

INTERIM REPORT
22 March – 25 April 2023

28 April 2023

I. EXECUTIVE SUMMARY

- On 10 March, the President announced that the general elections, constitutionally scheduled for 18 June, will take place on 14 May, citing coinciding events in June that could negatively affect voter turnout. Following devastating earthquakes in south-eastern Türkiye on 6 February, causing numerous fatalities and extensive infrastructure damage, and to facilitate relief and recovery efforts, on 8 February, the President declared a three-month State of Emergency in the earthquake-affected areas, subsequently approved by the Parliament.
- Voters will elect the president and 600 members of the parliament under a legal framework that last underwent substantive amendments in March 2022. These amendments introduced significant changes, such as a revised seat allocation system, changes to eligibility criteria for political parties and to the appointment of mid-level electoral councils, and positively addressing a previous ODIHR recommendation to lower parliamentary threshold. Most other ODIHR recommendations, including those related to seat distribution, voter and candidate rights, campaign finance and election dispute resolution remain unaddressed.
- The elections are administered by a four-tier structure of election bodies led by the Supreme Electoral Council (SEC). To date, election administration bodies carried out preparations largely within the legal deadlines, despite damages caused by the earthquakes. The SEC and most mid-level election councils hold *ad hoc* sessions, which are not open to the public, and despite a legal obligation to do so the SEC did not publish all of its decisions. ODIHR EOM interlocutors have expressed varied levels of trust in the election administration, with some citing a general lack of confidence in the independence of the judiciary, and concerns about the revised appointment of mid-level commissions and the lack of transparency in some aspects of the work of electoral councils.
- The voter register is maintained by the SEC. For these elections, 60,997,843 voters are registered in-country and 3,416,098 abroad. Certain restrictions on voting rights that are at odds with international standards and OSCE commitments remain. Voters could verify and update their registration data until 2 April. Most ODIHR EOM interlocutors did not raise concerns about the accuracy of the voter lists. Some, however, questioned whether a potentially high number of voters displaced due to the earthquakes, who did not register to vote in their new locations, will be able to vote. Additional concerns were raised about a decision adopted late in the voter registration process by the Council of Higher Education, to resume in-person higher education throughout the country, leaving only three days for students to register to vote at their study location.
- The SEC registered 4 presidential candidates and parliamentary candidate lists from 24 political parties. The parliamentary elections will be contested by a total of 13,037 candidates on 1,849 registered candidate lists and 151 independent candidates. None of the presidential candidates are women. According to SEC, women make up some 25 percent of the parliamentary candidates. The SEC received multiple objections with respect to its decisions on accepting or denying the registration of presidential candidates. All objections, including those concerning the eligibility of three presidential candidates, among them the incumbent, were rejected.

- The regulated campaign period commenced on 18 March for the parliamentary and 31 March for the presidential election. All ODIHR EOM interlocutors opined that the elections provide voters with a genuine choice between political alternatives. Parties are actively campaigning throughout the country and rely on social networks to promote their campaign messages, which include recovery following the earthquakes, national defence, and the status of the economy. Contestants from across the political spectrum have mutually used inflammatory messages and harsh language, including online. Some ODIHR EOM political party interlocutors in south-east Türkiye alleged physical and administrative hindrances to their campaign activities, as well as pressure from state authorities on their supporters.
- By law, only individuals may donate to presidential campaigns; candidates are not eligible to receive public funding. Certain eligible political parties are entitled to receive public funding based on their prior election results, which is increased in election years. The legislation does not set limits for party and campaign-related expenses and does not require proactive monitoring or disclosure of campaign finances before election day. The law provides for sanctions for violations of the parliamentary campaign regulations, but not the presidential campaigns.
- Legislation provides for freedom of expression and media and provides contestants with impartial coverage of the campaign. However, many ODIHR EOM interlocutors noted the frequent blocking of websites, requests for content removal, and the use of legal restrictions on freedom of expression. Defamation remains a criminal offence, despite a previous ODIHR recommendation, and is regularly applied against critical journalists, largely in conjunction with terrorism-related charges. Many ODIHR EOM interlocutors raised concerns about the independence and impartiality of the Radio and Television Supreme Council (RTÜK), claiming practices of disproportionate and selective sanctions mainly aimed at opposition affiliated media outlets in recent years.
- Decisions of elections councils may be challenged to the higher-level election council; however, according to the Constitution decisions of the SEC are not subject to judicial review, despite previous ODIHR recommendations. With a lack of a legal remedy, stakeholders have submitted formal objections to the SEC, requesting the reconsideration of some of its decisions, including those related to candidate registration. The ODIHR EOM has not been informed of any SEC decisions being reversed on internal review.

II. INTRODUCTION

Following an invitation from the authorities of Türkiye to observe the general elections, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Observation Mission (EOM) on 27 March.¹ The EOM, led by Ambassador Jan Petersen, consists of a 14-member core team based in Ankara and 28 long-term observers deployed throughout the country from 7 April. Mission members are drawn from 21 OSCE participating States, and 48 per cent of mission members are women. ODIHR has requested participating States to second 350 short-term observers to observe election-day proceedings.

III. BACKGROUND AND POLITICAL CONTEXT

In January 2023, President Recep Tayyip Erdoğan announced the intention to advance the 2023 presidential elections and elections to the Grand National Assembly (parliament) from 18 June to 14 May, citing the potential impact of coinciding events in June that could adversely influence voter

¹ See previous ODIHR [election observation reports on Türkiye](#).

participation.² A series of major earthquakes occurred in south-eastern Türkiye on 6 February, resulting in substantial loss of life and extensive infrastructural devastation.³ On 8 February, the president declared a State of Emergency for a period of three months in the affected provinces to facilitate relief and recovery efforts, subsequently approved by the parliament on 9 February.⁴ In line with the constitution, on 10 March, he called for early general elections to take place on 14 May. The decision was preceded by on-site inspections conducted by the Supreme Election Council (SEC) that assessed the technical feasibility of holding elections. All political parties, including the opposition, agreed with the holding of the elections on or before the constitutionally scheduled date despite the earthquake's impact.

These elections are held following significant constitutional amendments passed by the 2017 constitutional referendum, which resulted in the transition from a parliamentary to a presidential system following the 2018 general elections. Since 2002, the political landscape is dominated by the ruling Justice and Development Party (AK Parti), currently led by President Erdoğan. In the 2018 general elections, the AK Parti, along with its coalition partner the Nationalist Movement Party (MHP), secured a majority to form a government, and Mr. Erdoğan was elected president with 52.59 percent of the vote. Prior to these current elections, both the ruling party and the opposition formed major coalitions: the People's Alliance and the Nation Alliance, respectively.⁵

Türkiye implemented a national Human Rights Action Plan in March 2021 to make necessary legal changes to enhance democratic participation. However, several international organizations have continued to express concerns about the respect for civil and political rights, in particular limitations on the freedoms of assembly and association; as well as on freedom of speech and media, including freedom of the internet.⁶ Despite a constitutional guarantee, international actors and various ODIHR

² According to the Constitution, the general elections were set to take place on 18 June. Following a cabinet meeting of 23 January, the president stated that holding elections in June, during the pilgrimage season, university entrance exams, and summer holidays, would not be suitable, and that elections on 14 May would better reflect the “national will”.

