



Office for Democratic Institutions and Human Rights

REPUBLIC OF TURKEY

EARLY PRESIDENTIAL AND PARLIAMENTARY ELECTIONS

24 June 2018

ODIHR Election Observation Mission
Final Report



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I. EXECUTIVE SUMMARY

Following an invitation from the authorities of the Republic of Turkey, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) to observe the 24 June 2018 early presidential and parliamentary elections. The ODIHR EOM assessed the compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections, as well as with national legislation. For election day, the ODIHR EOM joined efforts with delegations from the OSCE Parliamentary Assembly and the Parliamentary Assembly of the Council of Europe.

The elections were held under a state of emergency put in place after the July 2016 failed coup attempt. The elections were the first to be held after the April 2017 constitutional referendum and marked the transformation of political system in Turkey into one with extensive presidential powers, limited parliamentary oversight and reduced independence of the judiciary.

The Statement of Preliminary Findings and Conclusions stated that “the elections offered voters a genuine choice despite the lack of conditions for contestants to compete on an equal basis. The incumbent president and his party enjoyed a notable advantage in the campaign, which was also reflected in excessive coverage by public and government-affiliated private media. The restrictive legal framework and powers granted under the state of emergency limited fundamental freedoms of assembly and expression essential to a genuine democratic process. Still, citizens demonstrated their commitment to democracy by participating in large numbers in campaign rallies and also on election day.”

Previous ODIHR recommendations for addressing significant shortcomings and gaps in the electoral legal framework have not been addressed. Key amendments introduced to the election legislation in March were adopted without consultation, shortly before the elections, which does not provide for stability of the legal framework contrary to international good practice. The changes removed important safeguards for election day procedures and were perceived as favouring the ruling party. Moreover, the Supreme Board of Elections (SBE) did not adopt the necessary regulations to supplement the changes, and some of its decisions were not fully in line with the legislation.

Technical preparations were generally administered in an efficient manner. However, the selection of ballot box committee (BBC) chairpersons was not always done by lottery as prescribed by law. At least 1,090 polling stations were moved and merged based on security considerations which was seen by the opposition as a measure aiming to lower voter turnout in specific areas. Sessions of election boards at all levels took place behind closed doors and decisions were not published in a systematic and timely manner, despite previous ODIHR recommendations. These decisions and the lack of transparency eroded confidence in the election administration.

Overall, stakeholders expressed confidence in the quality of the voter lists. Some 56.3 million were registered to vote in country and some 3 million abroad. Blanket disenfranchisement of all prisoners

¹ The English version of this report is the only official document. An unofficial translation is available in Turkish.

convicted of intentional crimes, conscripts and military cadets is at odds with paragraph 7.3 of the 1990 OSCE Copenhagen Document and case law of the European Court of Human Rights (ECtHR).

The president is elected with an absolute majority of valid votes for a five-year term. If no candidate receives a majority of votes, a second round takes place two weeks later between the two most voted candidates in the first round. In line with a previous ODIHR recommendation, independent presidential candidates were allowed for the first time. Six presidential candidates, one woman and five men, including the incumbent president, stood for election.

Members of the parliament are elected for a five-year term through a proportional system with closed party lists or as independent candidates. Election coalitions were introduced, but joint lists were not allowed. The 10 per cent national threshold, the highest amongst OSCE participating States, was not lowered despite the long-standing recommendation of international organizations and case law of the ECtHR. Of the 86 registered parties, the SBE considered 11 eligible to run and subsequently 8 registered candidate lists. In total, 4,851 candidates were registered, including 68 independents. Legal restrictions on candidacy rights, including for past convictions, are contrary to paragraph 7.5 of the 1990 OSCE Copenhagen Document and other international obligations and standards, and limited the inclusiveness of the candidate registration process. Although voters were provided with a range of political options, undue eligibility restrictions on political parties and the 10 per cent threshold continue to challenge political pluralism. The distribution of seats to constituencies resulted in significant inequality of the vote contrary to international obligations and standards.

Women remain underrepresented in political life. While the Constitution guarantees gender equality, there are no legal obligations for the parties to nominate women candidates. Positively, some parties implemented gender quotas. Overall, 20.5 per cent of party-nominated parliamentary candidates were female, but with few in high positions in the lists. In the newly-elected parliament, 17.3 per cent of MPs are women, against 14.7 per cent in the outgoing one. Only one member of the Supreme Board of Elections was a woman. Women constituted 12 per cent of provincial and district election board members, respectively, and 24 per cent of commission members in polling stations.

The campaign was generally vibrant but took place in a highly polarized political environment. Although opportunities to campaign were not equal, most contestants were able to convey their messages to the public. Contestants used a variety of campaign means, and social media was an important tool to attract youth and to overcome campaign restrictions. There were a number of attacks and disruptions of campaign activities, mostly against the People's Democratic Party (HDP). The HDP presidential candidate remained in pre-trial detention and could not campaign freely. Misuse of administrative resources by the ruling party during the campaign is contrary to paragraph 5.4 of the 1990 OSCE Copenhagen Document, which provides for a "clear separation between the State and political parties", and to international good practice.

Overall, the legislation does not contain comprehensive regulations on party and campaign finance. The lack of substantial oversight reduces the transparency, integrity and accountability of political finances.

A restrictive legal framework challenges media freedom and induces self-censorship. The state of emergency has been used to further limit media freedom. Most popular broadcast media are seen as affiliated with the government, which limits the diversity of available views. The overall campaign coverage was characterized by unbalanced, extensive and unchallenged promotion of the incumbent president, including by the public broadcaster, while the main opposition candidate was negatively covered in the news and current affairs to such an extent that at times he received more coverage than any other contestant. Similarly, most of the monitored private television channels covered the incumbent and the ruling party more favourably and often criticized or completely ignored the

opposition. The repeal of the SBE sanctioning power left media campaign coverage essentially without effective oversight.

The majority of complaints received by the SBE concerned its own decisions, and most were rejected without due consideration. Few campaign-related complaints were lodged with electoral boards, most asserting breach of campaign rules by the ruling party. Many ODIHR EOM interlocutors expressed lack of trust in the integrity of the election dispute resolution process, with some stakeholders refraining from lodging formal complaints. The lack of judicial review of SBE decisions denies access to a judicial remedy in electoral matters and does not ensure legal integrity of the process, contrary to paragraph 5.10 of the 1990 OSCE Copenhagen Document.

The law does not establish rights for non-partisan citizen observers and does not provide for international observation as foreseen in paragraph 8 of the 1990 OSCE Copenhagen Document. Nevertheless, civil society groups were actively involved on election day. As in previous elections their representatives had to either register as observers on behalf of political parties or candidates or observe counting as ordinary citizens.

On election day, procedures were generally followed during voting, but BBCs did not always follow the legally prescribed steps in counting, and tabulation in the district election board (DEBs) was not consistently transparent. Party and candidate representatives were present in high numbers, and civil society observers also contributed to the transparency of the process, despite facing some restrictions. Ballots were generally stamped as prescribed by law and ballot validity was usually determined in a reasonable and consistent manner. The IEOM observers faced some restrictions and obstructions during observation, and their negative assessments were frequently linked to the presence of unauthorized persons, often police, who in several instances were observed interfering in the process or behaving in an intimidating manner towards voters and observers.

II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the authorities of the Republic of Turkey and based on the recommendations of a Needs Assessment Mission conducted from 8 to 10 May, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) on 24 May to observe the 24 June 2018 early presidential and parliamentary elections. The ODIHR EOM was headed by Dame Audrey Glover and consisted of 15 experts based in Ankara and 22 long-term observers deployed throughout the country. Mission members were drawn from 24 OSCE participating States.

On election day, the ODIHR EOM was joined by observer delegations from the OSCE Parliamentary Assembly (OSCE PA) and the Parliamentary Assembly of the Council of Europe (PACE) to form an International Election Observation Mission (IEOM). Ignacio Sanchez Amor was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and leader of the OSCE short-term observer mission. Peter Osuský headed the OSCE PA delegation and Olena Sotnyk headed the PACE delegation. Each of the institutions involved in this IEOM has endorsed the 2005 Declaration of Principles for International Election Observation. In total, 324 observers from 43 countries were deployed on election day, including 226 long-term and short-term observers by the ODIHR, a 66-member delegation from the OSCE PA and a 32-member delegation from PACE. Opening was observed in 125 polling stations and voting in 1,238 polling stations in 68 of the 81 provinces in the country. Counting was observed in 125 polling stations and tabulation in 98 districts. This final report follows the Statement of Preliminary Findings and Conclusions, which was released at a press

conference in Ankara on 25 June.² The ODIHR EOM remained in Turkey until 5 July and followed post-election day developments.

The ODIHR EOM assessed compliance of the electoral process with OSCE commitments and other international standards and obligations for democratic elections and with national legislation. The ODIHR EOM wishes to thank the authorities for the invitation to observe the elections, as well as the Ministry of Foreign Affairs, the Supreme Board of Elections and the Ministry of Interior for their assistance and support. The ODIHR EOM also wishes to express its appreciation to international organizations and embassies, as well as other ministries, courts, provincial and district governors, political parties, media representatives and civil society organizations for their co-operation and support.

III. BACKGROUND

Following a proposal by the ruling Justice and Development Party (AKP) and the Nationalist Movement Party (MHP), on 20 April the Grand National Assembly (parliament) announced early presidential and parliamentary elections for 24 June. The elections were held under an ongoing state of emergency declared after the failed coup attempt of 15 July 2016, which left 251 casualties and over 2,000 people injured. Subsequently, under emergency decrees, there were mass arrests and the prosecution of over 100,000 persons and dismissals of over 150,000 civil servants including one-third of the judiciary, measures widely criticized by domestic and international actors.³ In addition, a large number of media outlets were closed down and 141 journalists arrested.⁴ ODIHR EOM interlocutors as well as international organizations expressed concerns about conducting elections under emergency rule because it could potentially jeopardize the integrity of the election process.⁵

After the elections and following his inauguration and utilizing powers granted to him under emergency law, President Erdogan on 8 July decreed the dismissal of 18,632 persons from the civil service for alleged links to terrorist organizations.⁶ The government subsequently ended the state of emergency that had been in place since the 2016 failed coup attempt when the current term expired on 18 July.

The outgoing parliament comprised the AKP with 316 seats, the Republican People's party (CHP) with 131 seats, the People's Democratic Party (HDP) with 47 seats, the MHP with 35 seats, the Good Party (IYI) with 6 seats, and 2 independent members. Following the stripping of immunity of 154

² See all previous [ODIHR reports on Turkey](#).

³ The PACE Committee on the Honouring of Obligations and Commitments by Member States (Monitoring Committee) in its statement of [26 January 2017](#) noted that the measures affected the judiciary, police, military, civil service, local authorities, academia, the media and the business community, shutting down over 1,000 institutions and private companies with their assets seized or transferred to public institutions. According to the government, 40,000 civil servants have subsequently been reinstated.

⁴ See [Joint Statement](#) by the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression and the OSCE Representative on Freedom of Media, 28 July 2016. Of the arrested journalists 17 were convicted.

⁵ The UN High Commissioner for Human Rights issued a [statement on 9 May 2018](#) noting that “protracted restrictions on the human rights to freedom of expression, assembly and association are incompatible with the conduct of a credible electoral process” and urged the authorities to “immediately lift the state of emergency to enable all of its citizens to participate fully and equally in the conduct of public affairs, and to exercise their rights to vote and to stand for election without unreasonable restrictions.” Similar [concerns](#) were expressed by PACE. Turkish authorities [refuted](#) the statement of the UN High Commissioner for Human Rights on 9 May.

⁶ [Decree number 701 from 8 July 2018](#). Also as reported in the [domestic](#) and [international](#) media.

MPs in May 2016, 9 HDP MPs are in prison and the seats of 11 MPs were revoked.⁷ In the outgoing parliament, 14.7 per cent of the members were women.

Constitutional amendments adopted as a result of the referendum on 16 April 2017 will come into force fully after these elections introducing a change from a parliamentary to a presidential system. It will give the president extensive authority and reduce parliamentary oversight and the independence of the judiciary.⁸ Opposition parties opposed this change and challenged the referendum result.

IV. LEGAL FRAMEWORK

The elections were 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, 1983 Law on Political Parties and 1983 Law on Meetings and Demonstrations. Previous ODIHR recommendations for harmonization of the electoral legal framework and for addressing key shortcomings and gaps, including on the method of seat allocation, party eligibility, voter and candidacy rights, campaign finance, non-partisan observation, and election dispute resolution, have not been implemented. A new Law on the Supreme Board of Elections was adopted in November 2017 to mainly regulate and expand the body's organizational structure, particularly its field presence.

The regulations and decisions of the SBE complement the legal framework for the elections; however, the SBE did not clarify remaining shortcomings and the new regulations adopted to supplement the recent legislative amendments often simply repeated the legislation. This left some matters open to inconsistent or arbitrary application. Moreover, some of the SBE's regulations and decisions, including on party eligibility, candidate registration, relocation of polling stations, media and election day procedures, were not strictly in line with the legislation. (See the respective sections – Party and Candidate Registration, Election Administration and Media.)

The legislation should be amended in line with ODIHR recommendations to address key shortcomings, enhance its clarity, and to harmonize all election-related laws to provide a cohesive framework. Further, the SBE should fully exercise its regulatory authority in a manner consistent with the law.

Turkey is party to key international and regional human rights instruments and the constitution provides that these commitments take precedence over national law. However, the constitution adopted under military rule does not sufficiently guarantee fundamental rights and freedoms as it focuses on bans and prohibitions for the protection of the state and permits legislation to establish further undue limitations. The freedoms of association, assembly and expression, key to a democratic electoral process, and suffrage rights are unduly restricted by the constitution and legislation.⁹

⁷ Some 11 MPs from the HDP were convicted for praising terror, after the parliament lifted their immunity. The law does not provide a mechanism to fill vacant seats unless at least five per cent of all seats are vacant.

