



ASSOCIATION FOR MONITORING EQUAL RIGHTS

Special Issue: Independent Election
Observation
July 2011



The election observation was carried out as an independent activity comprised of the observation and reporting phases to ensure democratic elections and the equal enjoyment of citizens' rights to vote and be elected.

1

46 NGOs joined their efforts under the Independent Election Observation Platform to observe the elections in line with international standards for the first time in Turkey

2

Activities took place in 10 provinces at 404 locations and 662 ballot boxes

The Parliamentary Elections for the XXIVth Term held on 12 June 2011 were observed by the Independent Election Observation Platform comprised of 46 NGOs under the coordination of the Association for Monitoring Equal Rights. Election Observation committees observed elections in Adana, Adıyaman, Diyarbakır, Edirne, İstanbul, İzmir, Mersin, Şanlı Urfa, Van and Trabzon in 404 locations and 662 ballot boxes.



Election Observation Methodology

International documents on Election Observation **1** and the reports of international organizations who previously observed elections in Turkey were examined.

On March 2-3 2011, a two-day training workshop **2** was held in Istanbul with the support of OSCE/ODIHR and the participation of representatives of disadvantaged groups in order to formulate an election observation methodology for Turkey.

The methodology was shared with NGOs at **3** workshops organized in Diyarbakır, Edirne, İzmir, İstanbul, Mersin, Ş.Urfa, Van and Trabzon. Indicators were developed with the input from these workshops.

The Independent Election Observation Platform **4** was founded under the coordination of AMER and the participation of 46 NGOs to systematically observe the June 12 Elections.

The independent observation process is comprised of three stages: 'Pre election observation', 'Election Day Observation' and 'Post Election Observation' including the stages of the creation of voter registers, selection of candidates, election campaigns, informing and training of voters.

5 In line with the international human rights conventions in which Turkey is a signatory party, and the Turkish legislation, on April 13, 2011 AMER made a written application to the Supreme Board of Elections to receive formal accreditation for independent election observation. The SBE denied accreditation with decision 384, dated April 16, 2011 on grounds of articles 25, 81 and 82 of the Law on the Basic Provisions of Elections and Voter Registers.

'The Independent Election Observation Report was prepared based on the observations of the election observation committees, information notified by voters, the answers given by authorities to the

6 Representatives of the 46 NGOs gathered in Ankara on June 5 2011 to make logistic preparations and create an observation form to independently observe the June 12 elections in line with the rights granted by international conventions.

7 The names of the people in the election observation committees were notified to the provincial electoral boards on June 11, 2011.

8 Calls were made to voters to become 'Equality Observers' through social media and other instruments. Calls were received throughout the day on June 12 reporting violations. Violations were notified to the observation committees located in the area.

Observing Election Day: Findings



The physical conditions of disabled and elderly citizens were not considered in determining polling station locations.

Votes were cast by different individuals standing in for voters who were illiterate or disabled;

Polling station officials were reported to assist voters inside the polling booths;

Violation of the principle of 'public count' was reported in many polling stations where voters were not permitted to watch the counting;

A majority of disabled people and the elderly were unable to access the locations of the polling station. Voters in such conditions were either carried by people to the polling station or cast their votes in the open under the supervision of the ballot box committee members.

Adiyaman, Diyarbakir, Sanliurfa and Van out of the 10 pilot provinces cause suspicions that collective voting may have taken place or the votes may have been cast on behalf of the voters

Regulating public order in the polling station area in conjunction with article 83 regulating the security measures and prohibited acts in the polling station area and SBE Circular No 135;

Polling stations were not established in hospitals, student dormitories or in special care centers.

Voters who were not reside in their residence place on election day, including students, seasonal workers, travellers were not able to vote.

There were election campaign materials in public space.



Recommendations

Article 26 of the Parliamentary Elections Law No. 2839 on the format of ballots should be amended to ensure equality between political parties and independent candidates

Article 76 of the Constitution should be amended to reduce the acceptable age for candidacy from 25 to 18;

Necessary legal arrangements should be made to allow for the judicial review of SBE decisions,

All stages of the election process should be made accessible to independent non-partisan observation;

Article 26 of the Parliamentary Elections Law No. 2839 on the format of ballots should be amended to ensure equality between political parties and independent candidates;

Article 33 of the Parliamentary Elections Law should be amended to reduce the 10% electoral threshold;

The article of the Parliamentary Elections Law 2839, regulating state aid to political parties should be amended to accommodate for state aid to be given to all political parties based on the percentage of votes they have received;

The Law on Political Parties should be re-drafted with an understanding that allows everyone to take part in politics, ensures internal party democracy and transparency of political parties,

Article 7 of LBPEVR should be amended to grant

- Article 33 of Law No. 298 on Basic Provisions for Elections and Voter Registers should be amended to make arrangements for the registry of the homeless, those residing in women's shelter homes, nursing homes for the elderly and care centres for the disabled;
- Article 52 of Law No. 298 on the Basic Provisions of Elections and Voter Registers should be amended to repeal provisions causing inequality between political parties and independent candidates running in the elections;
- Citizens who are deleted from the voter registers or who have just been included should be informed of their situation;
- Voter registers should be rearranged to include information on citizens' age and disabilities; polling stations that accommodate for such disabilities should be assigned to these citizens,
- Mentally disabled individuals should be registered in the voter registers only after it has been determined whether they have the power of discretion; whether or not mentally disabled citizens have a legal guardian should not be a determinant in granting voter rights,