³ The National Disaster and Emergency Agency (AFAD) [reported](#) that the earthquakes resulted in at least 51,000 fatalities and displaced nearly 3 million people. In the weeks following the earthquakes, 1.6 million individuals were sheltering in the affected area, 323,000 outside, and 900,000 under their own means elsewhere. The number of missing citizens, not yet legally declared deceased, remains unknown. Over 2.2 million buildings sustained damage, affecting up to 8 million people who lived in homes that were at least partially damaged.

⁴ The affected provinces are Adana, Adıyaman, Diyarbakır, Gaziantep, Hatay, Kahramanmaraş, Kilis, Malatya, Osmaniye, and Şanlıurfa.

⁵ The governing People's Alliance consists of AK Parti, MHP, Great Unity Party (BBP), and New Welfare Party (YRP). It is supported by three other parties which do not appear on the ballot: Great Türkiye Party, Democratic Left Party (DSP), and Hüda-Par. Nation Alliance, also known as “Table of Six”, consists of Republican People's Party (CHP), Good Party (*İyi Parti*); Democracy and Progress Party (DEVA), Democrat Party (DP), Felicity Party (SP) and Future Party (GP). Other parliamentary parties running for the 2023 elections are Homeland Party (*Memleket*); Innovation Party (YP), Victory Party and Worker's Party of Türkiye (TIP). The People's Democratic Party (HDP) has chosen to run its candidates under the Green Left Party (YSP).

⁶ The [Human Rights Action Plan](#) commits to providing “foreseeable and measurable substantial guarantees and protection mechanisms at the national level with regard to human rights”. The European Commission's [2022 Report on Türkiye](#) notes that “[t]he functioning of Türkiye's democratic institutions continued to be severely hampered. [...] The human rights situation continued to deteriorate. Broad restrictions on the activities of journalists, writers, lawyers, academics, human rights defenders and critical voices continued to have a negative effect on the exercise of their freedoms.” The UN Special Rapporteur on the situation of human rights defenders, in a [press release](#) of June 2021, raised concerns that “Turkey is violating some of the pillars of international human rights law – freedom of expression, freedom of association and the right to lawfully practice one's own profession – by repeatedly depriving human rights defenders and lawyers of their freedom”. See also references on page 7 of the 2020 [Report of the Commissioner for Human Rights](#) of the Council of Europe on the general deterioration in the situation regarding human rights since 2016.

EOM interlocutors continue to raise concerns about the independence of the judiciary.⁷ Further concerns were raised about what some ODIHR EOM interlocutors perceive as systematic targeting of opposition parties and their supporters, mainly those of the People’s Democratic Party (HDP).⁸ Dissolution proceedings against the HDP, initiated in March 2021, are ongoing.⁹

Since 2018, on the basis of anti-terrorism and public security measures in relation to military operations combating international terrorism, governors in the eastern and south-eastern provinces have temporarily limited fundamental rights and freedoms, regularly. These bans have been periodically and consecutively introduced, including in the election period, for durations ranging from 5 to 15 days. Following the declaration of the State of Emergency in the aftermath of the earthquakes, the Government of Türkiye informed the UN Secretary General, the Council of Europe (CoE), and ODIHR that it would be exercising its right to derogate from certain articles of the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights (ECHR) during the state of emergency.¹⁰

The Constitution provides for the equality of men and women. However, women remain underrepresented in politics and leadership positions. In the outgoing parliament, 100 of the 577 members (17 per cent) are women. Out of 17 ministers, only one is a woman. Only 3 per cent of mayors, 2 per cent of village heads, and 11 per cent of local councillors are women.¹¹ In 2018, the government adopted the Strategy Paper and Action Plan on Women’s Empowerment to promote gender equality in all aspects of public life.¹² On 20 March 2021, Türkiye withdrew from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention).¹³

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

⁸ Since the 2019 local elections, numerous HDP mayors were replaced by government-appointed trustees due to terrorism-related charges. The European Court of Human Rights (ECtHR) ruled against Türkiye in 2020 and 2022 regarding the detention of several members of the party, including its co-leaders. According to the Parliamentary Assembly of Council of Europe (PACE) 2021 report on [Functioning of democratic institutions in Turkey](#), “[t]he attempt to close the HDP appears as the culmination of a process of continued pressure exerted against the HDP party. The procedure is going on. Regardless of its outcome, it is a worrying development which has raised the question of its political motivation ahead of the next presidential and parliamentary elections planned in 2023”.

⁹ In 2021, the Chief Public Prosecutor’s Office of the Court of Cassation initiated a closure case against HDP, accusing the party of having ties with the terrorist organization Kurdistan Workers’ Party (PKK), which is designated as a terrorist organization by Türkiye, the European Union, and several other countries, and requesting a five-year ban on political activities for 451 of its members. In a scheduled hearing on 11 April 2023, the HDP chose not to exercise its right to be heard by the Constitutional Court, claiming the case to be politically motivated. There is no deadline for the court to issue its decision.

¹⁰ These articles include, among others, the freedoms of movement, association, assembly, and expression.

¹¹ See [Leadership and Political Participation](#) by UN Women.

¹² [The Strategy Paper and Action Plan on Women’s Empowerment 2018](#), developed for the period 2018-2023, includes measures and policies to advance women’s participation in public life, and focuses on five main areas: education, economy, health, participation in decision-making mechanism, and the media.

¹³ The government cited concerns that the Convention’s references to equality and sexual orientation did not align with the country’s conservative values and traditional family structure. PACE, in its 2021 report on [Functioning of democratic institutions in Turkey](#), described this move as a “regrettable step backwards”. Subsequently, the [Fourth National Action Plan for Combating Violence against Women \(2021-2025\)](#) was announced by the Ministry of Family and Social Services.