⁸ The Venice Commission 2017 [Opinion](#) on the amendments to the constitution assessed them critically. The opinion concluded that the amendments “lead to an excessive concentration of executive power in the hands of the President and the weakening of parliamentary control of that power.” Specifically, with respect to the independence of the judiciary, it notes that “in a presidential system, important supervisory and control powers fall on the judiciary. The judiciary has to be fully independent from the legislative and, especially, from the executive power and has to be able to check, and if necessary strike down, acts adopted by the parliament and the president. The draft amendments do not seem to be conducive to such a situation.”

⁹ For instance, regional-based political parties are banned, political parties are prohibited from promoting certain political agendas including the existence of minorities and challenges to the territorial integrity of the state, and insult of the president, other public figures and certain state institutions is criminalized.

To provide a fully democratic basis for the conduct of elections, constitutional and legislative reform should ensure broad guarantees for fundamental freedoms of association, assembly, expression, and electoral rights.

Under the Law on State of Emergency, government decrees and governor's decisions may further restrict fundamental freedoms. The state of emergency therefore had a negative impact on the legal framework for elections, especially as these extraordinary powers were extensively utilized during these elections. In about one-quarter of the provinces, particularly those in the east and southeast, governors' decisions restricted freedom of assembly and expression, and freedom of movement during the electoral period.¹⁰ This type of restricted framework undermined the freedom to campaign and to freely engage in political discourse.

The amendments adopted during the 2017 constitutional referendum suspended, for these elections, the provision which stated that any changes to election legislation cannot be applied to elections within one year from their adoption. This enabled legal amendments to be made in March, shortly before the elections, which undermined the stability of the legal framework contrary to international good practice.¹¹ Key amendments, jointly initiated by the AKP and the MHP who joined the ruling party in the electoral coalition, legalized election coalitions and introduced a number of changes to election procedures which removed important safeguards and were broadly seen as favouring the ruling party and its coalition partner. The amendments, for example, replaced political party representatives with civil servants as chairs of the BBCs, legalized the moving and merging of polling stations on security grounds at the request of state authorities, authorized the assignment of voters residing in the same building to different polling stations, increased the authority of law enforcement to be present in and around polling stations, including entry upon the call of a voter, and repealed the provision on the invalidity of unstamped ballots.

Adopted in a hasty manner without genuine parliamentary debate or public consultations, the amendments were widely criticized by opposition parties and civil society as jeopardizing the integrity of the election process and results.¹² The CHP unsuccessfully challenged some of the amendments in the Constitutional Court.¹³ In April, after the elections were called, another set of amendments to the

¹⁰ Bans on assembly and expression first introduced in 2016 were still effective in Hakkari, Van, Mardin, Artvin and Eskisehir provinces. For instance, the bans restricted public meetings, demonstrations, setting up stands and issuing press statements. In an additional 14 provinces, the holding of public meetings throughout the state of emergency was subject to the permission of the governor. In Tunceli, there was a complete ban on public events including distribution of leaflets and holding press conferences required permission. In Bitlis, a broad curfew applied in one district.

¹¹ Section II.2.b of the Venice Commission's [Code of Good Practice](#) states that "fundamental elements of electoral law, in particular the electoral system proper, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendment less than one year before an election" and paragraph 58 states that "electoral law must enjoy a certain stability, protecting it against party political manipulation."

¹² The SBE was also not formally consulted on the amendments. Various opposition parties and civil society groups issued public statements and reports highlighting their concerns with the amendments. In November 2018, the Venice Commission will be publishing an opinion on the amendments. [Paragraph 18.1 of the 1991 OSCE Moscow Document](#) requires that participating States formulate and adopt legislation "as the result of an open process reflecting the will of the people, either directly or through their elected representatives".

¹³ The petition challenged the constitutionality of almost all of the changes to the election procedures on grounds they violated the constitutional right to vote and to be elected and to engage in political activity. The court [decision](#) was issued on 31 May; of the 17 judges on the panel, 2 dissented stating that the provisions on counting unstamped ballots, the appointment of civil servants as BBC chairs, and the relocation of polling stations on security grounds were unconstitutional. During the 2015 parliamentary elections, the SBE decided the relocation of polling stations on security grounds was unconstitutional and inconsistent with international standards on voting rights, noting the state is responsible for providing security at assigned voting places.

election legislation was hastily adopted with the stated aim of harmonizing the election legislation with the 2017 constitutional amendments.

The constitutional safeguard that prohibits amendments to election legislation to be applied to elections within one year from adoption should be adhered to in line with international good practice. In addition, any amendments to the legal framework should be adopted in an inclusive manner, including public consultation.

V. ELECTORAL SYSTEM

The president is directly elected for a five-year term and may serve up to two terms, with the possibility of a third term if an early presidential election is called by parliament while the second term is being served.¹⁴ Candidates can be party-nominated or independent. If no candidate receives an absolute majority of valid votes in the first round, a second round between the top two candidates is held two weeks later.

The members of the 600-seat unicameral parliament are elected for a five-year term through a proportional system in 87 multi-member constituencies with closed party lists or as independent candidates.¹⁵ Out-of-country ballots do not include independents.¹⁶ Election coalitions were introduced, but joint lists and logos were not allowed.¹⁷ To be eligible for seat distribution, coalitions and parties running separately must pass a national ten percent threshold, the highest among OSCE states.¹⁸ Various opposition parties criticized that the new system was designed to favour parties running in coalitions and condemned the failure to lower the threshold despite their long-standing appeals, the case law of the European Court of Human Rights (ECtHR), and the recommendations of international organizations.¹⁹ In addition, the application of the threshold on a national basis rather than on a constituency level may impede regional representation including of ethnic communities which are geographically concentrated.²⁰

To increase political pluralism and representation in the parliament, consideration could be given to lowering the threshold for parties to qualify for seat allocation.

¹⁴ This was the second direct presidential election; prior to 2014 the president was selected by parliament.

¹⁵ Under the 2017 constitutional amendments the number of seats was increased from 550 to 600 and the term increased from four to five years. Constituencies have between 1 and 35 seats.

¹⁶ Out-of-country votes are distributed to parties in proportion to votes received in each constituency. An SBE circular provided that the distribution of out-of-country votes to parties takes place prior to the determination of mandates, rather than after determination of any independent seats won. The timing of the allocation of out-of-country party votes disadvantages independent candidates, contrary to Paragraph 7.6 of the [1990 OSCE Copenhagen Document](#) that requires states to respect the right of individuals and groups to compete with each other on a basis of equal treatment.

¹⁷ Various opposition parties had called for the legalization of joint lists under the new system. The ballot format envisaged that votes are cast for a specific political party, not a coalition as a whole. However, 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 clearly cast for them.

¹⁸ Provided a coalition of parties overall surpasses the ten percent threshold, those parties running within the coalition are eligible for seats. Mandates are allocated using the *D’Hondt* method.

¹⁹ See the case of [Yumak & Sadak v. Turkey](#) from 8 July 2008.

²⁰ Regional parties and parties representing the interests of national minorities are banned in Turkey, which further limits political pluralism. The Venice Commission’s 2010 [Threshold Report](#) states in paragraph 19: “At most it might be argued that national thresholds are acceptable in countries where there is no real national minority problem, or where there are specific measures to deal with it, but they must be used with care, and even replaced by local thresholds where this is necessary.”

Constituencies correspond to the administrative boundaries of the 81 provinces, except Ankara, Bursa, Istanbul and Izmir provinces, which have more than one constituency.²¹ As a result of the increase in parliamentary seats and as required by the law, in June 2017 the SBE created two additional constituencies, one in each of Ankara and Bursa. The party representatives at the SBE were consulted on the boundaries, but technical experts were not involved and there were no public consultations, contrary to international good practice.²² A complaint was lodged with the SBE by two private citizens disputing the drawing of the constituency boundaries in Bursa.²³ In April, the SBE redistributed the seats based on a formula prescribed by law, which itself significantly undermines the equality of the vote, contrary to international obligations and standards, as well as international good practice.²⁴ As a result, the maximum deviations from the average number of registered voters per seat were 66 percent below the average in Tunceli and 25 per cent above the average in Adana.²⁵ In addition, the use of population distribution data in the seat allocation as required by law, rather than voter registration statistics, resulted in voters in some constituencies having much greater voting power.²⁶ While use of either voter or population distribution statistics are acceptable under international good practice, the end result should always respect the principle that the vote of one elector should be equal to the vote of another.

To ensure equality of the vote, the system of seat distribution should be reviewed to address the disproportion of the ratio of voters to parliamentary mandates.

VI. ELECTION ADMINISTRATION

Elections are administered by a four-level structure mirroring the administrative division of the country. The SBE has the overall responsibility for the regulation and conduct of elections. It is a seven-member permanent body composed of senior judges appointed for a six-year term. Each of the 81 provinces has a provincial election board (PEB) composed of three senior judges who serve two-year terms. The four political parties that received the highest number of votes in the last parliamentary elections used their right to appoint a non-voting representative each to the SBE and PEBs. PEBs announce constituency candidate lists, tabulate district level results in the province and decide on objections against decisions of District Election Boards (DEBs). The 1,082 DEBs serve two-year terms and were chaired by the most senior judge in the district. They were further composed of two civil servants and representatives with full voting rights of the four most voted political parties in the district. DEBs tabulate results at district level and decide on complaints related to BBCs. The

²¹ Istanbul and Ankara each have three constituencies, and Izmir and Bursa two each.

²² [The Code of Good Practice](#) provides that “the best solution would be to submit the problem in the first instance to a commission, comprising a majority of independent members and, preferably, a geographer, a sociologist, a balanced representation of the parties and, where appropriate, representatives of national minorities [...] with the possibility of a single appeal.”

²³ The complaint asserted that the legal criteria of geographical distances and transportation opportunities were not taken into account in drawing the boundaries; the complaint was rejected by the SBE without due consideration.

²⁴ Paragraph 21 of [General Comment No. 25](#) to Article 25 of the ICCPR provides that “the principle of one person, one vote, must apply, and within the framework of each State’s electoral system, the vote of one elector should be equal to the vote of another. The drawing of electoral boundaries and the method of allocating votes should not distort the distribution of votes or discriminate against any group and should not exclude or restrict unreasonably the right of citizens to choose their representatives freely.” According to section I.2.2.2 of the [Code of Good Practice](#), seats must be evenly distributed among the constituencies and the permissible deviation from the norm should not be more than 10 per cent (15 per cent in special circumstances).

²⁵ The average number of registered voters per seat was 93,871; Tunceli and Adana had 32,145 and 117,301 registered voters per seat, respectively.

²⁶ There is a significant difference amongst constituencies in the ratio of population to registered voters. For instance, in Izmir constituency No. 2 there are 155,438 citizens and 117,799 registered voters, a 24 percent difference, while in Sanliurfa there are 141,839 citizens and 75,772 registered voters, a 47 percent difference. Both constituencies have 14 seats.

DEBs appointed 180,065 ballot box committees (BBCs) to organize voting and counting in 54,742 polling centres.

Only one of the seven members on the SBE was a woman. Of the 14,075 members of PEBs and DEBs, only 12 per cent were women, and of the 1,106,000 members of BBCs, 24 per cent were women, while 19 per cent of BBC chairpersons were women.

Legal and administrative measures could be taken to promote women's membership on election boards.

The election administration carried out technical preparations in an efficient manner, despite the tight election calendar. However, in spite of significant changes to the election procedures, the SBE did not produce manuals or voter education materials claiming lack of time ahead of the early elections. In addition, some key aspects remained insufficiently regulated and the SBE did not exercise oversight of the lower election boards.²⁷

To have consistent implementation of electoral legislation and procedures, the SBE should provide guidance and training for lower level election bodies.

BBCs consist of seven members – two civil servants and representatives of the five most voted political parties in the district. All BBCs were for the first time chaired by a civil servant, selected by a lottery, rather than by a political party nominee as in previous elections. Contrary to the law, a lottery was not always conducted and instead the governor or the DEB appointed the civil servants. Some BBCs were appointed after the legal deadline. For the first time, mobile voting was introduced in 741 urban districts, enabling 17,366 bedridden voters to vote.²⁸

Upon governors' requests based on security considerations, the SBE relocated and merged a number of polling stations affecting some 120,000 voters in 16 provinces, according to the SBE.²⁹ Several ODIHR EOM interlocutors noted that the affected communities opposed these measures. The SBE did not publish the numbers and locations of the BBCs moved, the number of voters affected or the justification for these decisions. The SBE considered and granted relocation requests after the legal deadline of 24 May and granted DEBs the right to relocate polling stations until one week prior to the election. The changes resulted in some voters having to travel several kilometres to vote, and voters were not informed in a systematic manner of their new place of voting. Some ODIHR EOM interlocutors expressed concerns that these measures aimed at lowering the turnout of voters in areas considered to be HDP strongholds. Stakeholders lodged complaints to the SBE against its decisions and against DEB decisions to relocate polling stations in some constituencies.

Despite previous ODIHR recommendations and international good practice, the transparency of the election administration was limited due to the holding of closed sessions and the lack of legal requirements to publish decisions in a systematic and timely manner.³⁰ Although the SBE was under a

²⁷ The SBE viewed its oversight authority as limited to adjudicating complaints against lower boards; even in instances where the SBE became aware of unlawful DEB decisions it did not take the initiative to correct them.

²⁸ The Association for Monitoring Equal Rights lodged an objection to the SBE concerning its decision to limit the availability of mobile voting to voters in urban areas, and not in towns or villages.

²⁹ According to the HDP, the number of affected voters was more than 320,000.

³⁰ Paragraph 81 of the Venice Commission's [Code of Good Practice](#) reads that "The meetings of the central electoral commission should be open to everyone, including the media."

new legal obligation to upload decisions on its website, it did not post all of its decisions.³¹

To enhance transparency, the minutes and decisions of election boards at all levels should be published in a timely manner. Consideration could also be given to opening election boards meetings to the public.