The election date should be determined in consideration of seasonal workers and the academic year

- Polling stations located in areas where there are only a few voters should be joined with the closest polling stations in order to ensure that the voters preferences are not indirectly disclosed;
- Policies and legislation should be developed to overcome barriers and encourage disadvantaged groups in the exercise of the right to vote and be elected;
- Legislation on the freedom of expression and association should include arrangements enabling the effective use of the right to vote and be elected;
- The election date should be determined in consideration of seasonal workers and the academic year;
- A time period covering at least 3 days should be determined as voting dates;
- Mobile polling station committees should be established for disabled citizens and the elderly who cannot leave their homes;
- The media and political parties should refrain from using defaming, humiliating and discriminatory expressions in their discourse; this should be safeguarded by legal arrangements;
- The SBE should carry out an analytical study after each election to identify voters who did not/could not vote and share the findings with the public

THE INDEPENDENT ELECTION OBSERVATION PLATFORM

1. ANADOLU DISABILITY ASSOCIATION- TRABZON
2. ADANA WOMEN'S SOLIDARITY CENTRE AND SHELTER HOME ASSOCIATION -ADANA
3. MEDITERRANEAN MIGRATION ASSOCIATION - MERSİN
4. MEDITERRANEAN WOMEN'S COOPERATIVE - ADANA
5. BAŞAK CULTURE AND ART FOUNDATION - İSTANBUL
6. BUCA DISABILITY ASSOCIATION - İZMİR
7. CIVIL SOCIETY IN THE PRISON SYSTEM - İSTANBUL
8. ÇİĞLİ EVKA 2 WOMEN'S CULTURE HOUSE (ÇEKEV)- İZMİR
9. DİYARBAKIR SPORTS CLUB FOR THE VISUALLY IMPAIRED
10. EDROM - EDİRNE
11. EĞİTİM-SEN DİYARBAKIR BRANCH
12. ERDEM-DER - VAN
- 13. ASSOCIATION FOR MONITORING EQUAL RIGHTS**
14. PHYSICAL DISABILITY ASSOCIATION - MERSİN
15. SPORTS CLUB FOR DISABLED YOUTH -ADANA
16. GÖZ-DER - İSTANBUL
17. ASSOCIATION FOR PATIENTS AND PATIENT RIGHTS - İSTANBUL
18. HUMAN RIGHTS RESEARCH ASSOCIATION -İHAD-İZMİR
19. HUMAN RIGHTS ASSOCIATION HEADQUARTERS
20. HUMAN RIGHTS ASSOCIATION (İHD) ADANA OFFICE
21. HUMAN RIGHTS ASSOCIATION (İHD) ADIYAMAN OFFICE
22. HUMAN RIGHTS ASSOCIATION (İHD) DİYARBAKIR OFFICE
23. HUMAN RIGHTS ASSOCIATION (İHD) HATAY OFFICE
24. HUMAN RIGHTS ASSOCIATION (İHD) MERSİN OFFICE
25. HUMAN RIGHTS ASSOCIATION (İHD) İZMİR OFFICE
26. HUMAN RIGHTS ASSOCIATION (İHD) TRABZON OFFICE
27. HUMAN RIGHTS ASSOCIATION (İHD) URFA OFFICE
28. HUMAN RIGHTS ASSOCIATION (İHD) VAN OFFICE
29. İSTANBUL MIGRATION ASSOCIATION
30. İZMİR ROMA ASSOCIATION
31. KA-DER WOMEN'S CENTRE ADANA OFFICE
32. BLACKSEA WOMEN'S SOLIDARITY ASSOCIATION - TRABZON
33. KÜRDİ ASSOCIATION HEADQUARTERS- DİYARBAKIR
34. KÜRDİ ASSOCIATION URFA OFFICE
35. KÜRDİ ASSOCIATION VAN OFFICE
36. MAZLUM-DER İZMİR OFFICE
37. MAZLUM-DER DİYARBAKIR OFFICE
38. MAZLUM-DER VAN OFFICE
39. MERSİN ASSOCIATION FOR THE ORTHOPEDICALLY DISABLED
40. MERSİN ASSOCIATION FOR PHYSICAL DISABILITY
41. DISABILITY FOUNDATION - İSTANBUL
42. SELİS WOMEN'S ASSOCIATION - DİYARBAKIR
43. TRABZON ASSOCIATION FOR THE HEARING IMPAIRED
44. TURKISH WOMEN'S ASSOCIATION TRABZON OFFICE
45. URFA HOME OF LIFE WOMEN'S SOLIDARITY ASSOCIATION
46. VAN WOMEN'S ASSOCIATION
47. VAN MIGRATION ASSOCIATION



www.esithaklar.org

esithaklar@gmail.com

Phone: + 90 212 293 63 73