IV. LEGAL FRAMEWORK

The elections are primarily regulated by the 1982 Constitution, 1961 Law on Basic Provisions for Elections and Voter Registers (Law on Basic Provisions), 1983 Law on Parliamentary Elections, 2012 Law on Presidential Elections, 1983 Law on Political Parties and 2017 Law on the Supreme Electoral Council (SEC). The regulations and decisions of the SEC supplement the legal framework. Despite a previous ODIHR recommendation, legislation continues to restrict fundamental rights and freedoms key to the conduct of democratic elections, and permits legislation to impose additional limitations.¹⁴ Türkiye is a party to major international and regional human rights instruments related to the conduct of democratic elections; in 2021, Türkiye withdrew from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention).¹⁵

In March 2022, upon the proposal of AK Parti and MHP, the parliament adopted Law no. 7393, which introduced several significant changes to the electoral legal framework. The changes include, among others, a lower parliamentary threshold, a revised system for seat allocation, changes to eligibility criteria for political parties to contest elections and a new method for appointment of mid-level electoral councils. CHP members of parliament unsuccessfully challenged the substance and timing of the latter amendment, arguing that the replacement of sitting judge members within three months, before their terms ended, was unconstitutional.¹⁶

The amendments incorporated previous ODIHR recommendations related to lowering the threshold for entering parliament and facilitating participation for voters with visual impairments. However, most long-standing ODIHR recommendations remain unaddressed, including those related to seat distribution among the electoral constituencies, voter and candidate rights, campaign finance regulation, non-partisan observation, and election dispute resolution. While some ODIHR EOM interlocutors welcomed the legislative changes, civil society and opposition stakeholders raised concerns about some of the amendments; in addition, in a joint legal opinion, ODIHR and the Venice commission noted that these amendments were adopted within a few weeks in a process that was not fully inclusive.¹⁷

V. ELECTORAL SYSTEM

The president is directly elected for a five-year term from a single nationwide constituency and may serve up to two terms. The Constitution allows a third term only if an early election is called by the parliament during the second term.¹⁸ Presidential candidates may be party-nominated or run

¹⁴ The Constitution includes fundamental rights and freedoms and establishes the superiority of international law over national legislation but focuses on bans and prohibitions for the protection of the state rather than broad guarantees of rights and freedoms.

¹⁵ These include the [1965 Convention on the Elimination of All Forms of Racial Discrimination](#), [1966 International Covenant on Civil and Political Rights](#), [1979 Convention on the Elimination of All Forms of Discrimination Against Women](#), [2003 Convention Against Corruption](#), and the [2006 Convention on the Rights of Persons with Disabilities](#). Türkiye is a member of the Council of Europe's Venice Commission and Group of States Against Corruption (GRECO) and is a party to the [1950 European Convention for Human Rights](#) and the [2001 Convention on Cybercrime](#). Türkiye has neither signed nor ratified the Council of Europe's Framework Convention for the Protection of National Minorities.

¹⁶ The complaint was lodged on 12 April 2022 by 136 CHP members of parliament and argued that the new method undermines the competence and independence of election administrators, judicial security, and stability of electoral law. The Constitutional Court [decision](#), issued on 28 September 2022, was unanimous on the constitutionality of the new method. However, one-third of the 15-judge panel dissented on the constitutionality of the early termination.

¹⁷ See paragraph 13 of the [Joint Opinion](#) on the Amendments to the Electoral Legislation by Law 7393.

¹⁸ Prior to 2014, the president was indirectly elected by the parliament.

independently. If no candidate obtains more than 50 per cent of the valid votes cast, a second round between the two candidates with the highest number of votes is held two weeks later.

Members of the 600-seat unicameral parliament are elected for a five-year term through a proportional system in 87 multi-member constituencies, from closed party lists or as independent candidates. Pre-electoral coalitions are allowed; however, parties running in a coalition must submit individual lists. In line with a long-standing ODIHR recommendation, the 2022 legal amendments reduced the national parliamentary threshold for parties and coalitions from 10 to 7 percent. Under a newly revised method for seat allocation, all parties, regardless of whether they run independently or as part of a pre-electoral coalition, are directly allocated seats based on the *D'Hondt* method.¹⁹

Parliamentary constituencies align with the administrative boundaries of the 81 provinces, except for four provinces divided into multiple constituencies.²⁰ In March 2023, the SEC published a decision on the redistribution of seats among constituencies based on the 2022 population data. Out of 87 electoral constituencies, 39 have over a 15 per cent deviation from the average number of citizens per mandate.²¹

VI. ELECTION ADMINISTRATION

The election administration is comprised of the SEC, 81 provincial electoral councils (PECs), 1,095 district electoral councils (DECs), and 202,638 ballot box committees (BBCs).²² Eligible political parties have the right to appoint non-voting members to the SEC and PECs, as well as full members at district and polling station levels.²³

The SEC bears overall responsibility for overseeing the conduct of elections and regulating the process. It is a permanent body composed of seven regular and four substitute members, all appointed among senior judges for six-year terms.²⁴ All SEC members are men. PECs and DECs are drawn by lot and subsequently appointed for two-year terms, to supervise the elections in their respective areas. PECs are comprised of three judges. DECs, with seven members, are chaired by a judge and comprised of two civil servants and four political party nominees. The 2022 legal amendments altered the selection

¹⁹ See Paragraph 16 of the [ODIHR and Venice Commission 2022 Joint opinion on the Amendments to the Electoral Legislation](#) which notes that this method may disfavour smaller parties within coalitions. Previously, seats were allocated in a two-stage process, first by allocating seats according to the *D'Hondt* method within electoral constituencies among the pre-electoral coalitions, parties that ran individually, and independent candidates, and then distributing the seats allocated to a pre-electoral coalition among its constituent parties.

²⁰ Istanbul and Ankara have three constituencies, and Izmir and Bursa two each. Constituencies have between 1 and 36 seats.

²¹ Paragraph I.2.2.iv of the [Venice Commission's Code of Good Practice in Electoral Matters](#) recommends that the permissible departure from the norm should not be more than 10 per cent, and should certainly not exceed 15 per cent except in special circumstances.

²² In addition, temporary DECs might be established in highly-populated districts and to facilitate out-of-country voting. The total number of BBCs include also 5,039 BBCs set up for polling stations abroad, at customs offices and for counting of out-of-country votes, 337 BBCs in penitentiary facilities and 534 BBCs appointed to conduct mobile voting.

²³ Political parties with a parliamentary group and the four political parties that received the highest number of votes in the last elections are each entitled to nominate a non-voting representative to the SEC. Political representation in lower-level councils and committees is conditioned on fulfilling these criteria at provincial and district levels. However, the membership of the political nominees for lower-level commissions automatically ceases if the political party does not stand for the upcoming elections. The status of non-voting members at the SEC pertains to representatives from AK Parti, CHP, HDP, *İYİ Party*, and MHP. In April 2023, HDP's right to be represented in electoral councils, with the exception of the SEC, was revoked as the party is not standing for the upcoming elections.