While the constitution and the law establish that decisions are made by the seven members, the four substitute members of the SBE were also allowed to vote *de facto* raising the number of SBE members to eleven. All four party representatives to the SBE ran as candidates in the elections. There were also candidates and elected officials among the PEB and DEB members nominated by parties.³²

The decision-making at the SBE should be in line with the constitution and legislation. To safeguard the impartiality of the election administration and prevent conflicts of interest, candidates and elected officials could be restricted from serving on election boards.

VII. VOTER REGISTRATION

Citizens over 18 years of age have the right to vote, except active conscripts, cadets, citizens declared legally incompetent or banned from public service by court, and prisoners convicted of intentional crimes, regardless of the severity of the crime. The ban on conscripts and cadets, and the blanket restrictions on voting rights for the latter three categories are disproportionate and at odds with OSCE commitments and other international obligations and standards, including articles 12 and 29 of UN Convention on the Rights of Persons with Disabilities (CRPD).³³ In 2013 and 2014, the ECtHR ruled that the ban on prisoners is too broad and in breach of the right to free elections.³⁴ Subsequently, the SBE has been issuing for every election or referendum a decision permitting convicts not in prison to vote even if the sentence is not fully served.

Voting rights for military cadets and conscripts should be reinstated and other blanket restrictions on suffrage rights should be removed. The election legislation should be harmonized with the objectives of the CRPD, to ensure the full voting rights of persons with mental disabilities, including the right to request assistance to vote from a person of their choice.

³¹ From 21 April to 23 June, out of 628 decisions, 74 were posted. Decisions were usually uploaded with one or two weeks delay; some were not posted at all. For instance, not all SBE decisions on relocation of polling stations, or decisions on registration of political parties and candidates were uploaded. Decisions on complaints were not published, with the SBE explaining this by privacy concerns overriding the public nature of the electoral process.

³² Article 3.1 of the Venice Commission's [Code of Good Practice](#) provides that "An impartial body must be in charge of applying electoral law (...)."

³³ 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 CRPD provides for the equal recognition of persons with disabilities before the law. Article 29 of the 2006 UN CRPD requires States to "guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others". See also Paragraph 14 of General Comment No. 25 to the ICCPR and paragraph 58 of the [Recommendation CM/REC\(2010\)4](#) of the Council of Europe Committee of Ministers on human rights of members of the armed forces.

³⁴ See ECtHR judgments [Soyler v. Turkey](#) from 2013 and [Murat Vural v. Turkey](#) from 2014.

The voter registration system is passive. Some 56.3 million voters were registered to vote in country and some 3 million abroad.³⁵ The permanent central voter register is maintained by the SBE and linked to a civil and address registry, operated by the Ministry of Interior (MoI). Data on ineligible voters is provided by the Ministry of Justice and the Ministry of Defence. Voter registration is based on a personal identification number, which is linked to the voter's place of permanent residence. A recent legal amendment allowed the DEBs to assign voters to polling stations other than those corresponding to their address, on grounds of protection of the secrecy of vote, but the number of voters affected was not publicly available. Special voter lists were compiled for out-of-country voters and for eligible imprisoned and detained voters.³⁶ Internal migrants and homeless people could vote only if registered at an address. BBCs were established for bedridden voters in nursing homes and rehabilitation centres, but not in hospitals. In addition, some 12,000 women residing in women shelters were not able to vote as they were registered at their previous home address.³⁷

Consideration should be given to enabling eligible voters in hospitals and in women shelters to vote.

Voter lists could be reviewed by the public between 2 and 12 May. Voters could verify data for themselves and those registered in the same building at the respective DEB, or online. Eligible political parties had access to the preliminary and final voter lists on a special electronic portal and were able to challenge and request changes. The SBE made 679,182 address changes on voter lists. No changes were possible after 20 May.³⁸ Overall, stakeholders expressed confidence in the quality of the voter lists.

VIII. PARTY AND CANDIDATE REGISTRATION

Citizens over the age of 18 with primary education are entitled to stand for election to parliament. Presidential candidates must be at least 40 years of age and have a higher education. Those deprived of their legal capacity are not eligible to stand in either election. Citizens may not stand for election if they have not fulfilled their military service or are currently doing it, if they have been barred from public service or if they had been convicted of a non-exhaustive list of a broad range of crimes, including minor criminal offences, even if pardoned.³⁹ Convicts' right to stand can be restored under certain conditions.⁴⁰ These restrictions (other than the age requirement) are discriminatory and incompatible with the principle of universal suffrage as enshrined in paragraph 7.3 of the 1990 OSCE

³⁵ Out-of-country voters could vote at 3,379 BBCs in 60 countries from 7 to 19 June. Ballots cast abroad are returned and counted by 1,165 BBCs at a specially-designated DEB in Ankara. Out-of-country voters could vote in both elections but could not vote for independent candidates to parliament.

³⁶ Some 85,000 prisoners convicted of non-intentional crimes were registered to vote in 493 BBCs in 317 prisons.

³⁷ Complaints on the disenfranchisement of women in shelters were filed to the SBE by the Ankara Bar Association and the Association for Monitoring Equal Rights (AMER).

³⁸ Voters entered on the final local voter list and those who applied to be entered before 20 May but who had not yet been included in the respective voter list for their polling station could be added to the list on election day with a DEB certificate. In addition, BBC members, law enforcement officers, building managers and official drivers can vote with a DEB certificate in the polling station where they are on duty on election day.

³⁹ It includes those who have been sentenced to a prison term of at least one year for intentional offences; those convicted for dishonourable offences such as embezzlement, corruption, bribery, theft, fraud, forgery, breach of trust, fraudulent bankruptcy, smuggling, conspiracy in official bidding or purchasing, disclosure of state secrets, involvement in acts of terrorism or incitement and encouragement of such activities, even if they have been granted an amnesty.

⁴⁰ The Judicial Records Law, states that convicts' candidacy rights may be restored after a minimum three-year period after full execution of the sentence, proof of "living a good life" and no new convictions for any crime. Following a 15-year period, convicts' criminal records are deleted.

Copenhagen Document and paragraph 7.5 of the 1990 OSCE Copenhagen Document.⁴¹ Judges, prosecutors, military officers and civil servants must resign to stand and may not resume office if not elected.⁴²

The discriminatory candidate eligibility requirements on education and fulfillment of military service should be reviewed in line with international obligations. The conditions for withdrawal and restitution of candidacy rights of convicts should be proportional to the crime committed.

In line with previous ODIHR recommendations, the recent amendments introduced a provision for independent presidential candidates and to some extent made eligibility criteria for parties to nominate candidates less stringent. Presidential candidates may be nominated by one or more parties that received at least five per cent of the votes in the last general elections. Independent candidates must submit supporting signatures of 100,000 voters after submitting a deposit of TRY 139,160, refundable only to those registered.⁴³ Parliamentary candidates may be nominated by political parties on closed party lists or stand independently, the latter by paying a deposit of TRY 13,916 refundable only to those elected.⁴⁴

Six presidential candidates, including one woman, were registered by 13 May.⁴⁵ Incumbent President Recep Tayyip Erdoğan was nominated by the AKP, Mr. Muharrem İnce – by the CHP, Mr. Selahattin Demirtaş – by the HDP, while Ms. Meral Akşener (İYİ), Mr. Temel Karamollaoğlu (Felicity Party) and Mr. Doğu Perinçek (Vatan) ran as independent candidates. Several complaints were filed on the lack of clarity in the signature collection process, including disqualification of supporting signatures from out-of-country voters, as well as citing a short timeframe, insufficient and inadequate locations for voters to provide signatures and intimidation of voters wishing to sign for independent candidates.⁴⁶

The procedure for collecting supporting signatures should not be overly burdensome and act as a barrier to candidacy. Consideration should be given to lowering the threshold for returning the electoral deposit to parliamentary independent candidates who receive a certain number of votes.

In order to contest parliamentary elections, parties must either have a parliamentary group of at least 20 MPs or have an organizational structure in at least half of the provinces and one third of the districts in each of those provinces and must have convened a party congress six months prior to the elections. In addition, parties must submit full candidate lists in at least half of the provinces.

⁴¹ Paragraph 7.5 of [the 1990 OSCE Copenhagen Document](#) states that participating States will “respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination.” Paragraph 15 [General Comment No. 25](#) to Article 25 of the 1960 ICCPR, persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation.

⁴² Article 7 of the Law on Basic Provisions provides that civil servants who have resigned in order to stand for election can obtain their previous job or a similar position corresponding to their rank if they reapply within one month after the announcement of the election results. This provision does not apply to judges, prosecutors and military officers.

⁴³ Approximately 26,000 EUR (1 EUR=5.3 TRY). One prospective candidate lost his deposit after he was unable to collect the required number of signatures.

⁴⁴ Section I.I.1.3 of the Venice Commission’s [Code of Good Practice](#) states that if a deposit is required, it must be refundable should a candidate exceed a certain score and the score requested should not be excessive.

⁴⁵ Out of the 14 applicants, 8 were not registered: 3 applicants failed to pay the deposit and submit all documentation, 1 failed to collect the required number of signatures and 4 applied after the deadline.

⁴⁶ These deficiencies potentially deprive independent candidates of the opportunity to stand. Complaints were filed to the SBE by Felicity, Vatan, İYİ and a prospective independent candidate. The MHP leader stated that voters who sign for independent candidates must be screened for possible links to terrorist groups.

Of the 86 registered parties, the SBE considered 11 eligible to run.⁴⁷ The rest were deemed ineligible for not fulfilling the required organizational structure or for not holding all of their local congresses six months prior to the elections. The latter requirement was based on a restrictive interpretation of the law introduced by the SBE in January 2018, had retroactive effect and resulted in disqualification of two parties that had not held their local congress by 24 December 2017, a date six months prior to the date of early elections. Ten rejected parties requested the SBE to reconsider their eligibility to contest the elections and one, the Free Cause Party, was allowed to run. A total of eight parties ran for parliament. Two election coalitions were registered by the SBE: the People's Alliance comprised of the AKP and MHP, and the Nation's Alliance uniting the CHP, İYİ and Felicity. Three parties contested the election outside of a coalition – HDP, Free Cause and Vatan.

In line with international standards and good practice, the requirements on eligibility of political parties to contest the elections should be less restrictive. Once a party is registered, requirements for eligibility to run should be minimal.

There are no special legal obligations for the parties to nominate women candidates: the law does not envisage gender quotas.⁴⁸ Women constituted 996, or 20.5 per cent, out of the 4,851 registered candidates for parliament with few in high positions in the lists.⁴⁹ Positively, some parties implemented gender quotas.⁵⁰ In the newly elected parliament 104 or 17.3 per cent are women, against 81 or 14.7 per cent in the outgoing. Some 77 party nominated candidates were deemed ineligible by the SBE due to past convictions.⁵¹

Out of a total of 78 independent nominees, 68 were registered to stand in 35 constituencies, namely 57 men and 11 women. Four were rejected for not meeting the eligibility criteria and six withdrew. Overall, voters were provided with a broad range of political options offering a genuine choice.

Consideration should be given to introducing temporary special legislative measures to promote women candidates, including gender quotas and placing women in winnable positions.

IX. ELECTION CAMPAIGN

The Law on Basic Provisions regulates the campaign and aims to ensure fair and equitable opportunities for contestants. The law establishes two periods for campaigning. The application of certain campaign regulations began on 30 April, the start of the electoral period. Stricter regulations and broader equitable campaign principles applied only during the official campaign period, which began 10 days before election day and ended at 18:00 on 23 June.⁵² This leaves the larger campaign

⁴⁷ SBE decisions of 22 and 25 April deemed eligible the AKP, Independent Turkey Party (BTP), Grand Union Party (BBP), CHP, Democratic Party, HDP, İYİ, MHP, Felicity, Vatan and Free Cause.

⁴⁸ In 2017, CHP MPs submitted a bill to parliament proposing a 33 per cent gender quota for candidate lists.

⁴⁹ The HDP nominated 229 women candidates, İYİ – 159, Vatan – 145, CHP – 136, AKP – 126, MHP – 76, Felicity – 70, Free Cause – 44.

⁵⁰ The HDP implemented a voluntary quota of 33 per cent women candidates on their party lists and İYİ Party – a 25 per cent voluntary quota.

⁵¹ Of those, 30 had been nominated by the HDP, and 10 were eventually registered. The HDP claimed that the court delayed issuing the declarations to 20 of the HDP candidates beyond the legal deadline. Two HDP and one CHP candidate were rejected by the SBE on grounds they did not have political rights due to past convictions despite court declarations that confirmed the contrary. The SBE dismissed a complaint against the registration of an AKP candidate whose conviction for fraud was alleged to bar him from contesting the election.

⁵² In the 10-day period the law explicitly prohibits the misuse of state resources by the Prime Minister, Ministers and members of parliament who are banned from using public vehicles and civil servants while on campaign tours. During that period it also bans public ceremonies (with some exceptions including welcoming ceremonies for the president) and speeches on government works.

process un-regulated and does not ensure a fully level playing field provided for in paragraph 7.6 of the 1990 OSCE Copenhagen Document. Moreover, the law outlining the stricter campaign rules does not apply to the incumbent president and thus gives him favourable campaign conditions.⁵³

To ensure conditions for an equitable campaign environment, consideration could be given to amend the law and to provide that all campaign prohibitions, including on misuse of administrative resources, apply from the calling of the elections. Further, the law should ensure that the campaign rules apply equally to the incumbent president and do not offer any undue advantages in the campaign.

