

Local Elections Observation Summary Report

TURKEY

30 March 2014

Independent Election Monitoring Platform was found in 2011 by 48 NGOs working in different thematic areas¹ and cities in Turkey by the initiation of Association Of Monitoring Equal Rights (AMER). The platform has no direct or indirect relation with any political party or candidate. The platform monitors and reports the elections in Turkey within the framework of conventions on human rights² and democratic standards. Independent Election Monitoring Platform gathers data on the use of equal rights to vote by women, persons with disabilities, LGBTIs, groups with different ethnic and religious identities, illiterate persons, forcibly displaced persons and elder voters and then reports them.

The platform observed XXIV Parliamentary Elections in 10 cities in June 2011 and reported³. The number of the cities was extended to 17 at the Local Elections held in in the 30 March 2014 and the members and volunteers of the platform through their conducted independent election observation in Adana, Adıyaman, Ankara, Diyarbakır, Edirne, Eskişehir, Hatay, İstanbul, İzmir, Manisa, Mersin, Ordu, Urfa, Trabzon, Van, Ağrı and Yalova.

AMER applications to Supreme Electoral Board (SEB) for receiving the status of Independent Election Observer, which is provided to the NGOs in democratic countries, were rejected for two times even if there was not a decision of prohibition in the framework of democratic monitoring right and without influencing the election process. The independent election observation during the Election Day was conducted openly through informing the Supreme Electoral Board in Turkey of the above-mentioned cities about the working aim of the monitoring board and the names of the people in the board.

The data in the report has been obtained by official statistics, the applications for the right to information act, media reviews and observations of the Election Day by the members of the platform using standard observation forms produced by AMER in the frame of international standards.

Pre-Election Process

Turkey went to the 30 March Local Elections while on the one hand it had a tense social atmosphere developed by the government's policy towards civil right actions/protests known as 'Gezi Protests' by the public; on the other hand, it had a

¹The platform is composed of the NGOs working in the field of women, disabled persons and ,

²Universal Declaration of Human Rights, UN Convention on Social and Political Rights, The Convention on the Elimination of All Forms of Discrimination against Women, UN Convention on the Rights of Persons with Disabilities, and European Convention on Human Rights.

³ <http://www.esihaklar.org/english/election-monitoring-reports/>

political tense created by the operation which included the corruption investigation about four ministers of the party in power and their relatives, and about several businessmen. Surrounding media, and felt in everywhere and every field social/political tension which turned into direct attack lead to many incidents and during these incidents some citizens died.

Political parties, leaders and media did not efficiently make a point of undermining the tension so many examples of discriminatory, exclusionary talk and hate speech took place in the demonstrations and press media.

As an electoral authority Supreme Electoral Board and the state institutions, which are responsible to take measures for the use of right to freedom of expression, organize and participate in government by everyone, did not discharge their responsibilities.

As a result, the tensest election and the most contentious one with regards to its results and legality in Turkey's history took place on March 30th. The 30 March Elections brought clearly up that Turkey needs to democratize its political party and electoral legislation in the framework of international human rights standards.

Findings:

Electoral Authority

The Supreme Electoral Board in Turkey is responsible for all the works related with the elections, including the process from the registering for the electoral roll to the confirmation of the results.

Electoral Roll

In Turkey, electoral roll is formed and updated according to address-based population registration system. The existing system for forming the electoral rolls:

1. It deprives homeless people who live in the streets, the women who live in the Women Guest Houses, Romani people and forced migrants of right to vote.
2. There is no notification to the people whose registrations are canceled and there are cases in which people's registrations were cancelled although they did not change their addresses.
3. A double standard is applied to the preparation of electoral roll for mentally disabled people. While some of the mentally disabled people who are appointed a guardian are registered, some of them are not registered.
4. The right to vote of registered mentally disabled people is abused. Their votes are used by their family or their workmates in the institutions where they are under nursing.
5. The electoral rolls can be checked through the muhtar (an officer in a neighborhood) and Supreme Electoral Board's website but most of the muhtar's buildings are not designed for the convenience of the disabled and old people. SEB's website is not appropriate for the use of sight-disabled people.
6. The post of the electoral roll is not useful to check for those who are illiterate, sight-disabled and non-Turkish speaker.

7. There are still registrations of the people whose registrations have to be cancelled legally (in such cases of death, appointment of a guardian, and conviction for negligence).
8. There are deficits in the address-based population registration system, which constitutes the base of forming electoral roll.

