentations.

⁵⁰ The candidate lists of CHP also comprised candidates from DEVA, DP, SP and GP. The AK Parti lists included some candidates of *Hüda-Par*.

⁵¹ For example, CHP informed the ODIHR EOM that it implemented a zipper system of two female and one male candidate in major cities including Ankara, Antalya, Bursa, Istanbul, and İzmir, while YSP applied a zipper system and a 50 per cent quota for all of its candidate lists. *İyi Parti* has reported a requirement of 25 per cent from each gender, while DEVA Parti applied a 35 per cent quota for women.

⁵² YSP and Left party (Sol) had the highest number, 35 women each on the top of lists, with TİP and the Rights and Freedoms Party (HAK-PAR) having 27 each. CHP had 11 women on top, *İyi Parti* 9, and AK Parti 4.

⁵³ The application also claims breach of the right to effective domestic remedy due to the lack of opportunity to seek judicial review of SEC decisions. Further, four objections were filed against the registration of Mr. Kılıçdaroğlu and one against the one of Mr. İnce; however, the grounds for objections were not disclosed by the SEC. Two prospective presidential candidates objected the rejection of their registration. Twelve objections were filed against the parliamentary candidates claiming that ministers standing for the elections should have resigned and other candidates had not met the eligibility criteria. All these objections were rejected.

⁵⁴ The Constitution does not explicitly include an exception to the two-term limit for presidential terms served under the parliamentary system that ended in 2017. Some stakeholders, including the Union of Turkish Bar Associations informed the ODIHR EOM that they disagree with the SEC decision and its legal reasoning.

⁵⁵ In the 10-day period, the law bans public ceremonies and speeches, statements and publications on government works. During this period, the law bans ministers and members of parliament from using public vehicles and civil servants on campaign tours and explicitly subjects them to all campaign regulations in their activities and speeches. A silence period is in place from 18:00 on 13 May until election day, during which campaigning is prohibited. During the 10-day campaign period, numerous breaches by government officials of the bans on holding public meetings and making statements on government works and services were observed by ODIHR EOM.

The elections offered voters a genuine choice between political alternatives. In the campaign, the fundamental freedoms of association and assembly were generally respected, with some notable exceptions. Representatives of YSP faced pervasive pressure and intimidation targeting their campaign events and supporters, and involving systematic detentions.⁵⁶ While the ODIHR EOM did not observe any limitation to freedoms related to the State of Emergency introduced due to the earthquakes, the exercise of authority by governors to limit rights and freedoms for anti-terrorism purposes affected campaign opportunities in the East and South-East.⁵⁷ In addition, some additional cases of interfering with freedom of expression were observed, targeting opposition parties, candidates and supporters.⁵⁸

The campaign period was largely peaceful, with some incidents.⁵⁹ Most contestants conducted robust campaigns, using a variety of methods, including rallies, door-to-door canvassing and distribution of leaflets. The campaign was highly polarized and often negative and inflammatory in tone, with mutual accusations of terrorism and promoting extremist views.⁶⁰ In campaign events observed by ODIHR Long-term observers (LTOs), prominent campaign topics included the economy, earthquake

⁵⁶ Detentions targeting YSP and HDP supporters included a 2 April [operation](#) in Istanbul and İzmir; a 25 April anti-terror [police operation](#), in which 216 detentions were made across 21 provinces in the South-East of the country; and a 30 April [operation](#) in İzmir, Eskişehir, and Istanbul. Several EOM interlocutors reported intimidation during campaign events and hindrances to campaigning, including in Bingöl, Diyarbakır, Erzurum, Hakkâri, İzmir, Karaman, Mardin, Samsun and Van provinces. This hindered the ability of the party to campaign in a free and fair atmosphere, at odds with the paragraph 7.7 of the [1990 OSCE Copenhagen Document](#), which provides for “law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution”.

⁵⁷ Siirt province has been under a long-term rollover ban of public assemblies and dissemination of written materials, most recently declared for 30 April to 3 May. There was a similar ban in place in Tunceli, from 1-15 April. Under a five-day ban in Şanlıurfa, on 4 April, a public gathering for the opening of YSP’s local campaign office was reportedly disbanded by the authorities. In addition, in districts of Şırnak province, a special security zone was declared from 1 to 15 May, banning movement in the area.

⁵⁸ For instance, the General Prosecutor of Diyarbakır initiated an investigation on 10 April into all speeches given at an YSP campaign event, to determine whether any speeches contained “terrorist propaganda.” On 10 April, a CHP youth activist in Bursa was arrested and charged with violating the law for spreading “false rumours” due to attaching stickers picturing the incumbent to products in shops, attributing him to the high inflation. On 19 April, Mr. Kılıçdaroğlu was ordered by an Ankara civil court to pay the incumbent president TRY 105,000 in compensation for defamation, in part, based on a statement that he would “flee the country” after the elections. An October 2020 decision of the ECtHR held that a court order for compensation by Mr. Kılıçdaroğlu violated freedom of expression under Article 10 of ECHR, as Mr. Kılıçdaroğlu was exercising his right to political expression in making a speech that criticized Mr. Erdoğan.