The campaign was energetic as contestants used a variety of traditional campaigning means such as rallies, campaign stands, posters, banners, party flags, canvassing and vehicles with loudspeakers.⁵⁴ Such themes as the economy, the move towards a presidential system, the fight against terror and emergency rule, unemployment, and education dominated the campaign. Contestants used social media to attract youth as well as to overcome restrictions on assembly imposed in some provinces. Languages other than Turkish as well as sign language were used in the campaign. As the campaign coincided with the month of Ramadan, some contestants used the traditional *iftar* dinners and late evening hours to campaign despite a ban on campaign rallies after dark.⁵⁵ Despite a prohibition by law, some contestants campaigned abroad.⁵⁶

The tone of the presidential campaign was confrontational reflecting the general polarization in the society. While all candidates used emotionally charged rhetoric against each other, the incumbent president repeatedly referred to other candidates and parties as supporters of terrorism.⁵⁷ On 28 May, the incumbent president launched a criminal complaint and a civil lawsuit, including for insult, against the CHP candidate for statements the latter made in a campaign speech; on 9 June, the CHP candidate filed a lawsuit against the incumbent for slander and grave insult.⁵⁸ The HDP presidential candidate was in detention during the campaign and could not use his right to campaign freely.⁵⁹

During the campaign a number of incidents occurred, some violent. A significant number of attacks on party and campaign premises mainly affected the HDP, but also the CHP, Felicity and İYİ

⁵³ The applicability of campaign rules has not been updated since the introduction of the direct presidential election system. Prior to the repeal of the non-partisan nature of the office of the president, campaigning by the president had been strictly forbidden.

⁵⁴ The ODIHR EOM observed 33 campaign rallies organized by election contestants. In some provinces in the east and southeast the campaign was less vibrant than in the rest of the country, including due to the restrictions on freedoms of assembly and movement.

⁵⁵ On 9 June, the CHP had a night rally in Istanbul; on 6 and 10 June, the AKP had night rallies, also in Istanbul.

⁵⁶ On 20 May, President Erdoğan had a campaign rally in Bosnia and Herzegovina. On 31 May, the CHP candidate visited Greece and Bulgaria for his campaign events. HDP had two campaign events on 26 May in Cologne and 2 June in Paris.

⁵⁷ On 6 June in Mugla, the incumbent referred to the HDP presidential candidate as a terrorist, and to the CHP presidential candidate as a supporter of terrorism. Similar messages occurred in his campaign speeches on 7 June in Mersin and on 10 June in Denizli. On 8 June in Karabük, the CHP presidential candidate accused the president of supporting terrorists.

⁵⁸ In a televised [interview](#) on 24 May, the CHP candidate claimed that before establishing the AKP, Mr. Erdoğan had visited Mr. Fetullah Gülen in Pennsylvania, which the incumbent president considered an insult. In his campaign [speech](#) in Kayseri on June 8 the incumbent president said that the CHP candidate “gets permission from Pennsylvania.”

⁵⁹ On 21 May, Mr. Demirtas’ petition for release to campaign was denied by a local court, and a subsequent appeal was dismissed. A further appeal to the Constitutional Court lodged on 29 May was left undecided before election day. On 26 June, a petition was lodged to the ECtHR against the Constitutional Court’s failure to consider the case. On 30 May, the Ministry of Justice denied his request to give phone interviews with journalists and his request to participate in four rallies in the last week of the campaign was denied.

parties.⁶⁰ The HDP informed the ODIHR EOM about detentions of 394 party activists, obstruction of campaign activities, police monitoring and harassment, and being subject to selective application of campaign rules.⁶¹ On 12 June the incumbent president stated that, according to information received from intelligence sources, those attending the CHP rally were HDP members.⁶² On 14 June the incumbent president instructed AKP members to identify HDP voters in their respective neighbourhood and “keep a close watch on them.” On 21 June the Minister of Interior warned CHP voters to refrain from voting for HDP or otherwise to bear responsibility for this. Such pressure on and intimidation of contestants and supporters contributed to an atmosphere of fear and raised concerns about their equality of opportunity and ability to campaign in a fair and free atmosphere as required by paragraph 7.7 of the 1990 OSCE Copenhagen Document.⁶³ On 14 June, a violent shooting incident in Suruc between AKP campaigners and HDP supporters left four people dead and eight injured.⁶⁴

Authorities should take necessary measures to ensure that election campaigning be conducted in an atmosphere free from intimidation and fear of retribution, and undertake effective campaign oversight by conducting thorough investigations into all campaign-related offences. Campaign regulations should be fully adhered to and perpetrators prosecuted for applicable criminal and administrative offences.

During the campaign period, the president inaugurated five completed state-funded projects.⁶⁵ Contrary to the law, government officials in some instances publicly praised the achievements of

⁶⁰ The CHP, HDP, Felicity and İYİ informed the ODIHR EOM about numerous attacks on campaign offices, vehicles and stands, and obstructions of rallies in Adana, Ankara, Bolu, Bursa, Diyarbakir, Erzurum, Gaziantep, Istanbul, Izmir, Kocaeli, Konya, Manisa, Tarsus, Ordu and Van. The HDP reported 114 campaign incidents. According to the Ministry of Interior between 20 April and 21 June, a total of 251 politically-related incidents occurred (78 HDP, 75 AKP, 38 İYİ, 32 CHP, 10 MHP, 14 Felicity, 2 Patriotic, 2 Free Cause). Following an incident involving activists of Felicity and MHP on 26 May in Ankara, the prosecutor opened a criminal investigation. On 12 June following an attack on the CHP office in Konya, police launched an investigation and informed the EOM that around 40 people supposedly from AKP youth branch were involved in the attack. On 9 and 11 June, İYİ campaign buses were attacked in Izmir.

⁶¹ Police in Ankara, Manisa, Istanbul and Bursa confirmed to the ODIHR EOM the incidences of violence and vandalism against the HDP. On 17 May, the Ankara Governor [initiated an investigation](#) against a police officer who allegedly disrupted the HDP campaign in central Ankara. On 1 June, campaign premises of HDP were attacked in two locations in Istanbul. On 5 June in Bolu, MHP activists allegedly took down and burned the flags from the HDP party office; the police and the prosecutor launched an investigation. On 5 June, the police dispersed the HDP rally in Ceylanpinar by using pepper spray, although the rally had been approved. On 7 June, the HDP cancelled its campaign rally in Ankara after the governorship stated they were not able to guarantee the security of the rally due to the proximity of an AKP rally. On 6 June in Baskale (Van province), HDP flags were removed from the street by police, while on the same day, the EOM observed AKP flags on the main street of Van that remained from the previous day's rally. The law obliges contestants to remove campaign materials as soon as a rally is over. On 20 June, 10 HDP supporters including 6 BBC members were detained by the police in Inegol and Osmangazi on terrorism charges; some were released later.

⁶² President Erdogan's [speech](#) in Eskisehir on 12 June. Police have the right to openly film rally participants.

⁶³ Paragraph 7.7 of [the 1990 OSCE Copenhagen Document](#) states that participating States will “ensure that 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 from fear of retribution”.

⁶⁴ One of the casualties was the brother of an AKP member of parliament and the other three were HDP supporters. According to the media, 19 HDP activists and one HDP candidate for parliament were detained.

⁶⁵ The inauguration ceremonies took place on [30 May](#), [2 June](#), [7 June](#), [12 June](#) and [13 June](#), that is, just before the beginning of the 10 days prior to elections when the law prohibits inaugurations. Although not a violation of law, such practice is not in line with section 1.2.3.a of the Venice Commission's [Code of Good Practice](#), which provides that “Equality of opportunity should be ensured between parties and candidates and should prompt the state to be impartial towards them and to apply the same law uniformly to all”. On 21 June, when inaugurations were banned, the president's airplane made the first ever [landing](#) at the new international airport in Istanbul, which was widely covered in the media. In addition, the official website of the president was used to report on the incumbent's campaigning activities.

government during the last 10 day of the campaign.⁶⁶ There were reports about instances when civil servants, including military personnel and judges, engaged in campaigning, which is against the law.⁶⁷ On 11 May, the parliament passed a bill proposed by the Council of Ministers giving premiums to retired people.⁶⁸ These instances of misuse of administrative resources by the ruling party did not provide for a level-playing field and were contrary to paragraph 5.4 of the 1990 OSCE Copenhagen Document, which provides for a “clear separation between the State and political parties.”

Authorities should implement mechanisms to ensure a clear separation between the State and party to prevent candidates from using the advantage of their office for electoral purposes. In addition, an effective sanctioning mechanism against the misuse of administrative resources should be established.

X. CAMPAIGN FINANCE

Presidential candidates can receive donations from Turkish citizens up to TRY 13,916 for each round and are not entitled to public funding. Donations by legal entities and from foreign sources, as well as loans, are prohibited. There is no campaign expenditure ceiling. Donations over TRY 2,000 and all expenditures have to be made through a bank account. Candidates must deliver property declarations to the SBE together with their nomination papers, and within 10 days of the announcement of the final results submit a campaign finance report on incomes and expenditures. Neither the reports nor the property statements are published.⁶⁹ The law does not require any interim financial reports before the elections.⁷⁰ The SBE is mandated by law but in practice the Court of Accounts audits the reports.⁷¹ The law does not prescribe any sanctions for irregularities other than transfer of unspent donations and those over the permissible limit to the State Treasury.

Political parties that received at least three per cent of votes in the last parliamentary elections are entitled to annual public funding on a proportional basis, as well as campaign funding but only for regular elections. In addition, parties are financed from membership fees and private donations. Donations from public legal entities, state and public organizations and foreign sources are prohibited.⁷² An individual may donate up to TRY 44,000 annually to a party. There is no ceiling for

⁶⁶ According to article 64 of the Basic law, during the last 10 days of the campaign it is forbidden to organize ceremonies and make speeches related to previous works and services performed by public institutions. The President, Minister of Education, the Minister of Justice, the Deputy Prime Minister and Prime Minister spoke about past achievements on various television channels between 18 and 20 June.

⁶⁷ On 8 June, a State Council judge posted a tweet criticizing the CHP presidential candidate. On 1 June, an army commander applauded the incumbent president’s critical remarks about an opponent candidate at an *iftar* dinner. Although the president denied describing the event as being campaign-related, [video](#) footage shows him speaking in front of a banner with the AKP campaign logo. On 12 June, the district governor of Vezirkorpu attended the AKP campaign event. Article 154 of the Law on Basic Provisions foresees criminal liability for civil servants, military personnel and judges who engage in campaign activity or encourage or influence others who are campaigning.

⁶⁸ The first payout was made during the campaign. The CHP considered the adoption of the law a form of vote-buying on behalf of the ruling party.

⁶⁹ Only the property statement of the elected president is to be published in the Official Gazette. [Article 7.3 of the 2003 UN Convention Against Corruption](#) states that, “each State Party shall also consider taking appropriate legislative and administrative measures... to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.” See also the [2010 OSCE/ODIHR and Venice Commission’s Guidelines on Political Party Regulation](#) paragraphs 201-206.

⁷⁰ [Paragraph 200 of the 2010 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation](#) states that “Reports on campaign financing should be turned into the proper authorities within a period of no more than 30 days after the elections. The law should define the format of reports so that parties disclose all categories of required information and so that information from the different parties can be compared”.

⁷¹ The SBE is required to complete auditing, determine irregularities and announce the results of auditing within two months.

⁷² Parties may not engage in commercial activities and may not take out loans or credit.

annual party and campaign-related expenditure. Parties declare their campaign funds solely through annual financial reports; these reports do not include incomes and expenditures incurred by candidates nor by third-parties. The Constitutional Court audits the reports but only publishes the auditing results years later.⁷³ Independent candidates declare their campaign funds through personal tax declarations. Possible sanctions for breaches include warnings, imprisonment from three months to three years, monetary fines and dissolution of the party.

Overall, the legislation does not contain comprehensive regulations on party and campaign finance.⁷⁴ In addition, the lack of substantial and pro-active oversight reduces the transparency, integrity and accountability of political finance.⁷⁵ Council of Europe's Group of States against Corruption (GRECO), concluded in its most recent report that the situation "of transparency of party funding is disappointing."⁷⁶

An expenditure ceiling could be introduced to provide contestants with an equality of opportunity.

To enhance the effectiveness of the oversight consideration could be given to mandate a single authority to conduct audits and publish its conclusions. To enhance transparency, contestants' campaign finance reports, including of affiliated third parties, could be submitted prior to election day and published in a timely manner. In addition, effective, appropriate, proportionate and dissuasive sanctions for breach of campaign finance regulations could be introduced.

XI. MEDIA

A. MEDIA ENVIRONMENT

The media landscape is dominated by outlets whose owners are considered affiliated with the government or depend on public contracts, which limits the diversity of available views.⁷⁷ The private print press are often dependent on public advertisement and state distribution channels.⁷⁸ Television remains the main source of information, but the Internet penetration rate is growing.⁷⁹ Social networks have become an important source of news, primarily in urban areas, which, in turn, led to an increase in online surveillance.⁸⁰ Since 28 May, some 3,375 social media users were investigated for

⁷³ The latest published results are on the 2014 reports of several smaller parties.

⁷⁴ [Paragraph 159 of the 2010 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation](#) states that, "The regulation of political party funding is essential to guarantee parties independence from undue influence created by donors and to ensure the opportunity for all parties to compete in accordance with the principle of equal opportunity and to provide for transparency in political finance. Funding of political parties through private contributions is also a form of political participation."

⁷⁵ Only three out of the 800 auditors of the Court of Accounts are mandated to audit party and campaign finance. The Constitutional Court and the SBE, the two institutions mandated with oversight do not have expertise in auditing.

⁷⁶ See also [GRECO's Fourth Evaluation Round, Interim Compliance Report](#), 8 December 2017.

⁷⁷ For example, since the ownership of the Doğan Media Group earlier this year shifted to a conglomerate widely considered affiliated with the ruling party, a number of current affairs and political debate programmes were terminated and more than 50 journalists dismissed (See [Bianet.org](#), [t24.com.tr](#), [medya24.com](#) for details).

⁷⁸ The state purchases print media copies for distribution in state institutions and, among others, in companies such as Turkish Airlines, which significantly increases the circulation of the selected media outlets.

⁷⁹ According to [Information and Communication Technology Usage Survey on Households and Individuals for 2017 four in five households had Internet access](#).