²⁴ Six members are appointed by and from among Supreme Court of Appeals judges, and five from the Council of State. Substitute members are determined by a draw, two from each body. In the current SEC composition, six members were appointed in January 2020, and five in January 2023.

method of PEC and DEC members from the judiciary. Some ODIHR EOM interlocutors voiced concerns that the new appointment procedure may increase the judicial member's susceptibility to political influence.²⁵ According to the SEC, women constitute some 11.7 per cent of the PEC and DEC members combined, and preside over some 27 per cent of PECs and 46 per cent of DEC. BBCs are appointed prior to each election to administer election-day procedures in polling stations. BBCs consist of a chairperson and a member from among civil servants and five representatives of political parties.²⁶

So far, the election administration has complied with most legal deadlines, with the exception of the finalization of the voter lists and determination of polling station locations (see *Voter Registration*). In March and April, the SEC conducted inspections in the provinces affected by the earthquakes to evaluate infrastructural damage, and found no major obstacles for the conduct of elections. However, election administration facilities in 15 districts had to be relocated, and efforts were undertaken to identify alternative locations for several polling centres. Despite the legal obligation to do so, the SEC has not made all of its decisions public.²⁷ Sessions of the SEC, PECs and DEC are not open to the public, despite prior ODIHR recommendations aimed at increasing the transparency of the election administration. ODIHR EOM interlocutors have expressed varied levels of trust in the election administration, citing a general lack of confidence in the independence of the judiciary, concerns about the revised appointment of mid-level commissions, and the lack of transparency in some aspects of the work of electoral councils.

The main training programme for election personnel is yet to start. To date, the SEC has conducted limited voter information and education activities, consisting mainly of audio-visual material and posters on changes of voter registration data, including for voters displaced due to the earthquakes, arrangements for voters with disabilities, ballot validity and modalities for voting in the country and abroad. To provide information in accessible formats, videos are accompanied with Turkish sign-language interpretation.

VII. VOTER REGISTRATION

Citizens over 18 years of age have the right to vote, with the exception of those declared legally incompetent by court, prisoners convicted of intentional crimes regardless of the severity, conscripts and students in military schools. These restrictions on voting rights are at odds with OSCE commitments and other international obligations and standards.²⁸ On 13 March, in line with its previous practice, positively the SEC issued a decision that permits all convicts outside of prison to vote, irrespective of whether their sentence is fully executed.

²⁵ As per the new method, by July 2022, PEC and DEC judiciary members were selected through a lottery process from a pool of first-tier judges, instead of the previous method of automatic assignment based on seniority in the respective area. Some ODIHR interlocutors noted that less senior judges, with limited professional experience, might be more susceptible to political pressure. In April 2023, DEC memberships were further adjusted, in accordance with the law, to include only political nominees from parties participating in the elections.

²⁶ The five eligible parties must have established local branches, received the highest number of votes in the last general elections in the district, and must have nominated candidate lists for the upcoming elections. BBCs for out-of-country voting were appointed by 12 April, and the deadline for their establishment in-country was 24 April.

²⁷ Article 5 of the 2017 Law on the Supreme Electoral Council requires the publication of SEC decisions on its website. The SEC informed the ODIHR EOM that, in practice, it only publishes decisions when they have a direct impact on the public or other stakeholders.

²⁸ Paragraph 7.3 of the [1990 OSCE Copenhagen Document](#) calls on participating States to "guarantee universal and equal suffrage to adult citizens", while paragraph 24 provides that restrictions on rights and freedoms must be "strictly proportionate to the aim of the law". Article 12 of the 2006 UN [Convention on the Rights of Persons with Disabilities](#) (CRPD) provides for the equal recognition of persons with disabilities before the law. Article 29 requires States to "guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others".

Voter registration is passive and continuous. The Law on Basic Provisions assigns the SEC overall responsibility for maintaining a central voter register, based on the civil and address registry updated by the Ministry of Interior (MoI). Voter lists were posted for scrutiny at local government offices by 20 March; voters could verify their data and request corrections or changes until 2 April. To facilitate the participation of individuals displaced by the earthquakes, administrative requirements for address changes and identification for those displaced were simplified by a SEC decision and a presidential decree.²⁹ According to the SEC, in total, around 600,000 requests for corrections and address changes were submitted, including approximately 133,000 by voters displaced due to the earthquakes.

Many ODIHR EOM interlocutors shared concerns that a potentially high number of displaced voters did not register to vote in their new locations, with some suggesting that a more extended registration period would have enabled more displaced voters to update their addresses.³⁰ Some political parties and civil society organizations informed the ODIHR EOM of their plans to offer transportation to voters affected by the earthquakes, enabling them to return to their permanent residences to vote on election day. Moreover, concerns were also raised about the 30 March decision by the Council of Higher Education, announcing the resumption of in-person education in higher education facilities throughout the country leaving only three days for affected students to register to vote at their study location.³¹

Out-of-country voting will be held between 27 April and 9 May in 177 diplomatic representations in 74 countries for 3,416,098 voters registered abroad. In addition, special voter lists will be compiled for 4,671 detained and eligible imprisoned voters. Mobile voting will be provided for 6,215 homebound voters in some urban areas. On 17 April, the SEC published the final number of voters registered in-country as 60,997,843. While most ODIHR EOM interlocutors did not raise concerns about the accuracy of the voter lists, some noted that, although not contrary to the law, voters who went missing in the earthquakes may be present on the voter lists, potentially impacting the accuracy of the voter register.

On 16 April, four days after the legally established deadline, the SEC finalized and shared with the entitled political parties the list of polling stations and voters allocated to these polling stations. As in previous elections, the SEC relocated and merged a number of polling stations based on security considerations in 12 provinces. However, the SEC did not publish the numbers and locations of the BBCs moved, the number of voters affected, or the justification for these decisions. The number of polling stations increased by some 7 per cent as compared to the 2018 general elections.

VIII. PARTY AND CANDIDATE REGISTRATION

Presidential candidates must be at least 40 years of age with a higher education. Parliamentary candidates must have a primary education and be at least 18 years old. Citizens declared legally incompetent by a court, barred from public service by court order, conscripted to military service, or convicted of a broad range of crimes may not stand for elections.³² Some categories of state officials

²⁹ On 3 March, a presidential decree provided that identification documents would be issued for free for displaced individuals. On 13 March, the SEC adopted a provision allowing earthquake-affected voters who stayed in temporary shelters to register at a technical address provided by the municipalities without requiring additional supporting documentation. By law, individuals changing their registration addresses, including due to the earthquakes, can only vote for candidates in their new place of residence.

³⁰ In the absence of reliable information, some political party and media interlocutors made estimations that the earthquakes led to the displacement of approximately 2 million citizens.

³¹ Starting on 20 February, in-person higher education was suspended nationwide to ensure that dormitories were available to provide shelter for persons displaced by the earthquakes.