⁵⁹ These included [shots fired](#) at the headquarters of *İyi Parti* in Istanbul on 31 March; outside CHP’s Istanbul provincial directorate [on 6 April](#), and an empty AK Parti office building in Adana [on 20 April](#). On 7 May, Istanbul mayor Ekrem İmamoğlu’s campaign event in Erzurum was attacked with stones and CHP candidates were [attacked](#) in Trabzon; the same day, YSP candidates and their vehicle were [attacked](#) in Mersin, with five injured, according to news reports.

⁶⁰ Government and other high-ranking public officials repeatedly accused their political opponents of supporting terrorism. In response, members of the *İyi Parti* and YSP accused the governing coalition parties of negotiating with terrorists or labelled them as “fascists”. See a [speech](#) by the Minister of Justice on 27 April in Şanlıurfa; a [speech](#) by the President on 22 April in Kahramanmaraş; and a [speech](#) by the Minister of Defence on 21 April. On 6 May, MHP Chair Devlet Bahçeli, in reference to the Nation Alliance, said: “all these traitors will get is aggravated life sentence in prison or a bullet”. From the opposition side, see Meral Akşener’s [speech](#) on 25 April in Balıkesir and on 26 April [in Kayseri](#); and the [speech](#) of an YSP speaker on 27 April in Eskişehir and the YSP co-spokesperson on 13 April in Söke.

reconstruction efforts, international affairs, and the status of refugees in Türkiye.⁶¹ Several high-ranking officials made discriminatory statements regarding the LGBTI community, associating the main opposition alliance with the community.⁶²

The legislation, while providing some restrictions in the official campaign period, overall does not ensure adequate safeguards to prevent state and local office holders from misusing administrative resources for electoral purposes. The law does not explicitly subject a president, regardless of if they are standing or not, to the same restrictions in the campaign period as other high level public officials.⁶³ In the electoral period, the President often campaigned while performing his official duties; the inauguration of numerous large-scale infrastructure projects were also utilized by several incumbents for campaigning.⁶⁴ At odds with international good practice, significant social benefit programmes were announced or implemented during this period.⁶⁵ Some other instances of misuse of administrative resources in the campaign were observed.⁶⁶ These practices tilted the playing field, provided undue advantage of incumbency and blurred the line between party and State, at odds with paragraph 5.4 of the 1990 Copenhagen Document.⁶⁷

⁶¹ ODIHR EOM LTOs observed 80 campaign events. Of these, seventy-four events were reported to be accessible to persons with physical disabilities; the campaign used Kurdish in 10 events, and sign-language interpretation was provided in 2 cases.

⁶² On 22 April, the [President](#) in Kahramanmaraş claimed that those sympathising with the LGBT community “want to destroy Türkiye by taking deviant currents behind them”. On 1 May in Eyyübiye, the Minister of Justice accused the opposition of attempting to destroy family values, “normalizing LGBT and many perversions”.

⁶³ The authorities informed the ODIHR EOM that existing restrictions are intended to apply to incumbent presidents due to analogous provisions in other laws that apply to ministers and members of the parliament. Paragraph II. B. 1.1 of the 2016 ODIHR and Venice Commission’s Joint Guidelines on Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes ([Guidelines](#)) states that “the legal framework should provide effective mechanisms for prohibiting public authorities from taking unfair advantages of their positions by holding official public events for electoral campaigning purposes, including charitable events, or events that favour or disfavour any political party or candidate”. See also the comments made by the Venice Commission and ODIHR in their 2022 Joint Opinion.

⁶⁴ At the opening of the Blue Mosque in Istanbul on 21 April, the President [stated](#) that the opposition will be “buried in the upcoming elections as politically dead”. In a [speech](#) on 29 April at the Teknofest Aerospace and Technology Festival in Istanbul, the President accused Mr. Kılıçdaroğlu of taking orders from terrorist organizations and called on youth voters to support People’s Alliance. On 30 April, in a presidential TV broadcast, he [accused](#) the opposition alliance of cooperating with terrorist organizations. Some inauguration events were also used to campaign, including: on 8 April, [at the inauguration](#) of a subway station in Istanbul, the President criticised opposition leaders. On 13 April, at the ground-breaking ceremony of public housing for earthquake victims in Malatya, the incumbent accused the opposition of incompetence and terrorist affiliations. On 26 April, Vice President Fuat Oktay, during the opening ceremony of a public infrastructure project, accused the opposition of being agents of foreign powers and LGBT supporters. On 12 April, at the inauguration of a road in Ankara by the CHP mayor, CHP presidential and party campaign material was displayed.