⁸⁰ According to [Reuters Institute Digital News Report 2018](#), the Internet penetration rate is 70 per cent. Two-thirds of the urban sample use social media for news. Distrust in the news (40 per cent) is higher than trust (38 per cent). According to the [Twitter Transparency Report](#), in the period from July to December 2017 Twitter received removal requests for 6,544 accounts and information requests for 2,583 accounts from the government. A total of 148 Twitter accounts and 322 Tweets were withheld for violations of personal rights and defamation provisions, as well as for violations of the Anti-Terror Law.

supporting terrorism, using hate speech against the unity of the state and the security of the society and 1,431 have been legally charged.⁸¹

The Constitution contains a general provision regarding the right to freedom of expression, but also restrains it by allowing restrictions on media, including under Anti-Terror and Internet Laws. The Criminal Code contains broad defamation provisions, including for offending the nation and the State, public officials and the president. During the election campaign, a number of criminal cases were opened against journalists for defamation.⁸² The OSCE Representative on Freedom of the Media (RFoM) has repeatedly called on the authorities “to engage in a fundamental reform of the laws that criminalize journalistic work, including the Press Law, provisions of the Criminal Code and the Anti-Terror Law.”⁸³ Journalists are openly insulted and threatened.⁸⁴ Online harassment is the new growing phenomenon.⁸⁵

The legal framework should be amended to bring it in line with international obligations on freedom of expression and media freedom. All media related cases should be dealt with in compliance with Article 10 of the ECHR on freedom of expression and relevant ECtHR case law.

As previously recommended, the authorities should refrain from applying anti-terrorism legislation to prosecute journalists based solely on the content of their reporting. Defamation, libel, and insult of state officials should be decriminalized. Media outlets should be able to operate free from intimidation or pressure.

B. LEGAL FRAMEWORK

The legal framework obliges media to present impartial coverage of the campaign and guarantees eligible contestants equal access rights.⁸⁶ Additionally, during the last seven days of the campaign, parties contesting the parliamentary elections are granted free airtime on the public broadcaster, the Turkish Radio and Television Corporation (*TRT*). According to the Law on Presidential Elections, all public radio and television stations should broadcast presidential speeches simultaneously throughout Turkey. However, by its decision the SBE obliged only one of *TRT*'s 14 public channels, the *TRT Haber*, and only 6 of its 14 radio stations (*Radyo 1, Antalya, Diyarbakır, Erzurum, Trabzon* and *Çukurova Radyo*) to provide free airtime for the contestants. The SBE allowed the HDP presidential candidate in detention to have his two 10-minute slots, but they were recorded on the same day, which restricted him from commenting on the later developments in his second appearance. The IYI and CHP presidential candidates and all CHP parliamentary candidates boycotted the *TRT* for alleged lack

⁸¹ See the Ministry of Interior's Weekly Cyber Crime Report covering the period [28 May to 2 July](#).

⁸² For example, journalists from *Fox TV* and *Evrensel Newspaper* are under investigation for defamation, an independent journalist was prosecuted for defamation of a public official, a journalist from *Diken.com.tr* was questioned on charges of defamation of the president, another independent journalist was accused of defamation of the president and acquitted. An Istanbul criminal court by its [decision no. 3229 of 19 June with reference to the Internet Law](#) banned some 24 URL addresses that contained a speech of the CHP presidential candidate commenting on a car accident, in which the son of President Erdoğan was involved.

⁸³ See [OSCE RFoM statement](#) of 7 May.

⁸⁴ On 26 June, in an open letter, the leader of MHP Mr. Baceli [accused](#) 58 journalists, 9 owners of public opinion research firms and 3 academicians of organizing a slander campaign against MHP. On 30 June, imprisoned mafia leader Mr. Çakıcı in an open letter [threatened](#) journalists with death.

⁸⁵ Since 2016, the International Press Institute in its [OnTheLine database](#) has noted 950 instances of online harassment against Turkish journalists in response to their reporting.

⁸⁶ Presidential candidates are entitled to two free airtime slots on public channels that were broadcast on 17 and 23 June. All eligible parties are entitled to two slots of ten minutes each. In addition, parties with parliamentary groups have the right to 10 minutes slots, while ruling AKP and main opposition CHP have the right to additional 20 and 10 minutes, respectively. Independent parliamentary candidates do not qualify for free airtime.

of impartiality. Paid advertising is allowed in all media, including public. The CHP claimed the *TRT* was selective in refusing to broadcast one of their paid advertisements.⁸⁷

The public broadcaster should adhere to the legal requirements and ensure equitable, fair and impartial campaign coverage, including on news and paid advertisement.

While the regulatory body, the Radio and Television Supreme Council (RTSC), claimed to monitor national television channels and radio stations for impartiality of the coverage beginning on 30 April, the SBE decision listing the channels to be monitored was adopted only on 28 May. None of RTSC's weekly monitoring reports have been published. The constitution requires the RTSC's membership to include representatives of each political party with a parliamentary group. Currently, the HDP is left without representation after the expiry of its member's term in November 2017 and the appointment of a second MHP representative.⁸⁸ The imbalance in the composition of its board brings into question the ability of the RTSC to perform its oversight role in an impartial manner. In February, a 2017 government emergency decree that repealed the SBE's power to sanction private media for unbalanced and biased campaign coverage was adopted by parliament. This, combined with the inactivity of the RTSC, left media campaign coverage essentially without effective oversight.

To enhance transparency of campaign coverage in the media, the Radio and Television Supreme Council's media monitoring results should be made public at regular intervals and in a timely manner. The legal powers to sanction private media for violations of campaign provisions should be returned to the SBE.



C. MEDIA MONITORING FINDINGS

On 27 May, the ODIHR EOM commenced its qualitative and quantitative monitoring of five TV Channels (*TRT1*, *A Haber*, *CNN Türk*, *Fox TV* and *Show TV*), and five newspapers (*Sabah*, *Sözcü*, *Hürriyet*, *Milliyet* and *Cumhuriyet*).

Within regular news and analytical current affairs programmes of media monitored by the ODIHR EOM, campaign coverage was characterized by an extensive and unchallenged promotion of the incumbent. Four of the five monitored television stations (public *TRT1* and private *A Haber*, *CNN Türk* and *Show TV*) favoured Mr. Erdoğan and the AKP, often covering them jointly and providing them an average of 50.4 per cent of the total news and current affairs airtime.⁸⁹ In contrast, these channels dedicated an average of 28.2 per cent of such coverage to Mr. Ince and an average of 6 per cent to Ms. Aksener. Their tone was rather balanced when covering IYI Party but predominantly negative for the CHP, especially on *TRT1* and *A Haber*. Half of the news and current affairs dedicated to Mr. Ince was in a negative tone. Actually, *TRT1* during most of the campaign period dedicated so much negative news and current affairs coverage to Mr. Ince that he at times was covered more than

⁸⁷ The *TRT* Ethics Commission refused a campaign spot of CHP for being “humiliating and nearly a slander to the impartiality and the independence of the judiciary and courts” and requested them to edit the spot. According to the authorities, the *TRT*, due to its role of a public broadcaster, oversees visual and textual contents of all broadcasts, including paid advertising and campaign materials. The CHP filed a complaint with the Ankara public prosecutor's office against the Chief Executive Officer of *TRT* for denying the broadcasting of their campaign spots during the FIFA World Cup. According to the *TRT*, they were applying a first come first served principle: the AKP and the incumbent had purchased the half-time airtime two months before, beginning from the day of the calling of early elections.

⁸⁸ The HDP filed a pending court case against the Secretariat of the Parliament for committing a number of procedural violations in denying the HDP the right to fill the vacancy. Although the MHP group in parliament is numerically smaller than the HDP's, MHP currently hold two seats on the RTSC.

⁸⁹ The share of news and current affairs airtime dedicated to the AKP and the incumbent was 34.2 and 40.6 per cent on *TRT1*, 38 and 66.5 per cent on *A Haber*, 40.6 and 59.5 on *CNN Türk*, and 33.7 and 34.7 on *Show TV*, respectively. In addition to rallies, *A Haber* dedicated reports to exclusively positive opinion polls towards Mr. Erdoğan.

any other contestant, including the incumbent.⁹⁰ National TV channels presented the HDP and its presidential candidate Mr. Demirtaş predominately in a negative tone throughout the monitored period, often equating both with a terrorist organization.⁹¹ Coverage of Felicity, Vatan and Free Cause parties and their respective presidential candidate was significantly lower on the monitored national TV channels, if they chose to cover them at all.

Although the paid advertising in most of the monitored channels was dedicated to the incumbent and the ruling party, it also helped the CHP and its candidate to make up for the extensive negative coverage, particularly on the *TRT1*.⁹² Of paid time on *TRT1*, 70 per cent was dedicated to Mr. Erdoğan and the AKP, 9 per cent to Mr. Ince and the CHP. A *Haber* did not broadcast paid advertisement of any contestants other than the incumbent and the ruling party.

Fox TV provided voters with a more diverse coverage of opposition candidates and parties.⁹³ The channel presented relatively equally the presidential candidates of the AKP, IYI and CHP. The HDP candidate was also given some coverage. The incumbent was presented in a predominantly negative tone, while the channel praised Ms. Akşener and was also relatively positive towards Mr. Ince.⁹⁴ In its coverage of the last weeks of the parliamentary contest, *Fox TV* dedicated more airtime to the AKP-led alliance (64.8 per cent), with most of it in negative tone, and gave 20.2 and 13.5 per cent of rather balanced coverage to the CHP-led alliance and the HDP, respectively. *Fox TV* did not broadcast any paid ads of Mr. Erdoğan and the AKP.

The monitored print media were split along political lines, as the incumbent and the ruling party received mostly positive coverage in *Hürriyet*, *Sabah*, and *Milliyet*, while the opposition parties and candidates received mostly positive coverage in *Sözcü* and *Cumhuriyet*.⁹⁵

XII. COMPLAINTS AND APPEALS

Decisions of lower electoral boards can be appealed by all stakeholders except civil society organizations to higher boards, up to the SBE.⁹⁶ The handling of complaints and appeals at election

⁹⁰ For instance, between 29 May and 17 June Mr. Ince received 38.0 per cent of coverage, predominantly in a negative tone, while Mr. Erdoğan's share was 33.2 per cent, predominantly in a positive tone.

⁹¹ The share of the HDP and Mr. Demirtaş coverage was 18.4 and 2 per cent on *TRT1*, 14.7 and 2.6 per cent on *A Haber*, 10.5 and 3.2 per cent on *CNN Türk*, and 14 and 3.2 per cent on *Show TV*.

⁹² Of the total paid airtime on the monitored channels, 24 and 33 per cent were bought by the AKP and the incumbent president, 8.4 and 12 per cent by the CHP and Mr. Ince, 4.6 and 4.8 per cent by the IYI and Ms. Akşener, and 2.1 and 1 per cent by the HDP and Mr. Demirtaş, respectively.

⁹³ The channel produced interviews with the presidential candidates and party leaders on a weekly basis throughout the entire campaign period; however, the incumbent president did not participate. According to the channel, neither the representatives of the AKP, nor the MHP accepted the invitation. The Ministry of Justice declined the request of *Fox TV* to interview Mr. Demirtaş, so he was represented by HDP members as well as by providing written responses for the interview.

⁹⁴ In the news and current affairs programme on *Fox TV*, the incumbent's coverage was negative in tone in 47.6 per cent, Ms. Akşener's coverage was positive in 87 per cent, and Mr. Ince was positive in 72 per cent of the time he received. Mr. Demirtaş was covered negatively in 38 per cent of his share of time.

⁹⁵ In *Hürriyet*, *Sabah*, and *Milliyet*, the AKP and the incumbent received between 47.4 and 61.7 per cent of mostly positive coverage, the CHP and Mr. Ince received between 25.6 and 30.6 per cent of mostly positive coverage, the IYI and Ms. Akşener received between 1.6 and 8.5 per cent of generally positive coverage, and the HDP and Mr. Demirtaş some 4 per cent of mostly negative coverage. If the opposition ever appeared on the front pages of these newspapers, it was mostly in the form of a short note and rather negative in tone. *Sözcü* and *Cumhuriyet* gave 13.7 and 21.35 per cent of their space to mostly negative coverage of the AKP and Mr. Erdoğan, and 8 and 18 per cent to mostly positive coverage of the CHP and Mr. Ince, respectively.

⁹⁶ With the exceptions that PEB decisions related to the formation of DEBs and BBCs, and DEB and PEB decisions on voter registration are final and cannot be appealed.

boards lacked transparency, with cases discussed and decided in sessions closed to the public and media and decisions not published or reasoned. While the law does not provide concrete deadlines for adjudication of all types of complaints, cases were generally decided by the SBE in an expedited manner.⁹⁷ However, this was often at the expense of substantive consideration, and decisions did not always have a sound legal basis, challenging the access to effective remedy in election disputes.

Decisions of the SBE are not subject to judicial review, including those regulations and decisions that concern constitutionally-protected rights and the final results.⁹⁸ This leaves the electoral process and results under the final authority of an administrative body, denies the opportunity for effective judicial remedy in electoral disputes and does not ensure legal integrity of the process, contrary to paragraph 5.10 of the 1990 OSCE Copenhagen Document and international good practice.⁹⁹ One prospective presidential candidate tried to challenge in the Constitutional Court the SBE's decision that prevented voters abroad from submitting signatures to support independent candidates, but the application was ruled inadmissible.¹⁰⁰ One party, the Democratic Left Party (DSP) that was barred from the elections, lodged a case against the SBE's decision directly to the ECtHR on 18 May, as no domestic recourse was available.

To provide for effective means of redress of election disputes, the legal framework should be amended to provide for an independent judicial body to review SBE decisions. Moreover, the Constitutional Court should have jurisdiction in cases against the SBE concerning alleged violations of constitutionally-protected rights.