Political Parties/Candidate Process

1. Political Parties determined their candidates through appointment by the center as in the previous ones.
2. The disabled people, Romanis and LGBTIs who applied to be candidate for nomination did not receive a place which can be elected from the list.
3. There is no policy of political parties for preventing the discrimination in the process of nomination.
4. None of the political parties/ candidates declared their election expenses and resources.

Right to Propagate

1. Right to propagate is the common point of freedom of expression, right to organization and freedom of information which are under secure of the state.
2. YSK decided that the language of the political advertisement in the radio and TV has to be Turkish. This decision is the abuse of the freedom of information of those who cannot speak Turkish.
3. Many election offices, political party meetings, and their candidates were attacked during the propaganda process. Although the government was alerted about the prospective events, it did not take the necessary measures and the necessary investigations were not carried out by the prosecution offices.
4. The ban on the social media coinciding with the propaganda process violated voters' right to information act and the "small" political parties' right to propagate since they used the social media because of their lack of resources.
5. The provisions of Highway Traffic Law and Misdemeanor Law were used as an instrument of restricting the right to propagate.
6. The political parties/ candidates, in general, did not have equal opportunities in using media. The media ignored the "small" political parties and independent candidates.

Election Day

1- In general, the voters did not have enough information about the voting procedure. Illiterate and non-Turkish speakers had difficulties during the voting process.

2- Ballot box committee chairperson and members were not sufficiently knowledgeable about the voting operation process. Mostly they did not inform the voter about the voting procedure.

- 3- Only a few of the ballot box committee chairperson and members were women. Committees consisted mainly of men.
- 4- Although it is forbidden by Supreme Electoral Council of Turkey, in some places ballot box committee chairperson and members entered into the polling booths beside the voters.
- 5- Ballot papers were not appropriate for illiterate and visually disabled people.
- 6- Lack of any symbol, logo or visual representing the independents candidates on the ballot paper causes inequalities between political parties and independent candidates. Illiterate voters had difficulties voting for the independents candidates.
- 7- The polling stations were the scene of show of strength by political parties/candidates.
- 8- In general, polling booths were disorganized. Lack of separate polling booths for the election of muhtars was one of main reason for this disorganization.
- 9- Most of the schools used as a polling station were not suitable for elderly or disabled people. Therefore elderly or disabled people had difficulties accessing to their right to vote. Either they could not reach the polling booths or were carried by other citizen.
- 10- The principle of open vote counting was violated. Although the entire process must be open to public scrutiny some voters were not allowed to observe during the counting of vote.
- 11- There were security forces arbitrarily standing right next to the ballot boxes or beside the table where the committee were on duty.
- 12- The majority of invalid vote is resulted from the ballot papers concerning the election of muhtar which are supposed to be in a separate envelope were mixed with others ballot papers' envelope.
- 13- At some ballot boxes there were more than one representative on duty from the same political party.
- 14- The majority of patients staying in hospitals could not vote.
- 15- Many university students whose registered addresses are different from the city where they study could not cast their vote.
- 16- The voting right was violated in some institutions that are under the administration and supervision of the state such as nursing home for elderly and disabled people. The people were oriented for a specific party.
- 17- Most of the political parties / candidates hade their campaign materials still hanged on the election day.
- 18- Some activities are held to influence the voters' choices at the entrance of the schools that are used as polling stations.

19- Secret ballot was violated at many polling stations. A majority of elderly, illiterate and disabled people had to cast their votes in the open under the supervision of the ballot box committee.

20- The seasonal workers whose registered addresses are different from the city where they work could not cast their vote.

21- Security forces laid siege at many polling stations.

22- Restricting the elections to a single day prevents a certain part of the voters from casting votes.

23- There had been obstructions to our observation councils in one for each polling stations of Trabzon, Van, Diyarbakır and İstanbul.

RESULTS / APPEALS

The Turkish local elections on March 30, 2014, is the election in which the largest numbers of invalid votes casted in recent history. This indicates that the ballot box committee and the voters had not been sufficiently trained by the Supreme Electoral Council.

After the March 30 elections, several allegations of election fraud in numerous ballot boxes were raised and votes were recounted in many places. However there was a double standard in appraising the appeals. Out of 93 places where the appeals were made for, the vote were recounted only in 2 cities, 7 districts and 5 towns.