⁶⁵ The President [pledged](#) to provide natural gas for kitchen and hot water consumption for free for a year on 20 April at the Black Sea Natural Gas Commissioning Ceremony; on 24 April, he [expanded](#) tax exemptions for bazaar traders and an exemption on special consumption tax for vehicles and for some sales on online platforms. On 1 May, the President [promised](#) to further raise pensions following increases in April. On 9 May, the President [announced](#) a 45 per cent increase in the wage of over 700,000 public servants. Paragraph II. B. 1.3 of the [Guidelines](#) recommends that “no major announcements linked to or aimed at creating a favourable perception towards a given party or candidate should occur during campaigns”.

⁶⁶ For example, in Samsun, the municipality provided free public transportation during the 4 May rally of the President. Free of charge municipal transportation was also provided to voters for AK Parti rallies in Antalya, Erzurum and Gaziantep. The use of state-owned vehicles or aircrafts by state officials to attend campaign events was reported from Istanbul and Samsun. The websites of both the Presidency and the Directorate of Communications under the Presidency published presidential campaign speeches or a schedule of presidential campaign events.

⁶⁷ Paragraph 5.4 of the [1990 OSCE Copenhagen Document](#) calls for “a clear separation between the State and political parties. Paragraph II. B. 1.1 of the of the [Guidelines](#) stipulates that “the legal framework should provide effective mechanisms for prohibiting public authorities from taking unfair advantages of their positions by holding official public events for electoral campaigning purposes”.

During the electoral period, the ODIHR EOM followed the online activities of 14 political parties, all 4 presidential candidates and 17 other political actors on Twitter and Facebook. On social networks, all contestants actively engaged by sharing messages that mirrored their offline campaigns, while frequently employing inflammatory language. The legislation allows for criminal indictment based on content posted on social networks, which, according to many IEOM interlocutors, results in widespread self-censorship and limits freedom of opinion and expression.⁶⁸ Both the opposition and the ruling party levelled accusations of disinformation being distributed about the party, its platform, or individual contestants during the campaign.⁶⁹

Overall, women's visibility in the campaign was limited, except for *İyi Parti* chairperson Meral Akşener.⁷⁰ Some political parties, such as CHP, DEVA, *İyi Parti*, and YSP promoted women's equality and efforts to combat gender-based violence. Of concern, some women politicians reported harassment or fear of harassment while campaigning, based on their gender.⁷¹

Campaign Finance

The financing of electoral campaigns is regulated by the Law on Political Parties and the Law on Presidential Elections and supplemented by SEC regulations. The legislation does not contain comprehensive regulations on party and campaign finance, which significantly decreased stakeholders' trust in the integrity and accountability of the regulatory system. Campaign spending online is not regulated.⁷² Most long-standing ODIHR and the Council of Europe's GRECO recommendations remain unaddressed, including on the introduction of spending limits, enhancing transparency and improving the effectiveness of the oversight mechanism.⁷³ Due to the absence of interim campaign finance reports, voters had limited information about campaign incomes and expenditures before election day, at odds with a prior ODIHR recommendation.

⁶⁸ The law obliges social network companies to share potential violators' personal information with the authorities to initiate legal proceedings.

⁶⁹ According to media reports, on 27 April, an Istanbul printing house [produced](#) fake CHP leaflets and stickers suggesting that the party co-operates with terrorist organizations. On 26 April, the Communications Director of the Presidency expressed [concerns](#) about the spread of fake news related to the President's health status. On 2 May, Mr. Kılıçdaroğlu raised [concerns](#) of potential online manipulation by the authorities to discredit his campaign. Before the elections, Meta, the parent company of Facebook, Instagram and WhatsApp, [launched](#) an online initiative to combat election related misinformation in Türkiye within the context of the general elections.

⁷⁰ Of 80 campaign events observed by ODIHR EOM, 33 events featured women speakers, with a total of 76 female speakers versus a total of 256 male speakers. In campaign events observed, women's participation rate averaged 33.5 per cent.

⁷¹ Some female YSP candidates reported to the ODIHR EOM the need to have male party members or supporters with them for protection during campaigning or not daring to campaign actively for fear of being harassed.

⁷² Based on data from META Ad Library, the ODIHR EOM calculated that from 1 April to 12 May, all presidential candidates and political parties spent a combined maximum of TRY 7,487,012 on Facebook advertisements. Based on the expenditure ranges provided by the [META Ad Library](#), spending on paid political advertisements from official party or presidential candidate accounts in April was highest for AK Parti (TRY 2.04-2.44 million) and MHP (1.24-1.52 million), with YSP spending TR 471,900-569,786. Among presidential candidates, Mr. Kılıçdaroğlu's account spent the most on paid political advertisements (TRY 996.400-1.2 million), while Mr Erdoğan's account spent TRY 720.000-915.000. EUR 1 equals some TRY (Turkish Lira) 21.

⁷³ Paragraph 34 of the GRECO's 2020 [Second Addendum to the Second Compliance Report on Turkey](#) states that "Overall, the current situation is not satisfactory; considerable progress is yet to be made in respect of transparency of political financing in Turkey."

Presidential candidates are not entitled to public funding. To support their campaigns, they may receive individual donations from Turkish citizens up to TRY 55,598 per donor per round.⁷⁴ Political parties with at least three per cent of votes in the previous parliamentary elections receive annual public funding proportional to their vote share. This funding is tripled in an election year, amounting to a total of TRY 4.5 billion in 2023.⁷⁵ Parties may also finance their campaigns through membership fees or private donations, subject to an annual limit of TRY 221,591 per eligible donor.⁷⁶ Donations from most legal entities, state and public organizations, and foreign sources are prohibited. Commercial activities and loans are not allowed. Party and campaign donations and expenditures must be made through dedicated bank accounts.⁷⁷ There is no ceiling for annual party and campaign-related expenditures, favouring larger parties and affecting the level playing field.⁷⁸

The law does not envisage proactive oversight by the relevant authorities. Presidential candidates are obliged to submit campaign finance reports to the SEC within 10 days of the announcement of the final election results. While the SEC does not publish these reports, it audits them with the assistance of the Court of Accounts and publishes the audit results within one month of their completion. Political parties must declare their campaign funds through annual financial reports submitted to the Constitutional Court. These reports do not include incomes and expenditures incurred by candidates or third parties. The Constitutional Court performs audits on these reports with the assistance of the Court of Accounts. Currently, there is a considerable delay in publishing the auditing results, limiting transparency.⁷⁹ Independent parliamentary candidates report their campaign funds through personal tax declarations. Sanctions for breaches of parliamentary campaign finance rules include warnings, fines, imprisonment of up to three years, and dissolution of the political party. The law does not establish sanctions for non-compliance with presidential campaign finance rules.⁸⁰

Media

Freedom of expression and the media are constitutionally guaranteed, but some provisions of the Criminal Code, Press Law, anti-terror laws, and other legislation restrict the exercise of these freedoms. Defamation and insult of public officials remain criminal offences with severe penalties, despite previous Venice Commission and ODIHR recommendations.⁸¹ In October 2022,

⁷⁴ The law does not impose restrictions on presidential candidates to receive funding from their nominating parties or use their own funds. The maximum amount of permitted donations equals the current monthly gross salary of the most senior public servant.

⁷⁵ Patriotic Party lodged a complaint on 17 April with the Constitutional Court demanding that the HDP return the annual public funding it received, on grounds that the party was not running in this election. The case is currently pending.

⁷⁶ In addition, eligible donors include certain legal entities, such as professional associations, if their statutes permit it.

⁷⁷ For presidential campaigns, donations above TRY 7,000 are to be deposited into the dedicated account.

⁷⁸ See [General Comment 25 to the ICCPR](#), which underlines that “Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party.” Also, see Paragraph 248 of the 2020 [ODIHR and Venice Commission Guidelines on Political Party Regulation](#).

⁷⁹ The final audits of party financial reports published in 2022 are for the fiscal year of 2020.

⁸⁰ Donations above the permissible limit are to be transferred to the State Treasury.

⁸¹ According to [statistics](#) by the Ministry of Justice, in 2022, a total of 67,332 criminal cases in relation to the insult of the president and state symbols were initiated and 7,682 prosecuted, including against 302 minors. Paragraph 38 of the [General Comment No 34](#) to the ICCPR notes that “All public figures, including those exercising the highest political authority such as heads of state and government, are legitimately subject to criticism and political opposition. [...] Laws should not provide for more severe penalties solely based on the person’s identity that may have been impugned.” See also Paragraph 47 of the [General Comment No 34](#) to the ICCPR, which recommends the decriminalization of defamation.

dissemination of false information was criminalized, contrary to international standards.⁸² The widespread practice of blocking websites and individual pages, along with content removal requests by numerous administrative and judicial bodies, including the SEC, further limits freedom of expression and voters' access to information.⁸³

The media market is skewed by government and state-affiliated advertisements, which disadvantages critical outlets.⁸⁴ Further, the dependency of most media outlets on public contracts impacts their editorial policies.⁸⁵ Journalists, particularly in south-eastern Türkiye, have frequently faced terrorism charges based on their reporting, including during the electoral period.⁸⁶ Many journalists and media organizations have also raised concerns regarding the process for obtaining press cards issued by the President's Communication Directorate, alleging discrimination against oppositional and critical media.⁸⁷ The legal framework, combined with cases of arrests and prosecutions of journalists, selective allocation of public advertisements and arbitrary allocation of press cards contributes to self-censorship, and limits voters opportunity for making an informed choice.

The Constitution guarantees the impartiality of the public broadcasters, and the legislation further obliges all media to provide impartial coverage of the campaign and guarantees equal opportunities for the contestants. The ODIHR EOM media monitoring results demonstrate that the public Turkish Radio and Television Corporation (TRT), *TRT-1* and *TRT Haber* newscasts showed a clear bias towards the People's Alliance and Mr. Erdoğan, who received a combined total of 44 and 45 per cent of politically relevant coverage, mainly positive in tone. These outlets did not distinguish between Mr. Erdoğan's coverage as president and candidate, often presenting campaign activities as coverage of the president, going beyond the need to inform about regular activities of a public official. In contrast, the Nation Alliance and Mr. Kılıçdaroğlu received a combined total of 28 and 25 per cent, while Labour and Freedom Alliance received 7 and 5 per cent of newscast coverage, all mainly negative in tone.⁸⁸

The private ATV dedicated 41 per cent of almost exclusively negative coverage to Nation's Alliance and 10 per cent to Labour and Freedom Alliance, while Mr. Erdoğan and People's Alliance received

⁸² In its October 2022 [Urgent Opinion](#) on the draft amendments, the Venice Commission expressed "serious doubts regarding the necessity in a democratic society of the criminal response to 'false or misleading information envisaged with the draft amendment'", and raised concern with "the potential consequences of such provision". The OSCE RFoM [called](#) on the Turkish lawmakers to review the provisions and ensure safeguards for independent journalism and free expression.

⁸³ No official data is available on the blocked websites and pages. [According](#) to the Free Expression Association, as of 2021, "574,798 websites and domain names have been blocked by [...] 504,700 separate decisions issued by 789 separate institutions". Paragraph 70 of the 2011 [report](#) of the UN Special Representative on Freedom of Expression calls upon States "to provide lists of blocked websites and full details regarding the necessity and justification for blocking each website." The day before election day, Twitter and Facebook announced that it would restrict access to some content in Türkiye based on content blocking requests from the Turkish authorities.

⁸⁴ A [report](#) by the Media4Democracy project found that the opposition-leaning channels *Fox TV*, *Halk TV*, *Tele 1* and *KRT* did not receive any public advertising in 2022.

⁸⁵ The European Commission's [2022 Report on Türkiye](#) notes that "40 largest media organisations are controlled by companies operating in industry and trade, predominantly belonging to owners affiliated with the government".

⁸⁶ Between 25-30 April, police raids in Istanbul and 8 cities in south-eastern Türkiye led to the detention of 13 prominent journalists. On 12 April, the Diyarbakır Penal Court accepted the indictment against 20 journalists, detained on similar charges.

⁸⁷ While journalists are not legally required to possess a press card to carry out their work, in practice, such cards are necessary to access government institutions and record in public areas, including during protests and campaign events. For example, several journalists reported to ODIHR EOM that on 26 April, they were not allowed by the police to attend the rally of the Green Left party in Van, as they did not have press cards.

⁸⁸ On 14 April, the CHP lodged a complaint with the public prosecutor, alleging biased coverage and unequal treatment by TRT towards their party. However, the complaint remained unresolved before election day.

a combined total of 37 percent of predominantly positive coverage. Private Fox TV and Halk TV also displayed bias in its coverage with predominantly negative coverage of Mr. Erdoğan and the People's Alliance, while Nation Alliance was portrayed positively. Kanal D, Show and Star mainly covered the President and People's Alliance positively but had a more balanced approach in covering the campaign activities of Nation Alliance and Mr. Kılıçdaroğlu. Most broadcasters mixed facts and opinions in their coverage of the campaign, and largely disregarded activities of the other two presidential candidates until the announcement by Mr. İnce of his withdrawal, except Kanal D, which allocated ten percent of its news coverage to Mr. İnce, providing him a platform that he used to criticize CHP and Mr. Kılıçdaroğlu.⁸⁹

In line with the law, the TRT provided free time to all contestants, although the majority of it was allotted outside of prime time. While contestants had the right to purchase airtime for political advertisements under equal conditions on public and private media, the CHP filed several complaints against TRT for failing to provide paid time; these complaints remained unresolved before election day.⁹⁰ Mr. İnce and Mr. Oğan have both agreed to participate in media debates at the invitation of Mr. Kılıçdaroğlu. Mr. Erdoğan has not responded to the invitation, which has resulted in the absence of a debate in the media.

The SEC is mandated to supervise the national broadcast media; however, a 2017 presidential decree abolished sanctions it could impose for media violations. The Radio and Television Supreme Council (RTÜK) oversees the media principles established by the Law on Audio-visual Media, including impartiality and unbiased coverage of political parties. The RTÜK informed the ODIHR EOM that during the campaign, it only responded to official complaints, without proactively and systematically monitoring the media. Despite its legal obligation, the RTÜK did not consistently publish its decisions in a timely manner.⁹¹ Although DEC's are legally responsible for supervising campaigning in regional media and online, many DEC's seemed unaware of these duties. Overall, the media coverage of the campaign lacked effective oversight, and violations did not receive prompt redress.

Election Dispute Resolution

The legal framework does not fully guarantee effective redress for electoral disputes. Decisions of lower electoral bodies can be appealed by all stakeholders, except civil society organizations, to higher councils.⁹² However, despite a long-standing ODIHR and Council of Europe's Venice Commission recommendations, SEC decisions are not subject to judicial review, including the decision on the final results and those regulations and decisions that concern constitutionally-

⁸⁹ On 26 April, Mr. Oğan filed a complaint with the RTÜK alleging a lack of coverage on the public TRT and fourteen other private television channels. Following the complaint, on 9 May, RTÜK submitted statistics to the SEC about Mr. Oğan's coverage on the above-mentioned broadcasters. The SEC did not formally react before election day.

⁹⁰ On 14 April, the CHP filed a complaint against TRT for significant delays in the approvals of their political ads, which resulted in Mr. Kılıçdaroğlu's ads not being aired in the first 8 days of the campaign. On April 28, the CHP complained to TRT, RTÜK, and the public prosecutor that *TRT-1* and *TRT Haber* did not air CHP advertisements during the prime time in 122 instances, despite prior agreement and payment, while AK Parti ads were aired in similar slots. Paragraph 7.8 of the [1990 OSCE Copenhagen Document](#) obliges the member states to "provide that no legal or administrative obstacle stands in the way of unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process".

⁹¹ On 5 April, the RTÜK has sanctioned Fox TV for criticizing the ruling coalition. Although no other sanctions were imposed for election-related violations, during the election period, RTÜK imposed seven other sanctions, including five against media critical of the government. In two cases, sanctions were imposed on *Flash Haber* and *Halk TV* for criticizing the government's earthquake response by guests during live talk shows.

⁹² With the exceptions that PEC decisions related to the formation of DEC's and BBC's, and DEC and PEC decisions on voter registration are final and cannot be appealed.

protected rights.⁹³ This potentially undermines legal integrity and is contrary to paragraph 5.10 of the 1990 OSCE Copenhagen Document and international good practice.⁹⁴

In the absence of opportunities to seek judicial review, various stakeholders in the pre-election period officially requested the SEC to reconsider some of its decisions, including requests from candidates who were excluded from running in the elections (see *Party and Candidate Registration*). The adjudication process for election-related disputes at all levels of the election administration lacked transparency. Acting in its quasi-judicial capacity, complaints to the SEC were reviewed in closed sessions and parties to the dispute were denied the right to be heard, inconsistent with international standards.⁹⁵ Contrary to legal requirements, the SEC did not make all decisions on objections and complaints public and published only four decisions on objections.⁹⁶ The published decisions did not disclose the names of the complainants and were generally not sufficiently or soundly reasoned.

Campaign-related complaints could be lodged with election bodies, governors, law enforcement, and the courts.⁹⁷ On 22 April, the Minister of Interior announced that 69 election-related criminal proceedings had been initiated up to that date, including into attacks on various campaign offices and activists.⁹⁸ Some criminal investigations were opened into campaign-related speeches. Many IEOM interlocutors raised concerns about the independence of the judiciary and expressed a lack of trust in the election administration, law enforcement bodies, and courts to resolve electoral grievances impartially and effectively, which for some had a dissuasive effect on lodging complaints.⁹⁹

The legal framework lacks comprehensive regulations on granting requests for recounts of polling station results and annulment of election results. In addition, the SEC shortened legislated deadlines for the submission and resolution of most election-day related disputes to one day at all levels, without

⁹³ In 2015, the Constitutional Court ruled that the constitutional provision stating that SEC decisions are final and not subject to judicial review also precludes individual petitions to the Constitutional Court against the SEC for alleged violations of fundamental rights and freedoms.

⁹⁴ Paragraph 5.10 of the [1990 OSCE Copenhagen Document](#) states that “Everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity.” Section II.3.3.a of the [Code of Good Practice](#) states that “The appeal body should be either an electoral commission or a court. In any case, final appeal to a court must be possible.”

⁹⁵ See Paragraph 12 of the [1990 OSCE Copenhagen Document](#) that obliges court proceedings to be held in open session. Paragraph 100 of the Explanatory Note of the [Code of Good Practice](#) provides that the resolution of electoral complaints should be of a judicial nature during which the rights of both parties to be heard are to be safeguarded.

⁹⁶ Despite repeated requests, the ODIHR EOM did not receive comprehensive information or documents related to the objections and complaints submitted to the SEC. The PECs and DECAs did not publish their decisions on complaints and generally did not provide comprehensive information or documents on complaints to ODIHR LTOs. In addition, the SEC informed the ODIHR EOM that it is not responsible to oversee PEC and DEC decision making on complaints.

⁹⁷ For example, complaints were lodged concerning unauthorized display and damages to campaign materials, use of campaign venues, and interference in campaign activities. The SEC received some 10 complaints against lower council decisions on campaign violations, several of which it overturned.

⁹⁸ This figure was not publicly updated prior to election day.

⁹⁹ In its 2019 [Interim Compliance Report](#), GRECO concluded that its prior recommendation on strengthening the independence of the High Council of Judges and Prosecutors (HCJP) in respect of potential threats to its independence from the executive authorities and political influence was not implemented. The 2020 [Report of the Commissioner for Human Rights](#) of the Council of Europe states that “many [...] factors contributed to a deterioration of the independence of the judiciary, in particular as regards the safety and security of tenure of judges”. In a May 2022 [submission](#), the International Commission of Jurists referred to “years of concerning trends in relation to rule of law and judicial independence in Turkey”. See also references of the European Commission’s 2022 [Report on Türkiye](#) to a “systemic lack of independence of the judiciary and undue pressure on judges and prosecutors”.

providing a justification as required by law.¹⁰⁰ Such expedited deadlines for post-election complaints are contrary to international good practice and may undermine the right to seek effective legal remedy concerning the results.¹⁰¹

Citizen and International Observers

The law does not provide for citizen and international observation of the election process, despite previous ODIHR and Council of Europe recommendation and at odds with OSCE commitments.¹⁰² However, the Law on Basic Provisions allows for monitoring by observers nominated by political parties and independent candidates in the district where they contest the elections. Further according to the law, the public is permitted to observe the vote count. Moreover, the SEC accredited a number of international organizations to observe the elections; but denied accreditation to individual observers without providing clear reasoning. Civil society organizations that attempted to get accredited were rejected accreditation.

Similar to previous elections, accreditation requests from some civil society organizations were rejected by the SEC.¹⁰³ Many CSOs, including *Vote and Beyond*, *Turkish Volunteers*, *Human Rights Association* and the *Association for Monitoring Equal Rights* focused on election day observation and parallel vote tabulation, accredited as political party observers or without accreditation, as interested citizens.

Election Day

Election day was largely peaceful, although there were several incidents in and around polling stations.¹⁰⁴ Despite the legal ban on campaign activities one day prior to elections and on election day, many presidential candidates and political parties, with the exception of Mr. Erdoğan, AK Parti, Democrat Party (DP), DEVA and *Memleket*, campaigned on social networks and the IEOM observed campaign activities around polling stations in 14 cases during voting hours. The SEC did not announce turnout data or other information about the process on election day, but issued two instructions to BBCs regarding reported irregularities, including an instruction not to cross out the name of the withdrawn presidential candidate Muharrem İnce on the ballot and on the correct stamping of ballot papers with the BBC stamp.

¹⁰⁰ While the Law on Basic Provisions provides the SEC with authority to change legal deadlines, it is only permitted to do so if necessary, and the reason for the change must be published in the decision. Furthermore, despite the lack of established deadlines for the finalization of the tabulated results protocols at DEC and PEC level, the SEC set 16 May as the deadline for objections to the PEC against the DEC protocols and 17 May for objections to the SEC against PEC protocols.

¹⁰¹ Guideline 3.3 g. of the [Code of Good Practice](#) provides that time limits for lodging and deciding appeals must be short (three to five days for each at first instance). Paragraph 95 of the Explanatory Note provides: “[D]ecisions on the results of elections must also not take too long, especially where the political climate is tense.”

¹⁰² Paragraph 8 of the [1990 OSCE Copenhagen Document](#) states that: “the participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place. They therefore invite observers from any other CSCE participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings, to the extent permitted by law.”

¹⁰³ The *Human Rights Association* and the *Association for Monitoring Equal Rights* informed the ODIHR EOM that the SEC officially rejected their request to register as observers.

¹⁰⁴ Tensions or unrest was observed by IEOM observers in the vicinity of 4 per cent of the polling stations. According to media reports, instances of violence on election day include physical attacks by AK Parti observers on a TiP member in Istanbul; on a ballot box committee member, who had opposed group voting in Şanlıurfa; on YSP observers in Şırnak, Adana, and Mardin; on an independent election observer reported by the Human Rights Association, and verbal attack TKP observers by MHP members in Konya.

The IEOM observed the opening proceedings in 132 polling stations. Most polling stations opened on time or experienced only minor delays. The opening procedures observed were accessed positively in 118 cases. However, procedural oversights were observed, such as the failure to record the number of ballots (8 cases) or envelopes (5 cases) in a consistent manner. Furthermore, not all ballots were stamped before opening in 35 instances and the envelopes were not always stamped in 11 instances, contrary to legal requirements.

Observers positively assessed the voting process in 96 per cent of 991 polling stations observed, characterizing it as overall well-organized and smooth, however, negative assessments were more frequent in South-East and the areas affected by the earthquakes. In total, 37 per cent of the members of the BBCs were women, including 27 per cent of the chairpersons. Voting procedures were largely followed; however, some important safeguards related to the integrity of the process were inconsistently implemented, largely due to lack of understanding of procedures by the BBC members. This includes 4 per cent of the observations, where ballot boxes were observed to be improperly sealed and in 2 per cent voters' identity was not consistently checked against a permitted ID. Further, in 40 per cent of the observations, BBC members did not adequately instruct voters to fold their ballots and seal the envelope. The polling station layout did not fully guarantee the secrecy of the vote in 2 per cent of the observations. IEOM observers reported group or family voting in 6 per cent of the polling stations visited.

The high turnout, combined with poor queue control and inadequate polling station layouts resulted in overcrowding in 14 per cent of the observations. Political party and candidate observers were present in 60 per cent of the polling stations observed, while citizen observers accredited as party agents or without accreditations were present in 15 per cent, contributing to transparency. In at least 36 polling stations, IEOM observers were denied access by police officers, BBC chairpersons and unauthorized persons. The presence of unauthorized persons was also noted in 12 per cent of the polling stations. In 5 per cent of the observations, persons not belonging to the BBC, mainly party observers, were seen directly interfering with the voting process. On election day, media reported on allegations from representatives of CSOs and opposition political parties about several thousands of voters in Gaziantep being covertly registered as BBC members, preventing them from voting at the polling stations where they were registered.

Only 50 per cent of polling stations were considered suitable for independent access for voters with disabilities, and the interior layout of 77 per cent of the polling stations was suitable for such voters.

The vote count was generally assessed positively in 104 of 120 of the polling stations visited by the IEOM, mostly characterized as smooth and efficient. However, several significant procedural errors were reported, and the prescribed closing procedures were not completed correctly in close to half of the observations before the start of the count. BBCs did not consistently count the number of signatures and fingerprints in the voter lists in 12 instances or recorded these numbers in the protocol at this stage in 38 instances. Unused envelopes and ballots were not counted in 23 instances. In 23 polling stations, the BBC did not post copies of the protocols for public display, however, in all but three cases copies of protocols were provided upon request.

Contrary to the law, the envelopes were not counted twice in 55 instances and their validity was not consistently checked in 27 instances or was not recorded in the protocol in 23 instances. In 27 instances, not all ballots cast for each party were properly counted and separated and not all data was correctly entered in the protocol in 10 instances. In all but one of the IEOM observations, validity of the ballots was determined in a consistent manner. In 18 cases, persons other than BBC members participated in the count, raising concerns over the integrity of the count. Official protocols were pre-signed by the BBC members in 15 instances. In 21 polling stations observed, the BBC had difficulties

to reconcile the results in the results protocol. The IEOM observers generally attributed the procedural shortcomings primarily to BBC's attempt to speedily finalise the counting process.

The results tabulation process, observed in 97 DEC's, was evaluated as efficient. However, due to inadequate premises and multiple procedures being concurrently conducted, IEOM observers negatively assessed the transparency of the procedures in 8 cases. Discrepancies in some of the results protocols submitted by BBCs were observed in 9 DEC's visited, and in 24 cases, BBCs were correcting their protocols without a formal DEC decision. In 8 instances, IEOM observers were restricted in their observations and in 9 cases, other observers were prevented from following the tabulation of results.

In the hours following the count in the absence of official information from the SEC, media began reporting results, causing uncertainty.¹⁰⁵ The only announcement by the SEC was made at 3:00 am after election day, when the SEC announced preliminary results based on 92 per cent of results protocols processed. The overall voter turnout was reported at 88.8 per cent. In most provinces affected by the earthquakes, the turnout was lower, with lowest figures reported from Diyarbakır and Malatya at 81.7 per cent.

The SEC did not publish information on complaints filed during election day, limiting transparency. The media reported that a large number of complaints were lodged with election bodies alleging improperly stamped ballots and BBC members marking ballots as well as proxy and multiple voting. Some criminal complaints, investigations and arrests were reported in the media for campaign activities in and around polling stations, fraudulent voting, and physical attacks.

***The English version of this report is the only official document.
An unofficial translation is available in Turkish.***

¹⁰⁵ On election day, the SEC decided to lift the ban on the publication of results in the media, which previously lasted until 9:00 pm, and allowed such publications to start at 6:30 pm.

MISSION INFORMATION & ACKNOWLEDGEMENTS

Ankara, 15 May 2023 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly (OSCE PA) and the Parliamentary Assembly of the Council of Europe (PACE). The assessment was made to determine whether the elections complied with OSCE commitments and other international obligations and standards for democratic elections and with national legislation.

Mr. Michael Georg Link was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and Leader of the OSCE short-term observer mission. Ms. Farahnaz Karimi headed the OSCE PA delegation, and Mr. Frank Schwabe headed the PACE delegation. Ambassador Jan Petersen is the Head of the ODIHR EOM, deployed from 27 March.

Each of the institutions involved in this International Election Observation Mission (IEOM) has endorsed the 2005 Declaration of Principles for International Election Observation. This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the electoral process. The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the electoral process, including the count, tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the electoral process. The OSCE PA will present its report at its next meeting. The PACE will present its report at its June 2023 part-session in Strasbourg.

The ODIHR EOM includes 17 experts in the capital and 28 long-term observers deployed throughout the country. On election day, 401 observers from 40 countries were deployed, including 28 long-term and 213 short-term observers deployed by ODIHR, as well as a 98-member delegation from the OSCE PA, a 39-member delegation from the PACE. Opening was observed in 132 polling stations and voting was observed in 999 polling stations across the country. Counting was observed in 120 polling stations, and the tabulation in 97 DEC's.

The observers wish to thank the authorities for their timely invitation to observe the elections, and the Supreme Electoral Council and the Ministry of Foreign Affairs of Türkiye for the assistance. They also express their appreciation to other state institutions, political parties and civil society organizations and the international community representatives for their co-operation.

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