Various stakeholders requested the SBE to reconsider its decisions by filing objections. These included some ten requests from political parties barred from participating in the election, with one case satisfied, four from candidates denied registration, which were all rejected, and two civil society organizations denied observer accreditation, both rejected. More than 30 complaints to the SBE concerned its own or DEBs' decisions on relocation of polling stations. The vast majority were lodged by regional governors against the SBE's denial of their requests for relocations.¹⁰¹ The SBE satisfied five of them, allowing relocations, but without providing reasons for the reversal of the original decisions.¹⁰² At the same time, ten complaints against approved relocations by the SBE and DEBs

⁹⁷ For instance, the SBE is to decide on objections against its decisions on an "immediate" basis but with a 15-day deadline; there is no deadline for the SBE to finalize post-election complaints.

⁹⁸ In 2015, the Constitutional Court ruled that the constitutional provision stating that SBE decisions are final and not subject to judicial review also precludes individual petitions to the Constitutional Court against the SBE for alleged violations of fundamental rights and freedoms.

⁹⁹ [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 Venice Commission's [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."

¹⁰⁰ The party first lodged a complaint with the SBE objecting to its decision on signature collection, but it was rejected.

¹⁰¹ Some of these complaints were also lodged by the gendarmerie and DEBs dissatisfied with the SBE's rejection of governor's requests for relocations.

¹⁰² Those complaints that were rejected in whole or in part by the SBE were then referred to the DEBs to consider the approval of the denied relocations. In two out of the five cases in which the SBE reversed its decisions, there were four dissenting votes on grounds that there were no additional facts or evidence to warrant a change in the decision.

were rejected without due consideration.¹⁰³ Four DEB decisions to relocate polling stations were on appeal determined by higher boards to be an unlawful exercise of authority.¹⁰⁴

An appeal against a DEB decision that appointed BBC chairpersons and members allegedly without conducting a lottery, as required by law, was refused consideration by the respective PEB and subsequently the SBE, leaving the matter without an effective resolution.¹⁰⁵

The law does not contain provisions for filing campaign-related complaints, leaving unclear the process for seeking a remedy for campaign violations; in practice, such petitions were lodged with governors, election bodies, courts, and law enforcement. Many interlocutors informed the ODIHR EOM of campaign-related grievances, but few complaints were formally lodged.¹⁰⁶ Some opposition parties informed the EOM that they refrained from filing complaints due to a lack of trust in the election boards, state authorities, and courts to handle election-related disputes and criminal matters in an impartial and effective manner, as well as due to concerns about potential repercussions for those who lodged grievances.¹⁰⁷

Most campaign-related complaints lodged with the electoral boards asserted the ruling party hung posters and banners in unauthorized places, including on public buildings. Several such complaints were upheld, while some cases were refused consideration on technical grounds or not given due consideration.¹⁰⁸ A complaint of the Good Party that the incumbent president used the Turkish flag in printed campaign materials, in breach of the law, was dismissed by a DEB on grounds the president was exempt from the rule, while the Good Party was prohibited by a decision of the same DEB from featuring the Turkish flag in its presidential candidate's posters. Another DEB decision that banned the Good Party from using Turkish flags alongside its party flags based on an AKP objection was overturned by the SBE. A complaint that the AKP was using a publicly-owned building for its campaign banners was rejected by the SBE.¹⁰⁹ The SBE cancelled some PEB decisions which had

¹⁰³ Two claimed the relocation lacked any basis in insecurity, six asserted the moves would cause insecurity for voters, due to blood feuds and inter-community conflicts, and two objected due to the far distance of the new location for voters. These complaints were lodged by several village headsmen, the HDP, CHP, AKP, and a DEB. In one case, a dissenting member stated that the DEB and security forces had confirmed that the approved merger of the polling stations would cause insecurity for the voters due to hostility between the two villages. One rejected complaint concerned the moving of a polling station 29 kilometres away.

¹⁰⁴ These DEB decisions were annulled on grounds that the relocations had been approved based on security grounds, which is not within DEB's authority.

¹⁰⁵ The complaint was lodged by the HDP's representative on the DEB who had dissented from the decision.

¹⁰⁶ The SBE received less than ten complaints related to breach of campaign rules; the DEBs received few such complaints. Various political parties filed criminal reports with law enforcement concerning interference in campaign activities, including attacks on campaign offices and campaigners.

¹⁰⁷ For instance, the main opposition CHP said that it no longer lodges complaints about what it viewed as the extensive misuse of administrative resources in the campaign due to the ineffectiveness of the authorities in handling such complaints in past elections. The HDP noted that its criminal complaints concerning attacks on its campaign activities were not effectively handled by law enforcement and subsequently lodged a complaint with the prosecutor's office on negligence of police officers' duties.

¹⁰⁸ For instance, in one case, a DEB requested the governor to remove the incumbent president's campaign banner from a public hospital. A DEB's request for law enforcement to remove banners of the incumbent presidential candidate from pedestrian overpasses and other public infrastructure went unheeded. In another case, a CHP complaint against the banner of the incumbent president hung in the spot allocated to the Free Cause Party was denied consideration on grounds the violation did not concern the rights of the CHP. A CHP complaint that posters bearing a slogan similar to that of the AKP campaign were hung at customs gates where out-of-country voting was taking place was denied consideration on grounds it did not indicate the locations of the customs gates; there were four dissenting votes.

¹⁰⁹ The SBE decided that since the building was not being used for public services at that time the AKP's campaign office could be located there, despite article 51A of the Law on Basic Provisions that prohibits campaign offices in publicly-owned buildings.

overturned DEB decisions that had determined the ruling party and incumbent president's posters were in unauthorized places, thus allowing the practice to continue.¹¹⁰

To increase the efficacy of the dispute resolution process, the SBE and lower-level boards should increase efforts to substantively consider all complaints and appeals and to provide reasoned decisions in line with the legislation.

XIII. CITIZEN AND INTERNATIONAL OBSERVERS

The Basic Election Law stipulates that the vote count is public and also allows representatives of political parties and candidates to observe voting and counting without limitations on their numbers. Despite previous ODIHR recommendations, the legislation does not provide for observation by international and citizen observer organizations. As in previous elections, requests for accreditation from civil society organizations were rejected by the SBE, and their representatives observed as political party nominees or as individual citizens.¹¹¹

For these elections, civic observer groups and political parties increased efforts to mobilize volunteers to observe voting and carry out crosschecks of the count due to concerns about election day irregularities. Several civic platforms conducted parallel vote tabulation (PVT) on election day. In addition to IEOM observers, the SBE accredited further 136 international observers from six organizations.¹¹²

As previously recommended, the election law should be amended to allow for international and citizen observation, in line with paragraph 8 of the 1990 OSCE Copenhagen Document. Observers should be granted access to all phases of the electoral process, including voting, counting, and tabulation. Adequate regulations for the accreditation of observers should be introduced.

XIV. ELECTION DAY AND ANNOUNCEMENT OF RESULTS

A. OPENING AND VOTING

IEOM observers assessed the opening of polling stations in a predominantly positive manner in 115 of the 121 polling stations observed, although procedures were not always followed. Information about the number of ballots received was not systematically recorded in the logbook as required by law, as also confirmed by observations throughout the day, which is a serious irregularity.¹¹³ There was an excessive surplus of ballot papers in circulation since all polling stations irrespective of the number of voters registered were provided with between 390 and 410 ballot papers.¹¹⁴ Contrary to the SBE instruction, the number of delivered ballots varied, since they had been weighed rather than counted

¹¹⁰ Two PEBs had overturned DEB decisions that posters of the AKP, MHP and incumbent president were unlawfully placed on utility poles and other common structures; the SBE cancelled the PEB decisions.

¹¹¹ On 10 May, the SBE rejected the observer application from the Association for Monitoring Equal Rights and on 16 May – the application of the Human Rights Association.

¹¹² They included the Parliamentary Assembly of the Black Sea Economic Cooperation, the Parliamentary Assembly of Turkic Speaking Countries, Cooperation Council of Turkic Speaking States and the Shanghai Cooperation Organisation.

¹¹³ IEOM observers noted the absence of information of received ballots in the logbook in at least 110 polling stations.

¹¹⁴ The law requires ballots to be packaged in 400s.

prior to their distribution.¹¹⁵ In a few observed instances, the BBC did not stamp the ballots.¹¹⁶ Some 44 polling stations observed opened with a slight delay due to late preparations.

It is recommended that the number of surplus ballots be limited and regulated by the SBE. In order to enhance transparency, the number of ballots printed and distributed could be adjusted to the needs of each election and polling station. The number of ballots received by the polling station should be recorded in the polling station logbook prior to the opening of the polls.

Voting was assessed negatively in six per cent of 1,238 polling stations observed indicating some procedural shortcomings and other problems. As a rule, ballot papers were stamped by the BBCs and only in a few instances observers reported that a voter was given an unstamped ballot. Negative assessments were often given due to the large presence of police and security officers (observed in 12 per cent of polling stations), who in a third of such instances were also interfering in the process. In at least 20 polling stations, IEOM observers were denied access by police officers, and occasionally also by BBC chairpersons or party observers.¹¹⁷ This happened despite assurances by the SBE about unhindered access. Several observers reported instances where the police behaved in an intimidating manner towards voters, exceeding their authority in contravention of the law and international good practice.¹¹⁸

To ensure voters are able to vote free from intimidation and fear of retribution, the police presence in and around polling stations should be limited to ensuring public order and safety. In line with good international practice, only the BBC chairperson should have authority to call the law enforcement officers into the polling station.

Voting was assessed more negatively in the east and south-east. Although the voting process was generally smooth, group voting was observed in four per cent of polling stations. Overcrowding and inadequate layout at times lessened transparency (two per cent of observations). Only 55 per cent of polling stations were considered suitable for independent access of voters with physical disabilities.¹¹⁹ Although no special measures that allowed visually impaired voters to vote independently were put in place, the SBE regulated the use of Braille templates at the request of civic groups.¹²⁰ IEOM observations indicated that the secrecy of the vote was respected during homebound voting observed.

¹¹⁵ SBE instruction no 371 of 3 May stated that 390 and 410 ballot papers were to be distributed to every urban and rural polling station, respectively.

¹¹⁶ The SBE denied the requests of the CHP filed on 21 and 22 June to not count unstamped ballots in cases where the BBC logbook indicated that the ballots had been stamped, to record in the logbook the total number of unstamped ballots that are counted, and to separately pack all unstamped ballots. At the same time, the SBE issued a circular ordering BBCs to count all unstamped ballots, despite the legal provision that only those ballots unstamped due to negligence should be counted.

¹¹⁷ Cases of international observers being expelled by police were noted in polling stations in Bartın Merkez, in Tunceli Merkez, in Tepebasi 2, in Kayapınar 2, and in Bağlar 1 and elsewhere. Cases of international observers denied access by BBC chairs were noted in Sarıyer 1 and in Kayapınar 2. Observers being expelled by AKP observers were noted in in Osmaniye Merkez, in Tuzla, and in Hacibektas. In Besni, the party observer that insisted IEOM observers should leave the polling station did not disclose his party affiliation.

¹¹⁸ Article 85 of the Law on Basic Provisions prohibits any restrictions or limitations on the free access of voters to polling centers and polling stations by police officers. See also sections 3.4 and 3.6 of the Venice Commission's [Code of Good Practice](#).

¹¹⁹ Article 29 (a) of the UN [Convention on the Rights of Persons with Disabilities](#) to which Turkey is party obliges States to "ensure that persons with disabilities can effectively and fully participate in political and public life on equal basis with others [...] inter alia, by ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use."

¹²⁰ On 10 May, the Office of the Ombudsman received a request from a citizen seeking a solution for blind voters who wish to vote independently; the request was forwarded to the SBE for response. The SBE issued a decision that it was unable to provide braille templates due to lack of a budgetary line for this purpose.

In line with international obligations, the election administration should consider additional measures to ensure that voters with disabilities, including voters with visual impairments, can vote independently.

Party and candidate observers were present in large numbers throughout election day (in 67 and 91 per cent, respectively, of BBCs observed during voting and counting, and in 83 out of 98 DEBs where tabulation was observed). The presence of civil society observers (in 14 per cent of observations) contributed to transparency. However, of the IEOM also observed party and candidate observers being expelled from polling stations and district election boards without due justification.¹²¹

On election day, in Karacoban district, Erzurum province, the chairperson of the IYI Party and a voter were killed outside a polling station.¹²² Campaign activities were noted outside six per cent of polling stations observed, and, despite a prohibition, campaign text messages were sent to voters calling on them to vote for certain parties and presidential candidates.¹²³ According to the Ministry of Interior, some 386 incidents occurred on election day, mostly criminal offences.¹²⁴ Proceedings were initiated against 740 individuals and 30 individuals were detained.

B. COUNTING AND TABULATION

Counting was assessed negatively in 17 of 124 observations (14 per cent), indicating a number of serious procedural weaknesses. The BBCs did not always pack and seal unused material before opening the ballot boxes (15 cases). Unauthorized persons, who were often difficult to identify, and police and security officers, were present in 28 counts observed and in 10 cases were interfering in the process. The visibility of stakeholders who are authorized to be present inside polling stations during voting and counting and at district election boards during tabulation is crucial for a transparent election day process. In some instances, partisan observers were asked to leave before the count.¹²⁵

In order to enhance transparency, consideration could be given for authorized personnel inside polling stations to be appropriately identified. Chairpersons of BBCs and DEBs should be given clear instructions about the rights and entitlements of authorized persons including officially accredited observers.

The validity of ballots was as a rule determined in a reasonable and consistent manner. Every fourth BBC faced difficulties when completing the results protocols. In one fifth of the counts observed, BBCs pre-signed empty protocols or deliberately falsified or manipulated protocol entries, which seriously violated the procedures. Although IEOM observers in most cases assessed that the violations were caused by officials' poor knowledge of applicable procedures, they nevertheless undermined important legal safeguards against manipulation and fraud. This may be related to the fact that,

¹²¹ Cases of party observers being denied access or expelled were observed, among others, in polling stations in Kucukcekmece 1, in Isparta Merkez, and in Nigde Merkez. IEOM observers noted that all party observers were denied access to the Pazarlar district election board in Kütahya. The CHP lodged a complaint with the SBE that its observers in Şanlıurfa were removed by police from polling stations.