³² The list of crimes includes those who have been sentenced to an imprisonment of more than one year for intentional offences and those convicted for felonies, irrespective of the imprisonment duration.

and civil servants may only stand as candidates if they resign from their positions at the time of registration.³³

Presidential candidates may be nominated by parliamentary parties or parties with at least five per cent of the votes in the last elections, and parliamentary candidates by political parties certified by the SEC. Citizens may also run as independent candidates upon a deposit.³⁴ Independent presidential candidacies, in addition, must be supported by at least 100,000 signatures from voters, collected at DEC offices between 22 and 27 March for these elections. By law, voters can sign in support of only one contestant.³⁵

To contest the parliamentary elections, political parties must have established organizational structures in at least half of the provinces and in one third of districts within these provinces; in addition, they must have convened party congresses at least six months prior to election day. The 2022 legal amendments extended this requirement, by specifying that to satisfy the eligibility criteria, parties must have convened all national, provincial and district congresses, and cannot fail to hold two or more consecutive congresses within a legally prescribed period.³⁶ The SEC certified 36 out of the 126 political parties in the registry as eligible to stand for the elections.³⁷ ODIHR EOM interlocutors did not raise concerns regarding the regulations on the political party certification process as implemented by the SEC.

The candidate nomination period for the presidential election lasted from 19 to 20 March for independent presidential candidates and from 19 to 23 March for party nominees. Parliamentary candidate lists had to be submitted by 9 April.³⁸ The SEC registered five pre-electoral coalitions. To register for parliamentary elections, parties were required to submit full candidate lists in at least half of the constituencies. Prospective contestants had two days to remedy deficiencies or replace candidates who did not meet the registration requirements. There are no legal requirements to enhance the participation of women; some political parties informed the ODIHR EOM about internal policies to achieve this aim.³⁹

³³ Those include, among others, judges, prosecutors and other members of higher judicial bodies, elected officials from local administrations, certain civil servants and public employees, and military officers.

³⁴ The deposit amounts to TRY 555,980 (some EUR 26,000) for the presidential election and TRY 55,598 (some EUR 2,600) for parliamentary elections. The deposit is refundable to all successfully registered presidential candidates, while to the parliamentary candidates only if they are elected.

³⁵ Paragraph 196 of the 2020 ODIHR and Venice Commission Guidelines on Political Party Regulation recommends that “a requirement that a citizen be allowed to sign in support of only one party should be avoided, as such a regulation would affect his/her right to freedom of association and could easily disqualify parties”.

³⁶ In addition, the amendments eliminated a previous alternate condition which had enabled participation on the basis of having a political group in the parliament, irrespective of the fulfilment of the provincial and district party branches or congresses. The Law on Political Parties stipulates the periodicity for the national congresses within a minimum of two and maximum of three years. Paragraph 15 of the 2022 [ODIHR and Venice Commission 2022 Joint opinion on the Amendments to the Electoral Legislation](#) states that “the single condition favours larger and well-established political parties [...] The detrimental effect of the provision [requiring consecutive party congresses] on the electoral participation of newly created parties cannot be assessed as satisfying the requirement of necessity in a democratic society to comply with the limitation criteria for Articles 11 of the ECHR and Article 3 of Protocol 1 to the ECHR”.

³⁷ One party not deemed eligible unsuccessfully objected the SEC decision on the rejection of its registration, claiming it had met all legal requirements.

³⁸ The SEC verifies registration requests for presidential candidates and parliamentary candidate lists, while PECs verify requests for independent parliamentary candidates.

³⁹ For example, CHP informed the ODIHR EOM that it implemented a special zipper system of two female and one male candidate in major cities including Ankara, Antalya, Bursa, Istanbul, and Izmir, while YSP applied a zipper system and a 50 per cent quota for all of its candidate lists. *İyi Parti* has reported a requirement of 25 per cent from each gender, while DEVA Parti reported a 35 per cent quota for women.

By the 31 March deadline, the SEC registered four presidential candidates.⁴⁰ None of the registered candidates are women. For the parliamentary elections, the SEC registered 1,849 candidate lists from 24 political parties and 151 independent candidates.⁴¹ The SEC rejected the registration of seven prospective presidential candidates and eight independent parliamentary candidates for not fulfilling the registration requirements; and nine presidential candidates for falling short of the required number of support signatures. Of the 13,037 parliamentary candidates, some 25 per cent are women. Women lead 372 (20 per cent) of the candidate lists.

The SEC did not publish all decisions related to the candidate registration process, and only published four decisions related to a publicly undisclosed number of objections against the eligibility of three presidential candidates, all of which were dismissed.⁴² The registration of the incumbent was challenged by multiple stakeholders that claimed it was unconstitutional on the assertion that he is running for a third term. The SEC dismissed these challenges, reasoning that the presidential term of the incumbent between 2014 and 2018 does not fall under the two-term limit, since it occurred under the previous parliamentary system. The SEC did not disclose the grounds for objection against the other two presidential candidates. The ODIHR EOM was made aware of two unsuccessful objections filed to the SEC by prospective independent presidential candidates against the rejection of their registration.

In relation to parliamentary registration, request of AK Parti to exclude the Nation Alliance from the ballot and count the votes of each party in the coalition separately was rejected by the SEC. This request argued that four parties in the Nation Alliance (DEVA, DP, SP and GP) did not submit candidate lists and two other parties (CHP and *İyi Parti*) did not submit lists in some provinces. The SEC, however, accepted AK Parti's request not to allow Nation Alliance to use the name of the coalition on ballot papers in constituencies where only one of the coalition members, either CHP or *İyi Parti*, submitted a candidate list.

IX. CAMPAIGN ENVIRONMENT

The legal framework establishes two periods for campaigning: the electoral period, commencing on 18 March for parliamentary elections and 31 March for the presidential election, during which certain campaign regulations apply, including a ban on misuse of administrative resources, and the campaign period, which lasts for 10 days prior to the elections and in which campaigning is subject to stricter requirements.⁴³ The president is not subject to the same restrictions in the official campaign period as other high level public officials.⁴⁴

⁴⁰ The incumbent Recep Tayyip Erdoğan nominated by AK Parti and MHP, Kemal Kılıçdaroğlu nominated by CHP and *İyi Parti*, and Muharrem İnce and Sinan Oğan standing as independent candidates.

⁴¹ According to the SEC, 12 objections regarding the registration of parliamentary candidates were submitted, alleging the candidates did not meet the legal requirements or they did not resign from their current positions as required by the law.

⁴² The number of objections and names of the objectors were not disclosed in the SEC's decisions; the SEC informed the ODIHR EOM that 206 objections were submitted challenging the registration of the incumbent, 4 related to Mr. Kılıçdaroğlu's and 1 to Mr İnce's candidacy. The ODIHR EOM was, however, directly informed that *İyi Parti* and a private citizen were among the objectors to the incumbent president's candidacy. Other stakeholders, including the CHP and the Union of Turkish Bar Associations informed the ODIHR EOM that they are of the same legal opinion regarding the incumbent's eligibility to run. Interlocutors affiliated with the ruling party agreed with the legality of the incumbent's registration as presidential candidate.

⁴³ In the 10-day period the law explicitly bans ministers and members of parliament 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, statements and publications on government works. A silence period, applicable to all campaign activities, is in place from 18:00 on 13 May until election day, during which campaigning is prohibited.

⁴⁴ Article 66 of the [ODIHR and Venice Commission 2022 Joint opinion on the Amendments to the Electoral Legislation](#) states that "Since the President does not stand outside the party system but, rather, is part of it, there is

The first weeks of the electoral period have been low-key, with few notable incidents reported.⁴⁵ All ODIHR EOM interlocutors have asserted that the elections provide voters with a genuine choice between political alternatives. Most presidential contestants and some political parties organized rallies, door-to-door canvassing, and actively engaged with the electorate on social networks. The ruling People's Alliance coalition's campaign highlighted recovery efforts following the earthquakes, industrial development, defence, economic growth, and Türkiye's geopolitical status. The opposition Nation Alliance focused on advocating for change, addressing economic concerns, inflation, and the improvement of the status of women. Several presidential candidates used Ramadan-fast breaking "Iftar" dinners as campaign platforms, with the incumbent's speeches often broadcasted live.

All major political parties have expressed their intention to conduct a subdued campaign out of respect for victims of the earthquakes. However, reflecting the prevailing polarization, the tone of the campaign has often been confrontational, including online.⁴⁶ Various candidates from across the political spectrum have mutually used inflammatory and harsh language, with the incumbent president repeatedly referring to other candidates and opposition parties as terrorist supporters;⁴⁷ and some opposition politicians labelling the current government as "fascists".⁴⁸ While the legislation prohibits state and local administration from using its resources for the purpose of campaigning, the incumbent president made several speeches at the inauguration of significant public and infrastructural projects, containing elements of campaigning,⁴⁹ and the CHP mayor of Ankara made use of the inaugurations of public infrastructure to campaign.⁵⁰

To date, the ODIHR EOM has not observed any restrictions on freedoms resulting from the emergency powers introduced following the earthquakes during the three-month State of Emergency.⁵¹ However, the exercise of authority by governors to limit rights and freedoms for anti-terrorism and public security

no reason why s/he should not be subject to the restrictions in the same ways as other high public officials to prevent conflicts of interest and misuse of administrative resources".

⁴⁵ On 31 March, it [was reported](#) that an *İyi Parti* office in Istanbul was shot at twice in one night. A subsequent police investigation concluded that the shot was fired by accident by a security guard. On 6 April, an incident of bullets fired in front of CHP's Istanbul offices [was reported](#) by the media. On 20 April, it [was reported](#) that the AK Parti office in Adana was fired upon. The office was empty at the time and the police apprehended a suspect. On 21 April, a similar incident was reported against an AK Parti office in the Bahçelievler district of Istanbul.

⁴⁶ Since 2 April, the ODIHR EOM has been following the social network activities of the presidential candidates and political parties and coalitions running in the parliamentary elections on Twitter and Facebook.

⁴⁷ For instance, in a speech of 12 April in Malatya, the incumbent accused the opposition coalition of intending to "hand over the country to terrorist organizations" alleging that they have received instructions from terrorists. In a speech on 14 April at the opening ceremony of Kocaeli City Hospital, the incumbent said about the Nation Alliance, "They agreed with all terrorist organizations. That wasn't enough either. They got the support of imperialists and moneylenders." In a speech on 17 April in Afyonkarahisar, referring to the CHP leader and presidential candidate: "The person who walks arm in arm with terrorist organizations."

⁴⁸ On 30 March, at the launch of the YSP party manifesto, an HDP co-leader [said](#): "14 May will be a historic day when the AK Parti–MHP fascist regime, responsible for causing the biggest evils, destruction, and darkness in the country for years, will receive their ticket out".

⁴⁹ On 2 April, during an opening ceremony for municipal facilities in Istanbul, the president [called](#) on attendees to vote for the People's Alliance and harshly criticized members of the opposition; on 12 April, the president, at the inauguration of a new Ankara subway section [criticized](#) the opposition alliance and said that it has links to terrorist organizations; on 8 April, at the opening ceremony of a metro station in Istanbul, the president [criticized](#) leading opposition figures; at a ground-breaking ceremony for social housing for victims of the earthquake in Diyarbakir on 14 April, the president [called](#) on attendees to vote for his party and criticized the opposition's election promises.

⁵⁰ During the inauguration of a road in Ankara by the CHP mayor on 12 April, digital billboards of the presidential candidate of the Nation's Alliance were displayed alongside tents and flags of the municipality. Posters of the head of the *İyi Parti* were also displayed.

⁵¹ As a self-imposed measure, most political parties informed the ODIHR EOM that they would not hold major campaign events in the areas affected by the earthquakes.

has affected campaign opportunities in some eastern and south-eastern provinces.⁵² YSP representatives reported to the ODIHR EOM instances of physical and administrative hindrances to their campaign activities, and alleged pressure from state authorities on their supporters, mainly in the south-eastern provinces of the country.⁵³

Women candidates have not been prominently featured in most rallies monitored by ODIHR EOM observers, except for those of YSP and TIP.⁵⁴ Some ruling party and senior government officials have made references to the opposition alliance, connecting it with the LGBTI community, using discriminatory language.⁵⁵ Some political parties, such as CHP, YSP, DEVA, and *İyi Parti*, have targeted women with messages on advocating for women's equality, combating violence against women, and referencing the withdrawal from the Istanbul Convention. Some ODIHR EOM interlocutors expressed concerns about misogynistic rhetoric, threats, and hate speech directed against female politicians, as well as online harassment against women.

X. CAMPAIGN FINANCE

Campaign finance is regulated by the Law on Political Parties and the Law on Presidential Elections, supplemented by SEC regulations. The legal framework governing campaign finance remained unchanged since the last elections, leaving previous ODIHR and GRECO recommendations unaddressed, including on the introduction of campaign spending limits, enhancing transparency of campaign financing, and improving the effectiveness of the oversight mechanism.⁵⁶ The legislation does not envisage proactive monitoring of campaign financing and does not require the submission or publication of any interim financial reports during the election period.

Presidential candidates are not entitled to public funding. To support their campaigns, they may receive individual donations from Turkish citizens of up to TRY 55,598 per donor per round.⁵⁷ Political parties with at least three per cent of votes in the previous parliamentary elections receive annual public funding in proportion to their votes, which is tripled in an election year, and in 2023, the sum is TRY 4.5 billion.⁵⁸ Parties may also finance their campaigns through membership fees or private donations, with a limit of TRY 221,591 per eligible donor per year.⁵⁹ Most legal entities, state and public organizations,

⁵² Siirt province has been under a long-term rollover ban of public assemblies and dissemination of written materials, most recently declared for 15-29 April. There was a similar ban in place in Tunceli, from 1-15 April. Under a five-day ban in Şanlıurfa, on 4 April, a public gathering for the opening of YSP's local campaign office was disbanded by the authorities, as reported by the media.

⁵³ YSP has reported to the ODIHR EOM alleged instances of disrupted rallies, harassment of supporters, and increased police presence, which the party deemed unreasonable, in Istanbul, Diyarbakır, and Bursa. YSP members from Sivas and Konya have reported that landlords or property owners are resistant to renting out premises as party offices to them due to fear of potential repercussions.

⁵⁴ Of the 31 campaign events observed, 17 featured women speakers.

⁵⁵ On 19 April, at a youth meeting in Istanbul, the Minister of Interior stated that the opposition wants to “destroy our family structure with deviant understandings like LGBT”. On 19 April, in a TRT broadcast, the president stated: “we will fight against deviant tendencies such as LGBT that threaten our family structure. [...] CHP defends LGBT”.

⁵⁶ Paragraph 34 of the GRECO's 2020 [Second Addendum to the Second Compliance Report on Turkey](#) states that “Overall, the current situation is not satisfactory; considerable progress is yet to be made in respect of transparency of political financing in Turkey”.

⁵⁷ EUR 1 equals some TRY (Turkish Lira) 21.3. The law does not impose restrictions on presidential candidates to receive funding from their nominating parties or use their own funds. The maximum amount of permitted donations equals the current monthly gross salary of the most senior public servant.

⁵⁸ Patriotic Party lodged a complaint on 17 April with the Constitutional Court demanding that the HDP return the annual public funding it received, on grounds that the party is not running in this election.

⁵⁹ In addition to individuals, eligible donors include certain legal entities, such as professional associations, if their statutes permit it.

and foreign sources are prohibited from making donations; commercial activities and loans are not permitted. There is no ceiling for annual party and campaign-related expenditures.

Presidential candidates are obligated to submit their campaign finance reports to the SEC within 10 days of the announcement of the final results. The SEC is required to audit the reports with the assistance of the Court of Accounts and other public institutions and publish the audit results within one month following their completion. Political parties declare their campaign funds by submitting annual financial reports to the Constitutional Court, which do not include incomes and expenditures incurred by candidates or third parties.⁶⁰ Independent parliamentary candidates report their campaign funds through personal tax declarations. Sanctions for breach of parliamentary campaign finance rules include warnings, fines, imprisonment of up to three years, and the dissolution of the political party involved. The law does not establish sanctions for non-compliance with presidential campaign finance rules.

XI. MEDIA

The media landscape is diverse yet polarized. Many ODIHR EOM interlocutors raised concerns that an overwhelming majority of broadcast, print, and online outlets in their opinion show a strong bias favouring the ruling establishment. While online media and social networks are perceived by ODIHR EOM interlocutors to be more independent compared to traditional media, many raised concerns about the established practice of blocking websites and individual pages, as well as formal requests for content removal from websites and social networks that can be issued by over 25 administrative and judicial bodies, including the election administration.⁶¹ Content posted on social networks can be the basis for criminal indictment.

The Constitution provides for freedom of expression and media. However, international organizations have noted that some provisions in the Criminal Code, as well as the Press Law, anti-terror laws, and other legislation, impose restrictions on freedom of expression and the media compromising constitutional guarantees.⁶² Defamation provisions in the Criminal Code carry severe penalties for insulting public officials, the president and state symbols.⁶³ In recent years, the OSCE Representative on Freedom of Media (RFoM) has repeatedly raised concerns that such provisions are regularly applied against journalists critical of the current establishment, in conjunction with terrorism

⁶⁰ The Court of Accounts conducts initial audits of annual reports and shares its findings with political parties for a two-month period of comments or additional information. The Constitutional Court then conducts the final review, with no set deadline for publishing audit reports. The most recent published final audits of party financial reports are for the fiscal year of 2020.

⁶¹ [According](#) to the Free Expression Association, as of December 2021, “a total of 574,798 websites and domain names have been blocked from Türkiye by a total of 504,700 separate decisions issued by 789 separate institutions”.

⁶² The European Commission’s [2022 Report on Türkiye](#) notes that “[o]n freedom of expression, the serious backsliding observed in recent years continued. The implementation of criminal laws relating to national security and anti-terrorism continued to contravene the ECHR and other international standards”, recommending that the country “revise criminal legislation, in particular the anti-terror law, the Criminal Code, the data protection law, the internet law and the Radio and Television Supreme Council (RTÜK) law to ensure these comply with European standards and are implemented in a manner which does not curtail freedom of expression.”

⁶³ According to [statistics](#) by the Ministry of Justice, in 2022, a total of 67,332 criminal cases were initiated and 7,682 taken to the court, including against 302 minors, in relation to the insult of the president and state symbols. The Venice Commission in its 2016 [opinion](#) on some provisions of the Criminal Code concluded that the only solution to avoid further violations of the freedom of expression is “to completely repeal” the provisions on defamation of the president. The ruling of the ECtHR in the case of [Vedat Şorli v Türkiye](#) has concluded that criminal proceedings resulting for the application of the provision that criminalizes the insult of the President are incompatible with freedom of expression.

charges.⁶⁴ Many ODIHR EOM interlocutors criticized the October 2022 amendments to media laws and the Criminal Code, which introduced imprisonment for the dissemination of false information intending to cause public alarm related to the country's public order, as having a chilling effect on critical coverage of ruling party and government activities. The amendments were also met with concern by the Venice Commission and the OSCE RFoM.⁶⁵

The legal framework obliges media to provide impartial coverage of the campaign and guarantees equal opportunities for the contestants. The public Turkish Radio and Television Corporation (TRT) is required to provide two ten-minute slots of free airtime to political parties and each presidential candidate in the last week of the campaign, and grants additional time to all parties with parliamentary groups. AK Parti and CHP, as the largest entity within the ruling coalition and the main opposition party, are granted additional free time. The time of the broadcast and the order of appearance will be determined by the SEC on 27 April. All contestants are entitled to purchase airtime for political advertisements under equal conditions on public and private media.

The Radio and Television Supreme Council (RTÜK) is the regulatory body responsible for overseeing the broadcast media and online media with audio-visual content. Many ODIHR EOM interlocutors raised concerns over the independence and impartiality of the body, alleging disproportionate and selective sanctions that have mainly targeted opposition media outlets in recent years.⁶⁶ According to the authorities, RTÜK takes their decisions in an impartial manner and in line with the law.

During the campaign period, the SEC is mandated to supervise all private national broadcasters, comprising of 134 televisions and 43 radios, based on monitoring conducted by RTÜK, while DEC's exercise oversight over the remaining media outlets. Following a 2017 presidential decree, the SEC's power to impose sanctions for media-related violations was abolished. On 14 April, CHP filed a criminal complaint with the prosecution, accusing TRT of providing biased coverage and unequal treatment to the party.

On 8 April, the ODIHR EOM commenced monitoring of eight national television channels as well as six websites and newspapers.⁶⁷

⁶⁴ During the electoral period, a reporter from the *Mezopotamya* News Agency was detained by the police on 14 April on terrorism charges. Earlier, on 12 April, the Diyarbakır Penal Court accepted the prosecution indictment against 22 individuals, which included 20 journalists primarily from the same agency, on similar charges. In 2021, the OSCE RFoM [called](#) on the authorities “to revise the widely interpreted national anti-terrorism laws in Turkey and bring these in line with OSCE commitments and international standards.”

⁶⁵ In its October 2022 [Urgent Opinion](#) on the draft amendments, Venice Commission expressed “serious doubts regarding the necessity in a democratic society of the criminal response to ‘false or misleading information envisaged with the draft amendment’”, and raised concern with “the potential consequences of such provision”. The OSCE RFoM [called](#) on the Turkish lawmakers to review the provisions and ensure safeguards for independent journalism and free expression.

⁶⁶ The RTÜK does not consistently publish their decisions in a timely manner; however, according to a CHP-nominated member, during the electoral period, RTÜK has imposed eight sanctions, including six against media critical of the government. In two cases, sanctions were imposed on *Flash Haber* and *Halk TV* for criticizing the government's earthquake response by guests during live talk shows. Additionally, RTÜK ordered *Show TV* to replace regular programming with broadcasts of a 20-minute documentary presenting the president as a defender of Islamic values. On 7 April 2021, the International Press Institute (IPI) and 20 press freedom, freedom of expression and human rights organizations issued a [joint statement](#) condemning the use of RTÜK by governing parties to suppress legitimate criticism and gain an unfair advantage in the May 2023 elections. They also called on RTÜK to cease imposing fines on broadcasters for critical reporting.

⁶⁷ ODIHR EOM is monitoring the prime time (18:00 – 24:00) coverage of six national broadcasters, the public *TRT-1* and the private *ATV*, *Fox*, *Kanal D*, *Show TV* and *Star*; the peak time (20:00-23:00) of the public news channel *TRT Haber* and the main (20:00) news edition on the news channel *Halk TV*. The media monitoring also includes the online publications of *Habertürk* and *T24*, as well as the newspapers *Cumhuriyet*, *Hürriyet*, *Sabah* and *Sözcü*.

XII. ELECTION DISPUTE RESOLUTION

Decisions of lower electoral councils can be appealed by specified categories of stakeholders to higher councils, up to the SEC.⁶⁸ The SEC decisions, including those related to constitutionally-protected rights and the final election results, are not subject to judicial review in line with the Constitution, despite a long-standing ODIHR recommendation.⁶⁹ The legal framework does not establish a system for filing campaign-related complaints. In practice, such petitions may be lodged with election bodies, governors, law enforcement, and the courts.

In the absence of the opportunity to seek judicial review, several stakeholders have submitted formal objections to the SEC requesting reconsideration of certain decisions, including those related to candidate registration (see *Party and Candidate Registration*). Despite the legal obligation to do so, the SEC does not make all decisions on objections and complaints public; by 25 April, it published four decisions on objections.⁷⁰ The ODIHR EOM has not been informed of any decisions by the SEC being reversed based on requests for reconsideration. On 5 April, following an unsuccessful objection to the SEC against the registration of the incumbent president which argued that his constitutional two-term limit has been served, a private citizen lodged an application with the European Court of Human Rights.⁷¹

While no comprehensive public information is available on the matter, the EOM was informed that during the current election period, some campaign-related criminal investigations have been launched related to violent incidents and prohibited speech.⁷²

XIII. CITIZEN AND INTERNATIONAL OBSERVERS

The law does not provide for citizen and international observation of the election process. However, the Law on Basic Provisions allows for the monitoring of the election process by observers nominated by political parties and independent candidates. Further according to the law, the public is permitted to observe the vote count. Several civil society groups, including *Vote and Beyond* and *Turkish Volunteers*, have informed the ODIHR EOM of their intentions to observe the elections with accreditation as political party observers, while others, such as the *Human Rights Association* and the *Association for Monitoring Equal Rights*, plan to observe as citizens, without formal accreditation.

⁶⁸ Political parties, parliamentary candidates and voters are allowed to submit complaints, but presidential candidates in their official capacities and civil society organizations are not eligible to do so. PEC decisions related to the formation of DEC and BBCs, and DEC and PEC decisions on voter registration are final and cannot be appealed.

⁶⁹ Past decisions of the Constitutional Court have ruled that the constitutional provision stating that SEC decisions are final and not subject to judicial review also precludes individual petitions to the Constitutional Court against the SEC for alleged violations of fundamental rights and freedoms.

⁷⁰ Despite repeated requests, the ODIHR EOM did not receive comprehensive information or documents related to the objections and complaints submitted to the SEC.

⁷¹ In addition to the right to free and fair elections, the application claims breach of the right to effective domestic remedy due to the lack of opportunity to seek judicial review of SEC decisions, alleging violations of Article 3 of the Additional Protocol 1 to the Convention of the European Convention of Human rights ECHR (free and fair elections), Article 6 (right to fair trial), and Article 13 (right to effective domestic remedy).

⁷² For example, investigations were launched into shots fired at the *İyi Parti*'s Istanbul campaign office on 31 March and the CHP's Istanbul campaign office on 6 April. On 10 April, a CHP youth activist in Bursa was arrested and charged with violating the law for spreading "false rumours". The charge was based on the act of attaching stickers picturing the incumbent president to products in shops, attributing him to the high inflation. The Chief Prosecutor of Diyarbakır initiated an investigation on 10 April into all speeches given at an YSP campaign event, to determine whether any speeches contained "terrorist propaganda." HDP filed multiple criminal reports against attacks of their campaign offices and supporters.

XIV. ODIHR EOM ACTIVITIES

The ODIHR EOM formally opened in Ankara with a press conference on 29 April. The ODIHR EOM established regular contacts with the SEC, the Ministry of Foreign Affairs and other high-level state officials, candidates and other representatives of political parties and movements, media, civil society, and members of the diplomatic and international community.

The OSCE Parliamentary Assembly (OSCE PA) and the Parliamentary Assembly of the Council of Europe (PACE) have announced their intention to deploy observer delegations for election-day observation. Michael Georg Link (Germany) has been nominated to serve as Special Co-ordinator, and Farahnaz Karimi (Netherlands) has been appointed as Head of the OSCE PA delegation. Frank Schwabe (Germany) will act as PACE Head of Delegation.

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