¹²² A [gunfight broke out outside a polling station](#), allegedly after a group of men attempted to enter with false accreditation.

¹²³ The IEOM was informed and shown text messages advocating to vote for the AKP and the incumbent president and Felicity Party and Mr. Karamollaoğlu.

¹²⁴ Including 97 cases of interference in voting procedures, 66 cases of proxy and multiple voting, 35 cases of tampering with election documents, 21 assaults, 18 cases of obstruction of BBCs, 29 cases of insult and threat and 12 cases of open voting.

¹²⁵ IEOM observers reported that at a polling station in Sariyer 2 (Istanbul) the BBC chairperson told all party and candidate observers present to leave at 17:08 when the counting was about to begin.

contrary to good practice, standard training was not provided to all members of election commissions.¹²⁶

The SBE should prioritize the training for all election commission members, including those nominated by political parties, with a focus on eliminating errors and omissions in the work of the BBCs related to counting procedures and completion of protocols.

Retracting from transparency, the results were not put on display, as required by law, in 29 polling stations observed during the vote count. The results protocols and ballot material were in nearly all observed cases taken directly from the polling station to the respective DEB by the BBC chairperson and one member, as required by law.¹²⁷

In line with international good practice, the law could be amended to prescribe that BBC results be transported to the DEB by the BBC chairperson jointly with two members representing opposing sides.

Tabulation of BBC results protocols at DEBs was assessed negatively in 11 out of 99 DEBs, indicating some procedural problems. In every fourth DEB, BBCs were correcting their protocols without a formal decision. The large number of people present, many of whom were unauthorized, caused tension and the overall lack of transparency, which often led to negative assessment of the tabulation by the IEOM observers. In most of the DEBs observed, the process was smooth, well organized and the data entry process transparent. In some instances, observers were restricted in their observations of the tabulation of results.¹²⁸ The majority of the DEBs observed by the IEOM had finalized results tabulation and issued their protocols by 02:30.

C. ANNOUNCEMENT OF RESULTS

IEOM observers received a copy of results protocols in 67 per cent of counts and 72 per cent of tabulations observed. At 02:15 on 25 June, the SBE only announced the re-election of the incumbent president and the parties which passed the threshold but did not release preliminary results. Results were announced by the media based on the data being reported by the *Anadolu* official state news agency, the sources and veracity of which was questioned by some of the political actors. Despite requests, the ODIHR EOM did not receive any clarification regarding the sources of data used by *Anadolu*.

While the SBE did not publicly post preliminary results on its website, polling station results and scanned protocols were accessible to eligible political parties on a web portal. The ODIHR EOM was allowed by the SBE to check results protocols obtained in polling stations against the officially reported results. The ODIHR EOM checked a sample of more than 200 BBC protocols obtained by IEOM observers on election day against those uploaded to the SBE system; in all cases the results figures showed a clear match. The web portal with the results disaggregated by BBC, DEB and PEB was made publicly available on the SBE website on 5 July only, after the deadline for filing complaints had passed and the results finalized.¹²⁹

¹²⁶ Only at 1 of the 13 trainings for BBC members observed were a few party appointees present.

¹²⁷ IEOM observers reported that they were not allowed to follow the transfer of the results protocols and election material from polling station to the DEB in Koycegiz (Mugla). In Sivas, the IEOM noted that BBCs were redirected from DEB Altinyayla and instead transferred their results protocols to the DEB Şarkışla where the tabulation process was chaotic due to the colocation of several DEBs in one building.

¹²⁸ IEOM observers were restricted in their observation of the results tabulation process, among others, in DEB Karatas (Adana), DEB Arnavutkoy (Istanbul) and DEB Iskenderum 1 (Hatay).

¹²⁹ A citizen lodged a complaint to the SBE concerning its decision to bar public access to the results web portal before the finalization of results; the complaint was rejected.

As previously recommended, to enhance transparency and build trust in the election administration, the SBE could publish preliminary results disaggregated by district and polling station, including the number of registered voters and those who voted, as well as the number of votes cast for each party and candidate. The SBE could publish such data on its website immediately after the submission of BBC protocols.

On election day, the SBE received a few complaints. All were rejected or denied as inadmissible on the grounds that either a BBC or DEB were the competent body for the review.¹³⁰ Following complaints, PEBs satisfied a number of requests for recounting votes, whereas some were denied.¹³¹ Recounts took place in 13 provinces at the request of five political parties and their respective candidates.¹³² The law is silent as to the applicable procedure for requesting and considering requests for recounts.¹³³ In a few cases, the ODIHR EOM noted a possibly selective approach in denying or accepting requests.¹³⁴ As a result of recounts, one parliamentary seat shifted from the HDP to the ruling party.¹³⁵ All but 2 of 28 requests for recounts submitted to the SBE were rejected.¹³⁶

XV. RECOMMENDATIONS

These recommendations, as contained throughout the text, are offered with a view to enhance the conduct of elections in Turkey and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with past ODIHR recommendations that remain to be addressed, in particular in its final reports from the 2014 presidential election, the 7 June 2015 parliamentary elections, the 1 November 2015 Early parliamentary elections, and the 2017 constitutional referendum. The ODIHR stands ready to assist the authorities of Turkey to further improve the electoral process and to address the recommendations contained in this and previous reports.¹³⁷

A. PRIORITY RECOMMENDATIONS

1. The legislation should be amended in line with ODIHR recommendations to address key shortcomings, enhance its clarity, and to harmonize all election-related laws to provide a

¹³⁰ Three complaints filed by the CHP, the HDP and the Human Rights Association, respectively, alleged serious irregularities in polling stations in Suruc district, Şanlıurfa province, including allegation of ballot box stuffing and requesting cancellation of results. IYI Party challenged the results of the out-of-country vote alleging the DEB in charge committed mistakes when allocating the votes to the Osmaniye province.

¹³¹ The SBE stated that it does not collate information on requests for recounts filed to DEBs and PEBs. Hence, the ODIHR EOM was not able to obtain comprehensive and accurate information on recounts nationwide.

¹³² According to the SBE, recounts of parliamentary votes took place in Düzce, Malatya, Aydın, Hatay, Elazığ, Edirne, Burdur, Niğde, Bartın, Muğla, Balıkesir, Muş and Hakkari; and recount of presidential votes in Kütahya.

¹³³ According to SBE decision no. 904 of 25 June 2018, the PEB had to complete recounts by 28 June, which was the deadline for deciding on complaints.

¹³⁴ For instance, a request for a recount filed by HDP in Aydın province was initially granted. However, the DEB reversed its decision after the recount had begun following objections by two DEB members. The HDP subsequently complained to the PEB, but its appeal was rejected.

¹³⁵ Following a recount in Hakkari, the AKP obtained one of the three parliamentary seats in the constituency which was initially won by the HDP.

¹³⁶ The AKP filed eight requests for recounts in Ankara, Düzce, Muğla and Muş; the MHP – eight in Aydın, Denizli, Elazığ, Hatay, İzmir, Niğde and Trabzon; IYI – six in Burdur, Canakkale, Diyarbakır, Kars, Istanbul and Osmaniye; the CHP – three in Bursa, Mersin and Kars and the HDP – three in Aydın, Hakkari and Muş. The requests concerned either all ballots or only invalid ballots and, at times, all DEBs or only certain DEBs in the province.

¹³⁷ According to the paragraph 25 of the [1999 OSCE Istanbul Document](#), OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations.”

- cohesive framework. Further, the SBE should fully exercise its regulatory authority in a manner consistent with the law.
2. To increase political pluralism and representation in the parliament, consideration could be given to lowering the threshold for parties to qualify for seat allocation.
 3. To enhance transparency, the minutes and decisions of election boards at all levels should be published in a timely manner. Consideration could also be given to opening election boards meetings to the public.
 4. To have consistent implementation of electoral legislation and procedures, the SBE should provide guidance and training for lower level election bodies.
 5. In line with international standards and good practice, the requirements on eligibility of political parties to contest the elections should be less restrictive. Once a party is registered, requirements for eligibility to run should be minimal.
 6. Authorities should take necessary measures to ensure that election campaigning be conducted in an atmosphere free from intimidation and fear of retribution, and undertake effective campaign oversight by conducting thorough investigations into all campaign-related offences. Campaign regulations should be fully adhered to and perpetrators prosecuted for applicable criminal and administrative offences.
 7. Authorities should implement mechanisms to ensure a clear separation between the State and party to prevent candidates from using the advantage of their office for electoral purposes. In addition, an effective sanctioning mechanism against the misuse of administrative resources should be established.
 8. The legal framework should be amended to bring it in line with international obligations on freedom of expression and media freedom. All media related cases should be dealt with in compliance with Article 10 of the ECHR on freedom of expression and relevant ECtHR case law.
 9. As previously recommended, the authorities should refrain from applying anti-terrorism legislation to prosecute journalists based solely on the content of their reporting. Defamation, libel, and insult of state officials should be decriminalized. Media outlets should be able to operate free from intimidation or pressure.
 10. To ensure voters are able to vote free from intimidation and fear of retribution, the police presence in and around polling stations should be limited to ensuring public order and safety. In line with good international practice, only the BBC chairperson should have authority to call the law enforcement officers into the polling station.
 11. The constitutional safeguard that prohibits amendments to election legislation to be applied to elections within one year from adoption should be adhered to in line with international good practice. In addition, any amendments to the legal framework should be adopted in an inclusive manner, including public consultation.

B. OTHER RECOMMENDATIONS

Legal Framework

12. To provide a fully democratic basis for the conduct of elections, constitutional and legislative reform should ensure broad guarantees for fundamental freedoms of association, assembly, expression, and electoral rights.

Electoral System

13. To ensure equality of the vote, the system of seat distribution should be reviewed to address the disproportion of the ratio of voters to parliamentary mandates.

Election Administration

14. Legal and administrative measures could be taken to promote women's membership on election boards.
15. The decision-making at the SBE should be in line with the constitution and legislation. To safeguard the impartiality of the election administration and prevent conflicts of interest, candidates and elected officials could be restricted from serving on election boards.

Voter Registration

16. Voting rights for military cadets and conscripts should be reinstated and other blanket restrictions on suffrage rights should be removed. The election legislation should be harmonized with the objectives of the CRPD, to ensure the full voting rights of persons with mental disabilities, including the right to request assistance to vote from a person of their choice.
17. Consideration should be given to enabling eligible voters in hospitals and in women shelters to vote.

Party and Candidate Registration

18. The discriminatory candidate eligibility requirements on education and fulfillment of military service should be reviewed in line with international obligations. The conditions for withdrawal and restitution of candidacy rights of convicts should be proportional to the crime committed.
19. The procedure for collecting supporting signatures should not be overly burdensome and act as a barrier to candidacy. Consideration should be given to lowering the threshold for returning the electoral deposit to parliamentary independent candidates who receive a certain number of votes.
20. Consideration should be given to introducing temporary special legislative measures to promote women candidates, including gender quotas and placing women in winnable positions.

Campaign

21. To ensure conditions for an equitable campaign environment, consideration could be given to amend the law and to provide that all campaign prohibitions, including on misuse of administrative resources, apply from the calling of the elections. Further, the law should ensure that the campaign rules apply equally to the incumbent president and do not offer any undue advantages in the campaign.

Campaign Finance

22. An expenditure ceiling could be introduced to provide contestants with an equality of opportunity.
23. To enhance the effectiveness of the oversight consideration could be given to mandate a single authority to conduct audits and publish its conclusions. To enhance transparency, contestants' campaign finance reports, including of affiliated third parties, could be submitted prior to election day and published in a timely manner. In addition, effective, proportionate and dissuasive sanctions for breach of campaign finance regulations could be introduced.

Media

24. The public broadcaster should adhere to the legal requirements and ensure equitable, fair and impartial campaign coverage, including on news and paid advertisement.
25. To enhance transparency of campaign coverage in the media, the Radio and Television Supreme Council's media monitoring results should be made public at regular intervals and in a timely manner. The legal powers to sanction private media for violations of campaign provisions should be returned to the SBE.

Complaints and Appeals

26. To provide for effective means of redress of election disputes, the legal framework should be amended to provide for an independent judicial body to review SBE decisions. Moreover, the Constitutional Court should have jurisdiction in cases against the SBE concerning alleged violations of constitutionally-protected rights.
27. To increase the efficacy of the dispute resolution process, the SBE and lower-level boards should increase efforts to substantively consider all complaints and appeals and to provide reasoned decisions in line with the legislation.

Citizens and International Observers

28. As previously recommended, the election law should be amended to allow for international and citizen observation, in line with paragraph 8 of the 1990 OSCE Copenhagen Document. Observers should be granted access to all phases of the electoral process, including voting, counting, and tabulation. Adequate regulations for the accreditation of observers should be introduced.

Election Day

29. It is recommended that the number of surplus ballots be limited and regulated by the SBE. In order to enhance transparency, the number of ballots printed and distributed could be adjusted to the needs of each election and polling station. The number of ballots received by the polling station should be recorded in the polling station logbook prior to the opening of the polls.
30. The SBE should prioritize the training for all election commission members, including those nominated by political parties, with a focus on eliminating errors and omissions in the work of the BBCs related to counting procedures and completion of protocols.
31. In line with international obligations, the election administration should consider additional measures to ensure that voters with disabilities, including voters with the visual impairments, can vote independently.
32. In order to enhance transparency, consideration could be given for authorized personnel inside polling stations to be appropriately identified. Chairpersons of BBCs and DEBs should be given clear instructions about the rights and entitlements of authorized persons including officially accredited observers.
33. In line with international good practice, the law could be amended to prescribe that BBC results be transported to the DEB by the BBC chairperson jointly with two members representing opposing sides.
34. As previously recommended, to enhance transparency and build trust in the election administration, the SBE could publish preliminary results disaggregated by district and polling station, including the number of registered voters and those who voted, as well as the number of votes cast for each party and candidate. The SBE could publish such data on its website immediately after the submission of BBC protocols.

ANNEX I: FINAL RESULTS

Number of ballots printed for the presidential election	77,079,540
Number of ballots printed for parliamentary elections	77,079,540
Number of registered voters in country	56,322,632
Number of registered voters out of country	3,047,328
Total number of registered voters	59,367,469
Total number of female registered voters	30,018,675
Total number of male registered voters	29,351,285
Number of voters who voted	51,189,444
Number of valid ballots	50,137,175
Number of invalid ballots	1,052,269
Total number of votes cast	51,184,283
Turnout (percentage)	86.22

Presidential Candidates	Number of votes received	Percentage
Recep Tayyip Erdoğan	26,330,823	52.59
Muharrem İnce	15,340,321	30.64
Meral Akşener	3,649,030	7.29
Selahattin Demirtaş	4,205,794	8.40
Temel Karamollaoğlu	443,704	0.29
Doğu Perinçek	98,955	0.20

Political Party	Number of votes	Percentage	MPs	Women MPs
AKP	21,338,693	42.56	295	53
CHP	11,354,190	22.65	146	18
MHP	5,565,331	11.10	49	4
HDP	5,867,302	11.70	67	26
İYİ Party	4,993,479	9.96	43	3
Felicity Party	672,139	1.34	0	0
Patriotic Party	114,872	0.23	0	0
Free Cause Party	155,539	0.31	0	0
Independent candidates	75,630	0.15	0	0
Total	50,137,175	100.00	600	104

Source: SBE decision no. 953, 4 July 2018.

ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

OSCE Parliamentary Assembly

Ignacio	SANCHEZ AMOR	Special Co-ordinator	Spain
Peter	OSUSKY	Head of Delegation	Slovak Republic
Lukas	MUSSI	Staff of Delegation	Austria
Muna	DUZDAR	MP	Austria
Roman	HAIDER	MP	Austria
Reinhold	LOPATKA	MP	Austria
Güler	TURAN	MP	Belgium
Olivier	HENRY	MP	Belgium
Rita	BELLENS	MP	Belgium
Kristian	VIGENIN	MP	Bulgaria
Boris	YACHEV	MP	Bulgaria
Milovan	PETKOVIĆ	Staff of Delegation	Croatia
Robert	PODOLNJAK	MP	Croatia
Kyriakos	KYRIAKOU-HADJIYIANNI	MP	Cyprus
Irene	CHARALAMBIDES-PAPAPAVLOU	MP	Cyprus
Silvia	DEMIR	Staff of Delegation	Czech Republic
Pavel	PLZAK	MP	Czech Republic
Zdenek	ONDRACEK	MP	Czech Republic
Karla	MARIKOVA	MP	Czech Republic
Jan	HORNIK	MP	Czech Republic
Pernille	DELEURAN	Staff of Delegation	Denmark
Soeren	SOENDERGAARD	MP	Denmark
Sereine	MAUBORGNE	MP	France
Francois	JOLIVET	MP	France
Bruno	LEGRAIN	Staff of Delegation	France
Aude	BONO VANDORME	MP	France
Paul Viktor	PODOLAY	MP	Germany
Markus	FROHNMAIER	MP	Germany
Canan	BAYRAM	MP	Germany
Kirsten	LÜHMANN	MP	Germany
Gyde	JENSEN	MP	Germany
Tim	KNOBLAU	OSCE PA Secretariat	Germany
Georgios	VAREMENOS	MP	Greece
Maria	THELERITI	MP	Greece
Theodora	CHACHLAKI	Staff of Delegation	Greece
Zsolt	CSENGER-ZALAN	MP	Hungary
Francesco	PAGANI	OSCE PA Secretariat	Italy
Sauytbek	ABDRAKHMANOV	MP	Kazakhstan
Kenes	ABSATIROV	MP	Kazakhstan
Mikhail	BORTNIK	MP	Kazakhstan
Dulat	KUSTAVLETOV	MP	Kazakhstan

Bard Andre	HOKSRUD	MP	Norway
Grzegorz	FURGO	MP	Poland
Piotr	APEL	MP	Poland
Barbara	BARTUS	MP	Poland
Robert	MAMATOW	MP	Poland
Jacek	WLOSOWICZ	MP	Poland
Jose	MEDEIROS	MP	Portugal
Petru	MOVILA	MP	Romania
Costel-Neculai	DUNAVA	MP	Romania
Costel	ALEXE	MP	Romania
Andrei-Gabriel	POPA	Staff of Delegation	Romania
Pavel	FEDIAEV	MP	Russian Federation
Artem	TUROV	MP	Russian Federation
Marina	YAKOVLEVA	Staff of Delegation	Russian Federation
David	CARRACEDO	MP	Spain
Margareta	CEDERFELT	MP	Sweden
Cecilia	MAGNUSSON	MP	Sweden
Edward	RIEDL	MP	Sweden
Fredrik	SVENSSON	Staff of Delegation	Sweden
Margareta	KIENER NELLEN	MP	Switzerland
Jennifer	HILTON	MP	United Kingdom
Iryna	SABASHUK	OSCE PA Secretariat	Ukraine
Scott	RAULAND	US Helsinki Commission Staff	United States of America
Everett	PRICE	US Helsinki Commission Staff	United States of America
Nathaniel	PARRY	OSCE PA Secretariat	United States of America

Council of Europe Parliamentary Assembly

Olena	SOTNYK	Head of Delegation	Ukraine
Arman	DARBINYAN	PACE Secretariat	Armenia
Stefan	SCHENNACH	MP	Austria
Sabir	HAJIYEV	MP	Azerbaijan
Nikolaj	VILLUMSEN	MP	Denmark
Jaak	MADISON	MP	Estonia
Marianne	MIKKO	Rapporteur of Monitoring Committee	Estonia
André	VALLINI	MP	France
Bertrand	SORRE	MP	France
Jennifer	DE TEMMERMAN	MP	France
Maryvonne	BLONDIN	MP	France
Nicole	DURANTON	MP	France
Gael	MARTIN MICALLEF	Venice Commission	France
Franck	DAESCHLER	PACE Secretariat	France
Daniele	GASTL	PACE Secretariat	France
Matern	von MARSHALL	MP	Germany
Tabea	RÖSSNER	MP	Germany
Attila	TILKI	MP	Hungary
Rosa Bjork	BRYNJOLFSOTTIR	MP	Iceland
Sonia	SIRTORI	PACE Secretariat	Italy
Andrea	RIGONI	MP	Italy
Adele	GAMBARO	MP	Italy
Florian	KRONBICHLER	MP	Italy

Nathalie	BARGELLINI	PACE Secretariat	Italy
Mirjana	LAZAROVA-TRAJKOVSKA	Venice Commission	The former Yugoslav Republic of Macedonia
Petra	STIENEN	MP	Netherlands
Edite	ESTRELA	MP	Portugal
Concepcion	De SANTA ANA	MP	Spain
Iryna	GERASHCHENKO	MP	Ukraine
Cheryl	GILLAN	MP	United Kingdom
David	BLENCATHRA	MP	United Kingdom
Tara	BLENCATHRA	Accompanying person	United Kingdom

OSCE/ODIHR EOM Short-term Observers

Mira	HOXHA	Albania
Uarda	CELAMI	Albania
Dominik	RASTINGER	Austria
Tobias	BURGHARDT	Austria
Teresa	EXENBERGER	Austria
Iris	OROURKE	Austria
Philipp	HERMANN	Austria
Gunel	SAFAROVA	Azerbaijan
Shirzad	MAMMADLI	Azerbaijan
Sabine	CAPART	Belgium
Gilles	LANDSBERG	Belgium
Nicolai	DRUTSKOY SOKOLINSKY	Belgium
Hélène	DE BOCK	Belgium
Ashley	DUREC	Canada
Marianka	MACKOVA	Czech Republic
Petr	ŠMEJKAL	Czech Republic
Tomáš	EVAN	Czech Republic
Marie	MOHLEROVÁ	Czech Republic
Petra	NETUKOVÁ	Czech Republic
Tomas	VLACH	Czech Republic
Jan	NĚMEC	Czech Republic
Sarka	HAVRANKOVA	Czech Republic
Jana	NOVOTNA	Czech Republic
Klaus	KOENIG	Denmark
Jorgen	HOXER	Denmark
Pia	CHRISTMAS-MØLLER	Denmark
Helle	IBSEN	Denmark
Thomas	BOSERUP	Denmark
Karen	SKIPPER	Denmark
Mette	SELCHAU	Denmark
Claus	WINTOP	Denmark
Bo	WEBER	Denmark
Tom	HØYEM	Denmark
Michael	STRAND	Denmark
Mikael	LAIKRE	Estonia
Paula	HÄKKÄNEN	Finland
Henri	TELKKI	Finland
Janne	AHOLA	Finland

Katja-Helena	GREKULA	Finland
Laura	SIMILOWSKI	France
Antoine	MEYER	France
Pierre	GOUDIN	France
Sylvain	OLLIER	France
Emmanuelle	CERF	France
Pascal	DELUMEAU	France
Cécile	POLIVKA	France
Pascal	VAGOGNE	France
Julien	VELCOF	France
Mounia	MALKI	France
Pascale	LE HEL	France
Nadia	YAKHLAF-LALLEMAND	France
Peggy	CORLIN	France
Laurent	LEMARCHAND	France
Ossama	KAMEL	France
Mandana	AFSHAR	Germany
Helmuth Josef	SCHLAGBAUER	Germany
Frank	AISCHMANN	Germany
Markus	VOGEL	Germany
Brigitte	SCHMID	Germany
Frens	STOECKEL	Germany
Birgit	DAIBER	Germany
Elisabeth	SCHMITZ	Germany
Bernhard Thomas Otto	HECK	Germany
Rebecca	MEIER	Germany
Detlev	PALLUCH	Germany
Gottfried	BRAMER	Germany
Jochen	FREDE	Germany
Edith	MÜLLER	Germany
Kurt	HIRSCHLER	Germany
Matthias	DORNFELDT	Germany
Seppgerd	GERSBECK	Germany
Michael	SAURER	Germany
Nikolai	LINK	Germany
Janosch	KULLENBERG	Germany
Dirk	NEUMEISTER	Germany
Sonja	SCHIFFERS	Germany
Robert	WERNER	Germany
Jens	KREIBAUM	Germany
Thomas	LESZKE	Germany
Martin Hermann	NÖLLE	Germany
Franz	PABST	Germany
Regine Luise	REIM	Germany
Wolfgang	MOSER	Germany
Helmut	BROCKE	Germany
Thomas	DOEHNE	Germany
Henning	HORSTMAYER	Germany
Isabel	OLMA	Germany
Matthias Paul	ZELLER	Germany

Günter	LANG-LENDORFF	Germany
Ilona	SALABA	Germany
Juergen	WINTERMEIER	Germany
Barbara Henriette	WÄGERLE	Germany
Erik	WEBER	Germany
Angelika	MATTKE	Germany
Ingo	SCHIERMEYER	Germany
Petra	DACHTLER	Germany
Rüdiger Friedrich Uwe	DANAPEL	Germany
Tamas	MICHAUD	Hungary
Krisztina	WITTEK	Hungary
Anna	SZUCS	Hungary
Zsofia Boglarka	TARDOS	Hungary
Adam Imre	SZUCS	Hungary
Aron	ALBERT	Hungary
Karl Ove Lennart	JANSSON	Iceland
Hildur Edda	EINARSDOTTIR	Iceland
Seamus	MARTIN	Ireland
Niall	GORMLEY	Ireland
Steve	WRENN	Ireland
Gilberto	PELOSI	Italy
Veronica	FRASGHINI	Italy
Lucrezia	ARESI	Italy
Daniele	LENCI	Italy
Chiara	STEINDLER	Italy
Tilman	ALEKSEJ	Italy
Algirdas	GOSTAUTAS	Lithuania
Justina	TYLAITE	Lithuania
Popovski	FILIP	The former Yugoslav Republic of Macedonia
Uyanga	BATZORIGT	Mongolia
Munkhnaran	AVIRMED	Mongolia
Daan	EVERTS	Netherlands
Gerrit Jan	BOUWHUIS	Netherlands
Marc	BENTINCK	Netherlands
Diederik	HINDRIKS	Netherlands
Johannes	VAN OORT	Netherlands
Peter Henk	ESHUIS	Netherlands
Judith	KIERS	Netherlands
Sellina	VAN BRUGGEN	Netherlands
Henk	GRAAFLAND	Netherlands
Michiel	IRISH' STEPHENSON	Netherlands
Robert	BOSCH	Netherlands
Margriet	TEUNISSEN	Netherlands
Toril	LUND	Norway
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Jehodit Thamar	Orland	Germany
John	Burke	Ireland
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Willem	Voorhuijzen	Netherlands
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Oyvind	Seim	Norway
Robert	Hall	Sweden
Thomas	Holzer	Switzerland
Stefan	Ziegler	Switzerland
Zouhal	Avzalchoeva	Tajikistan
Bernard	Quoroll	United Kingdom

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Rashad	Shirinov	Azerbaijan	
Miso	Imamovic	Bosnia and Herzegovina	
Marla	Morry	Canada	
Harald	Jepsen	Denmark	
Lela	Tsaava	Georgia	
Elissavet	Karagianidou	Greece	
Max	Bader	Netherlands	
Tomasz	Janczy	Poland	
Przemyslaw	Wasik	Poland	
Roman	Railean	Romania	
Kira	Kalinina	Russian Federation	
Sasa	Pokrajac	Serbia	
Merce	Castels Vincente	Spain	
Anders	Eriksson	Sweden	
Polyna	Lemos	United Kingdom	
Peter	Booker	United Kingdom	

ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance and non-discrimination**, ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihr).