



Office for Democratic Institutions and Human Rights

REPUBLIC OF TURKEY

Parliamentary Elections
7 June 2015

OSCE/ODIHR Limited 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 (OSCE/ODIHR) deployed a Limited Election Observation Mission (LEOM) to observe the 7 June 2015 parliamentary elections. The OSCE/ODIHR LEOM assessed the compliance of the election process with OSCE commitments, other international obligations and standards for democratic elections, as well as with national legislation. For election day, the OSCE/ODIHR LEOM joined efforts with delegations from the OSCE Parliamentary Assembly and the Parliamentary Assembly of the Council of Europe.

The 7 June parliamentary elections were characterized by active and high citizen participation during the campaign and on election day, which demonstrated a broad commitment to holding democratic elections. Voters could choose from a wide range of political parties, but the 10 per cent parliamentary threshold limits political pluralism. Media freedom is an area of serious concern; media and journalists critical of the ruling party were subject to pressure and intimidation during the campaign. The elections were organized professionally, in general. Greater transparency of the election administration and legal provisions for observers, both citizen and international, would serve to increase trust in the electoral process. During the campaign, fundamental freedoms were generally respected. Unfortunately, there were numerous serious incidents, some resulting in fatalities.

The campaign environment was marked by active engagement on substantive issues by the contestants, involving a large number of voters in campaign events. Polarization between the ruling party and other contestants was notable and confrontational campaign rhetoric was often used. The overriding issue in the campaign was the transformation of the political system towards presidential, as advocated by the President and the ruling party and opposed by other contestants.

The President played an active role in the election campaign, even though under the Constitution he is obliged to be non-partisan and perform his duties without bias. The President attended an extraordinary number of public events, as head of state, along with local officials; however, these events were used as opportunities to campaign in favour of the ruling party and to criticize opposition figures. Numerous complaints calling to halt the President's campaign activities and the misuse of administrative resources, including extensive coverage on state television, were filed. The President's campaigning contravened campaign rules in the legal framework and is at odds with paragraph 5.4 of the 1990 OSCE Copenhagen Document and Section I.2.3a of the 2002 Council of Europe's Commission for Democracy through Law (Venice Commission) Code of Good Practice in Electoral Matters (Code of Good Practice).

Twenty parties and 165 independent candidates took part in the elections, offering the electorate a wide choice. Contestants were generally able to campaign freely and did so extensively. However, there were isolated cases of cancellation or restrictions of rallies of opposition parties in favour of events organized for the President or the Prime Minister. Two criminal court orders for removal of certain opposition posters deemed to be insulting to the President were issued. The campaign was tainted by a high number of attacks on party offices and serious incidents of physical attacks.

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

The legal framework is generally conducive to the conduct democratic elections, if implemented fully and effectively, although key areas need improvement. Freedoms of association, assembly, and expression, as well as the right to vote and to be elected are to some extent unduly restricted in the Constitution and the general legislation. In particular, the criminalization of defamation and insult of the President unduly limits freedom of speech and campaigning. Previous OSCE/ODIHR recommendations for legal reforms that would address gaps and ambiguities have generally not been addressed. The method of seat allocation for the 550 members of the parliament, established in the law, is inconsistent with the principle of equality of the vote due to significant differences in vote weight. In a positive step, the freedom to campaign in any language was established in March 2014.

The election administration, managed by the Supreme Board of Elections (SBE), composed of judges, generally administered the elections in a professional manner. Eligible political parties were entitled to nominate non-voting representatives or members at all levels of electoral boards. The meetings of the electoral boards were not open to the public and not all SBE decisions were posted on its website. The SBE published an election calendar of election administration activities only until election day, missing an opportunity to clarify deadlines regarding post-election day events. Greater SBE transparency would serve to increase trust in the electoral process. Some SBE decisions were inconsistent with the legislation, including issues related to election administration and campaigning. Most SBE decisions on the President's involvement in the campaign included dissenting opinions.

Overall, the voter registration system is well developed. The SBE finalized voter lists on 8 April after a two-week public display period. In a welcome development, these were the first parliamentary elections where close to 3 million voters had an opportunity to cast their ballots abroad. Out-of-country voting was conducted in 54 countries with voters also able to vote at custom points.

The legislation does not contain comprehensive regulations of campaign financing. It only imposes certain restrictions on the amount and nature of donations. Political parties are required to declare their campaign funds solely through annual party financial reports submitted to the Constitutional Court. Donations and spending of parties and candidates during the campaign were not publicly available. The lack of timely and public disclosure of the reports limits the overall transparency and accountability of the campaign finance framework.

The media environment is vibrant, with a wide range of broadcast and print outlets; however, undue restrictions in the legal framework remain. Media critical of the ruling party faced increasing pressure and intimidation by public figures and political actors during the election period. The Radio and Television Supreme Council (RTSC) is responsible to oversee compliance of broadcast media with the regulations. The seemingly partisan functioning of the RTSC raised concerns over its transparency and independence. The OSCE/ODIHR LEOM media monitoring results showed that the election coverage was polarized along partisan lines: three of five monitored television stations, including the public broadcaster *TRT1*, displayed a significant bias towards the ruling party, which also purchased the great majority of paid political advertising. The President enjoyed extensive television coverage benefiting the ruling party.

Under the Constitution, SBE decisions are not subject to judicial review. This challenges the separation of powers and denies access to judicial remedy in election administration matters, contrary to OSCE commitments and other international obligations. The SBE's dismissal of complaints and appeals related to the President's involvement in the campaign and its extensive media coverage denied election stakeholders effective remedy in electoral disputes. The Constitutional Court has jurisdiction over cases regarding breaches of fundamental rights. However, all 16 election-related petitions lodged with the Constitutional Court remained undecided as of election day, leaving petitioners without timely remedy.

Women played an active role in the campaign, although they remain underrepresented in political life. The Constitution guarantees gender equality; however, there are no legal mechanisms for political parties to implement this norm. One positive example, some parties implemented gender quotas. Overall, approximately 28 per cent of candidates on party lists were female. Women represented some 21 per cent of polling station staff, and less than 1 per cent of District Electoral Board (DEB) members; only one woman is represented on the SBE.

International observers were accredited for these elections. The law, however, does not create the legal basis for the effective implementation of citizen and international observation as per paragraph 8 of the 1990 OSCE Copenhagen Document, previous PACE recommendations, and Section II.3.2 of the Code of Good Practice. Two citizen observer groups were denied accreditation by the SBE.

In the limited number of polling stations visited by international observers, election day was well organized. Investigations of a few localized security incidents were launched. To carry out their key role, citizen observer groups mostly registered on behalf of parties were present in most polling stations visited. The counting and tabulation processes were noted as generally transparent, although some important procedural errors were observed. In some instances, international observers were denied access to DEBs. While the SBE did not publish preliminary result on election day, polling station results protocols were accessible to eligible political parties on the SBE website. Broadcasters published the results earlier than 21:00 that although contrary to the Law on Basic Provisions on Elections and Voter Registers, provided voters with important information.

Various political parties and independent candidates challenged the results at different levels. In the period following election day, the SBE considered a total of 23 complaints, all of which were rejected. The SBE announced final election results on 18 June. Detailed results broken down per Ballot Box Committees were made available the same day. The OSCE/ODIHR LEOM was not made aware of any complaints related directly to the final results.

II. INTRODUCTION AND ACKNOWLEDGEMENTS

Following an invitation from the authorities of the Republic of Turkey and based on the recommendation of a Needs Assessment Mission conducted from 14 to 17 April, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) deployed a Limited Election Observation Mission (LEOM) to observe the 7 June 2015 parliamentary elections. The OSCE/ODIHR LEOM was headed by Ambassador Geert-Hinrich Ahrens, comprising a core team of 12 experts and 18 long-term observers deployed throughout the country. Mission members were drawn from 18 OSCE participating States.

The OSCE/ODIHR LEOM assessed compliance of the election process with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. In line with the OSCE/ODIHR's standard methodology for LEOMs, the mission did not include short-term observers, and did not carry out comprehensive or systematic observation of election day proceedings. However, mission members visited a limited number of polling stations and followed the tabulation of results in some districts. This final report follows a Statement of Preliminary Findings and Conclusions released at a press conference on 8 June 2015.²

The mission followed electoral proceedings on 7 June jointly with delegations from the OSCE

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

Parliamentary Assembly (OSCE PA), headed by Ignacio Sanchez Amor, and the Parliamentary Assembly of the Council of Europe (PACE), headed by Tiny Kox. Vilija Aleknaitė-Abramikienė was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and leader of the short-term OSCE observer mission. The OSCE/ODIHR LEOM remained in Turkey until 16 June and followed post-election developments.

The OSCE/ODIHR LEOM wishes to thank the authorities of the Republic of Turkey for the invitation to observe the elections, and the Ministry of Foreign Affairs, the Supreme Board of Elections (SBE), national and local authorities, as well as candidates, political parties, and civil society organizations for their co-operation. The OSCE/ODIHR LEOM also wishes to express appreciation to diplomatic representations of OSCE participating States and international organizations for their co-operation throughout the course of the mission.

III. BACKGROUND

Turkey is a parliamentary republic with executive power exercised by the Council of Ministers, headed by the prime minister, and legislative power vested in the Turkish Grand National Assembly (parliament). The president serves as the head of state and holds certain limited functions and authority related to the legislative, executive, and judicial branches.

On 5 January, the SBE announced the parliamentary elections for 7 June. The last parliamentary elections took place in 2011, resulting in a third successive win for the Justice and Development Party (AKP), which has held a majority in the parliament since 2002. In August 2014, the then Prime Minister Recep Tayyip Erdoğan won the first direct presidential election.

The outgoing 550-member parliament consisted of the governing AKP with 312 seats, the Republican People's Party (CHP) with 125 seats, and the Nationalist Movement Party (MHP) with 52 seats. The pro-Kurdish Peoples' Democracy Party (HDP) was represented by 29 members, elected as independent candidates. Of the remaining 32 seats, 5 went to smaller parties, 12 to independent candidates and 15 were vacant.

Constitutional reform has long been at the forefront of the political agenda in Turkey. These elections were widely viewed as an important political event, with the potential of changing the political system from a parliamentary to a presidential. Local and presidential elections took place in March and August 2014, respectively. The AKP nominated candidate was elected as president and the party's candidates were elected as mayors in 48 of 81 provinces, which reaffirmed the party's central position in the political system. The parliamentary elections were viewed by many as a part of a longer election cycle encompassing all three elections.

IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

A. LEGAL FRAMEWORK

Parliamentary elections are primarily regulated by the 1982 Constitution, the 1961 Law on Basic Provisions on Elections and Voter Registers (Law on Basic Provisions), the 1983 Law on Parliamentary Elections, and the 1983 Law on Political Parties (LPP).³ Regulations and decisions

³ Other relevant legislation includes the Law on Meetings and Demonstrations, the Criminal Code, the Anti-Terrorism Act and various media-related laws.

issued by the SBE form part of the legal framework; however, the SBE did not sufficiently supplement the legislation in a number of key areas, including the election administration, accreditation of party observers and matters related to the campaign. Furthermore, some SBE decisions exceeded its regulatory authority, lacked a clear legal basis, were inconsistent with the law, or interpreted the law in a manner inconsistent with democratic principles.⁴

The SBE should adopt regulations that sufficiently supplement all aspects of the election legislation and that are within its regulatory authority, and issue decisions that are consistent with the law to ensure a comprehensive and cohesive legal framework.

The Constitution, adopted under military rule, includes fundamental rights and freedoms, although it concentrates on bans and prohibitions for the protection of the state rather than broad guarantees of rights and freedoms. Gender equality is guaranteed, but not the rights of ethnic groups. While the Constitution establishes the superiority of international law over national legislation, the freedoms of association, assembly and expression, key to holding democratic elections, and some electoral rights, are unduly restricted in the Constitution and in the broader legal framework. The Law on Meetings and Demonstrations (last amended in 2015) focuses on the legality of public assemblies, rather than on their peaceful character, and recent amendments further restrict the freedom of assembly.⁵ In particular, the criminalization of defamation and insult of the President unduly restricts freedom of speech and campaigning. The drafting of a new civil constitution that would broadly guarantee fundamental rights and freedoms stalled in October 2013.

To provide a fully democratic basis for the conduct of elections, the government is encouraged to ensure broad guarantees for fundamental rights and freedoms in the drafting of a new constitution. This process should take place in an inclusive public consultative manner. Legislation should be consistent with fundamental freedoms of association, assembly, and expression, and electoral rights.

The legal framework for parliamentary elections is generally conducive to conduct democratic elections, if implemented fully and effectively. However, the framework has largely remained unchanged since the last parliamentary elections, leaving a number of previous OSCE/ODIHR recommendations unaddressed. It includes a number of gaps and ambiguities, including absence of provision for citizen and international observation, lack of judicial review of SBE decisions, and insufficient campaign finance regulations. To some extent, the Law on Basic Provisions is unnecessarily detailed, making procedural matters difficult to amend in response to changing needs, while some provisions are insufficiently clear. In a positive step, recent amendments addressed some previous OSCE/ODIHR recommendations. The Law on Basic Provisions was revised in March 2014 to allow campaigning in any language, which was legally applicable for the first time during these elections.⁶ New provisions to facilitate out-of-country voting were enacted in 2012.

The electoral legal framework should be thoroughly reviewed and amended in line with past OSCE/ODIHR recommendations to address substantive gaps and to enhance its clarity.

⁴ These SBE decisions related to various matters in the election administration and campaign process, such as printing of ballots, composition of BBCs, and regarding the President's campaign activities.

⁵ In March 2015, as part of a domestic security bill, the Law on Meetings and Demonstrations was amended to increase restrictions on public meeting participants and to authorize law enforcement to use in effect disproportionate force at public assemblies.

⁶ Article 67 of the Constitution provides that amendments to election laws are not enforceable within one year of adoption. The earlier version of Article 58 of the Law on Basic Provisions required that Turkish be the main language used in campaign activities. The LPP still includes Article 81, which prohibits the use of any language other than Turkish in political and campaign activities.

Political parties must meet stringent requirements to participate in elections. Parties without a parliamentary group must have organizational structures in at least half of the provinces and at least one third of the districts within those provinces, and must hold its central congress at least six months prior to the elections.⁷ Parties are also required to submit a full list of candidates in at least half of the provinces. Joint candidate lists are not permitted nor is forming electoral blocs. Political parties are legally prohibited from promoting a number of political ideologies, including non-secularism, separatism, and the existence of minorities. These restrictions undermine the freedoms of association and expression as guaranteed in international instruments, and unduly limit political pluralism.⁸

Furthermore, the provisions on the dissolution of political parties are unduly lax. The right to initiate dissolution proceedings belongs to the Chief Public Prosecutor of the Court of Cassation and the grounds for dissolution exceed acceptable restrictions on objectives and activities of political parties established in international law. The dissolution of the party is the only available sanction for violations of the Law on Political Parties.⁹

Consideration should be given to reviewing the requirements for political parties to participate in elections, loosening restrictions on political party platforms, tightening the framework for dissolution of parties and allowing the formation of party blocs to further strengthen fundamental freedoms and increase pluralism.

B. ELECTORAL SYSTEM

Members of parliament (MPs) are elected for four year terms under a proportional system in 85 multi-member constituencies.¹⁰ MPs are elected from closed political party lists and as independent candidates. Seat redistribution was undertaken by the SBE in early 2015, based on current population distribution statistics.¹¹ The system of seat allocation established in the law results in a significant differential of registered voters to seats across constituencies.¹² The number of registered voters per seat ranged from 27,059 in Bayburt province to 120,877 in a constituency in Izmir, with a maximum deviation of some 70 per cent from the nationwide average. This is inconsistent with the principle of equality of the vote under paragraph 7.3 of the 1990 OSCE Copenhagen Document, Section I.2.2.2 of the 2002 Council of Europe's Commission for Democracy through Law (Venice Commission) Code

⁷ The Rights and Reality Party was not registered to compete by the SBE due to an insufficient organizational structure. The Law on Political Parties provides that parties with at least 20 deputies shall be entitled to set up parliamentary groups.

⁸ Paragraph 7.5 of the 1990 OSCE Copenhagen Document, states that OSCE participating States should "respect the rights of citizens to seek political or public office [...] as representatives of political parties [...] without discrimination." See also Article 22.2 of the ICCPR, Article 11 of the European Convention on Human Rights, and, principle 7 and paragraphs 72, 80 and 81 of the 2010 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation.

⁹ [Venice Commission Opinion on the Constitutional and Legal Provisions Relevant to the Prohibition of Political Parties in Turkey](#) stated that "prohibition and dissolution are applicable only in extreme cases, such as posing a threat to the existence and/or sovereignty of the state; posing a threat to the basic democratic order; the use of violence to threaten the territorial integrity of the state; incitement of ethnic, social or religious hatred; and using or threatening the use of violence." See also paragraphs 92 to 96 of the 2010 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation.

¹⁰ The number of seats per constituency ranges from 2 to 30.

¹¹ On 5 May, the HDP submitted a request to the SBE to review the seat allocation in the provinces of Bayburt and Mus claiming the statistics used for seat distribution had been manipulated. The application included an analysis of population statistics issued by the Turkish Statistical Institute that were applied by the SBE and voter register statistics issued by the Ministry of Interior. On 13 May, the SBE rejected the request.

¹² Each of the 81 provinces is allocated one parliamentary seat, while the remaining 469 seats are distributed among the provinces in proportion to the number of citizens. This results in a number of sparsely populated provinces being allocated two seats, rather than one.

of Good Practice in Electoral Matters (Code of Good Practice) and other international obligations and standards.¹³

To ensure the equality of the vote, the system of seat allocation should be reviewed in order to address the disparity of the population size in constituencies.

To qualify for seat allocation, political parties must surpass the national electoral threshold of 10 per cent of valid votes cast. The threshold, the highest among OSCE participating States, has been the subject of public discussion as it affects the representativeness of the parliament. In December 2014, the CHP submitted a bill to lower the threshold to three per cent, but it failed to pass. In 2014, three non-parliamentary parties lodged separate petitions with the Constitutional Court challenging the threshold. On 5 March 2015, the court refused jurisdiction on the grounds that challenges to legislation cannot be the subject of individual petitions. The OSCE/ODIHR, PACE, the European Parliament, and the European Court of Human Rights (ECtHR) previously recommended that the threshold be lowered to increase political pluralism.¹⁴

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

V. ELECTION ADMINISTRATION

The elections were administered by a four levels election administration: the SBE, 81 Provincial Election Boards (PEBs), 1,067 District Election Boards (DEBs) and 174,220 Ballot Box Committees (BBCs). The SBE is a permanent 11-member body composed of judges elected for 6 years with the overall authority for the conduct of the elections.¹⁵ Eligible political parties can appoint non-voting members to the SBE.¹⁶ Currently, non-voting members represent AKP, CHP, HDP, MHP and the Felicity Party (SP). The conduct of elections was organized in a generally professional manner.

PEBs are located in each province and consist of the three most senior judges in the province, appointed for two years terms. The four political parties that received the highest number of votes in the province in the last parliamentary elections can each nominate a non-voting member to the PEB. DEBs have seven members chaired by the most senior judge in the district; four members are

¹³ Paragraph 21 of the 1996 United Nations Human Rights Committee (UNHRC) General Comment No. 25 to Article 25 of the International Covenant on Civil and Political Rights (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 voters or discriminate against any group and should not exclude or restrict unreasonably the right of citizens to choose their representatives freely." According to 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, and should not exceed 15 per cent except in special circumstances.

¹⁴ In the case of [Yumak and Sadak v. Turkey, application no. 10226/03](#), 30 January 2007, the ECtHR ruled that the threshold did not amount to a violation of the right to free elections; however, the ECtHR considered the threshold "excessive" and noted that it would be desirable to be lowered to ensure political pluralism. See also OSCE/ODIHR Final Reports on the 22 July 2007 early parliamentary elections and on 12 June 2011 parliamentary elections.

¹⁵ Six elected from and by the Supreme Court; five from and by the Council of State. One SBE member is female.

¹⁶ The four political parties that received the highest number of votes in the last parliamentary elections and political parties having groups in the parliament may nominate non-voting representatives to the SBE. The HDP did not participate as a party in the last parliamentary elections; however, the SBE interpreted this provision to include the HDP as it has a parliamentary group.

nominated by political parties and two are civil servants.¹⁷ BBCs are required by law to be composed of seven members, five nominated by political parties, and two civil servants. Nevertheless, the SBE decided that BBCs could be composed of a minimum of four members; partly due to the difficulties in ensuring a sufficient number of members nominated by parties, despite a legal provision that requires the assignment of local residents to fill vacant positions. The law specifies that the BBC chairperson should be chosen by lot. However, this procedure was not followed in several DEBs, which applied various selection methods, including appointing chairpersons directly.¹⁸ Some 21 per cent of all BBC members were female.

The election administration suffered from a lack of trust among stakeholders due to concerns over its level of institutional independence. In particular, the control of the Ministry of Justice over the courts challenges the principle of separation of powers, undermining the independence of judges and in effect, the members of the SBE and PEBs and heads of the DEBs.¹⁹ As the Ministry of Justice has the authority to discipline and dismiss judges, and to reassign judges' duties and location, there is a concern that this gives it control over election administrators given that they include active judges.²⁰

Consideration should be given to revising the constitutional and legal framework to strengthen the independence of the judiciary and of the election administration, which would also serve to increase public trust in the election administration.

The SBE printed a total of 73,988,955 ballots, which included a surplus of some 30 per cent compared to the number of voters. Books of 405, 390 and 200 ballots were printed and distributed to BBCs in villages, neighbourhoods (*Mahalle*), and out-of-country BBCs, respectively. The SBE determined the number of ballots to be printed and distributed by considering the legal provisions and practices from previous elections. As referred to by the SBE, the Law on Local Administration Elections stipulates that the quantity of printed ballots should not exceed the number of registered voters by more than 15 per cent and the Law on Basic Provisions and the Law on Parliamentary Elections stipulate that each polling station should be provided with a book of 400 ballots. The decision to print and distribute books of 405 and 390 ballots to all in-country BBCs, including those with small number of voters resulted in an overall surplus of 17,380,177 ballots.²¹

To increase transparency and confidence in the electoral process, provisions for printing and distribution of ballots per BBC should be revised and clearly defined in the Law on Basic Provisions, and should include adequate safeguards to account for any surplus ballots.

Prior to election day, many interlocutors expressed concerns regarding the trust in the election administration at all levels, partly due to a lack of transparency. Meetings of electoral boards were not open to the public and not all SBE decisions were posted on its website, despite earlier OSCE/ODIHR

¹⁷ The four political parties with an organisational structure in the district and receiving the highest number of votes in the last parliamentary elections may nominate members. Among the 7,259 DEB members, 416 were female.

¹⁸ The OSCE/ODIHR LEOM was informed that selection procedures were not followed in DEBs in Bartın, Beyoğlu, Cihanbeyli, Kırşehir, Kırklareli, Pertek, Tunceli, and Zonguldak.

¹⁹ The head of the High Council of Judges and Prosecutors, which oversees the judiciary, is the Minister of Justice. Amendments in 2014 that brought the judiciary under increased control of the government were followed by replacements of several thousand judges and prosecutors. In 2015, several judges and prosecutors were detained or dismissed for decisions unfavourable to the government.

²⁰ Section II.3.1(75) of the Code of Good Practice states that “judicial appointees should not come under the authority of those standing for Office” and section 11.3.1(77) notes that “bodies that appoint members to electoral commissions should not be free to recall them, as it casts doubt on the independence. Discretionary recall is unacceptable, but recall for disciplinary reasons is permissible – provided that the grounds for this are clearly and restrictively specified in the law.”

²¹ Approximately 14 per cent of in-country BBCs had less than 200 voters and received 405 or 390 ballots.

recommendations. The SBE published an election calendar comprising election administration activities only until election day. Thus, deadlines for submitting complaints and announcement of results were not publicized.

To increase the transparency of the election administration, meetings of electoral boards should be open to media and observers, and all regulations and decisions could be made publicly available including on the SBE website in a timely manner.

Out-of-country voting was conducted in 54 countries from 8 to 31 May. In addition, voters registered abroad were able to vote at custom points until 7 June. Out-of-country ballots were transported to a counting centre in Ankara, and ballots from custom points were counted in the nearest DEB.

Trainings for BBC chairpersons and one additional BBC member were conducted by DEBs while political parties trained their BBC members. Training materials prepared by the SBE consisted of a video on procedures, manuals and sample forms. Most training sessions observed by the OSCE/ODIHR LEOM were conducted in a generally organized manner. It is good practice that all members of election commissions receive standard training.²²

The election administration could consider implementing comprehensive and standardized training for all BBC members.

According to the SBE, voters with disabilities (606,082) were re-assigned to polling stations located on the ground floor. While a number of polling stations were thus considered accessible, there still remained various locations where voters with disabilities had to be assisted to reach the BBCs. The law provides for assistance to visually impaired voters by relatives or voters of their choice, rather than a requirement to implement self-assistance measures.

The SBE prepared three voter information television spots in Turkish; two on voter registration and one on general information related to election day. Information on voting procedures was not prepared despite many first-time voters.²³ A civil society organization submitted a request to the SBE on behalf of two individuals, to provide its voter information spots in Kurdish. The request was rejected personally by the SBE Chairperson on the grounds that if material was produced in Kurdish, other languages would also have to be accommodated. Upon resubmission, the request was rejected by the SBE, as the spots produced were not considered to be voter information.²⁴

To enhance overall understanding of the electoral process, the SBE could consider preparing comprehensive voter information on various aspects of the elections, including voting procedures; and make it available in languages other than Turkish.

VI. VOTER REGISTRATION

Turkey has a passive voter registration system. The SBE maintains a permanent central voter register linked to the civil and address registry operated by the Ministry of Interior. Information regarding

²² Section II.3.1(84) of the Code of Good Practice states that members of electoral commissions have to receive standardised training at all levels of the election administration. Such training should also be made available to the members of commissions appointed by political parties.

²³ According to the SBE there were 1,103,044 first-time voters.

²⁴ Following the SBE's decision, on 28 April, the organization lodged applications with the Ombudsperson and the National Human Rights Institute claiming language discrimination in the SBE's implementation of voter education. Neither body addressed the matter before election day.

some categories of ineligible voters is provided by the Ministries of Defence and Justice. Overall, the voter registration system is well developed. The total number of eligible voters was 53,741,838 in-country and 2,866,940 out-of-country.

Citizens over 18 years of age have the right to vote. However, active conscripts, students in military schools and prisoners convicted of committing intentional crimes, regardless of the severity are not eligible to vote. These restrictions are not in line with paragraphs 7.3 and 24 of the 1990 OSCE Copenhagen Document, the Code of Good Practice, and other international obligations.²⁵ Furthermore, voting rights are to be restored when a convict's sentence is fully executed, which effectively extends the voting ban to convicts with suspended sentences and during the period of conditional release.

The ECtHR has ruled in two cases that Turkey's ban on convicted prisoner's voting rights is too broad and in breach of the right to free elections.²⁶ In particular, the court held that the loss of voting rights for convicts must be proportionate to the crime committed and the imposed sentence and that the right must be restored on release from prison. To date, these decisions have not been implemented with the required constitutional and legislative reform. However, on 23 February, the SBE issued a decision that partially implements the court's decisions, whereby it referenced one of the court's decisions and Article 90 of the Constitution that establishes the supremacy of international law over national legislation, and determined that all convicts outside of prison are entitled to vote, whether or not their sentence is fully executed.²⁷ The SBE decision did not address the restrictions on voting rights of convicts in prison since this is established in the Constitution.

The parliament should fully implement ECtHR decisions on prisoner voting rights. Furthermore, the ban on voting rights for conscripts and cadets should be repealed to bring the Constitution in line with international obligations.

The SBE finalized voter lists on 8 April after a two-week public display period in DEBs and online, almost two months prior to the day of elections. The total number of requests for changes to voter data was 366,673 in-country and 38,276 out-of-country. The DEB responsible for out-of-country voting informed the OSCE/ODIHR LEOM that during the voting process some 300 complaints regarding voter registration were received mainly related to voter addresses not properly updated in the system by consulate officials and voters not being able to vote at preferred locations.

Consideration could be given to extending the period for scrutiny of voter lists and to bringing the deadline for changes closer to election day, to ensure a more accurate voter register and to facilitate voter participation.

²⁵ Paragraph 7.3 of the 1990 OSCE Copenhagen Document states that the participating States will "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." Paragraph 14 of the 1996 UNHRC General Comment No. 25 to Article 25 of the ICCPR states that grounds for deprivation of voting rights should be "objective and reasonable" and "if conviction for an offence is a basis for suspending the right to vote, the period of such suspension should be proportionate to the offence and the sentence." Also see paragraph 58 of the CoE Committee of Ministers Recommendation CM/Rec(2010)4 on human rights of members of the armed forces, which states that "Any restrictions on the electoral rights of members of the armed forces which are no longer necessary and proportionately in pursuit of a legitimate aim should be removed".

²⁶ See judgments: [Soyluer v. Turkey, application no. 29411/07](#), 17 September 2013 and [Murat Vural v. Turkey, application no. 9540/07](#), 21 October 2014.

²⁷ The decision applies to individuals waiting to serve a prison sentence, under a suspended sentence, on conditional release, and on probation. The SBE issued the same decision for the local and presidential elections in 2014.

Voters are required to vote at BBCs located at their place of residence, with the exception of BBC members and police officers on duty at BBCs. According to the legislation, voting is compulsory for parliamentary elections; however, there are no provisions for voting at places of temporary stay for voters, such as those residing in medical facilities, welfare and social institutions, and for temporary workers.

Authorities could consider alternative voting methods to ensure the participation of individuals in medical facilities and welfare and social institutions.

VII. CANDIDATE REGISTRATION

Citizens over the age of 25 years who have legal capacity and primary education are entitled to contest the elections. Citizens who have not completed compulsory military service, have been legally banned from public service, or have been convicted of a broad range of crimes, including minor offences, even if pardoned, are ineligible to contest the elections. Furthermore, the restoration of the right to be a candidate is not automatic upon release from prison.²⁸ These bans on candidacy rights and criteria for the restoration of candidacy rights are incompatible with the fundamental right to stand for election entrenched in several international documents, including the 1990 OSCE Copenhagen Document.²⁹ In addition, the ban on persons who have not performed military service infringes the right to freedom of conscience as recognized in international law.³⁰

An electoral deposit is required for independent candidates, refundable only if the candidate is elected.³¹ This is inconsistent with international good practice that the refund of electoral deposits be based on a candidate receiving a certain number of votes that is not considered excessive.³²

Authorities should consider review of the eligibility requirements for parliamentary candidates and the provisions on restitution of candidacy rights to bring them in line with international obligations and good electoral practice. In addition, consideration could be given to amending the provision on electoral deposits to establish a reasonable threshold for their return.

Individuals must resign from public service and certain official posts to be nominated as a candidate.³³ Judges, prosecutors and army officials who resign cannot resume their office if not elected and

²⁸ A 2011 Constitutional Court decision annulled a legal provision in the Judicial Records Law establishing a lifetime ban on contesting elections. In 2012, the law was amended to provide for the opportunity to restore candidacy rights after a minimum three-year period after the full execution of a sentence, proof of living a “good life” and no new convictions. Following a 15-year period criminal records are deleted.

²⁹ Paragraph 15 of General Comment No. 25 to Article 25 of the ICCPR states that “Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements [...]”. Paragraph 7.5 of the 1990 OSCE Copenhagen Document provides that participating States will respect the right of citizens to seek political or public office without discrimination. Further paragraph 24 provides that restrictions on rights and freedoms must be “strictly proportionate to the aim of the law.”

³⁰ Turkey does not have an alternative to military service for conscientious objectors. On 30 July 1993, in General Comment 22, Paragraph 11, the UNHRC clarified that Article 18 of the ICCPR includes the right to conscientious objection to military service as the “use of lethal force may seriously conflict with the freedom of conscience and the right to manifest one’s religion or belief.” See also ECtHR judgments *Bayatyan v. Armenia*, application no. 23459/03, 7 July 2011 and paragraph 23 of the UNHRC [Concluding observations on the initial report of Turkey](#), 13 November 2012.

³¹ For these elections, the deposit was 10,167 Turkish lira (approximately EUR 3,500; 1 EUR is equal to some 2.9 lira). At least two candidates were rejected by the SBE and at least two independent candidates were rejected by PEBs due to an inability to pay the deposit.

³² Section I.1.1.3 of the Code of Good Practice.

unelected public servants are not guaranteed to return to their posts.³⁴ The deadline for submission of resignations was 10 February, some two months prior to the deadline for submission of candidate nominations. Several objections were lodged with the SBE against candidates on grounds that they had not resigned from their public post.³⁵

The candidate registration process was generally inclusive. However, a number of nominees were determined by the SBE to be ineligible due to non-performance of military service and past convictions and several candidates were rejected by the SBE and PEBS due to an inability to pay the deposit. Subsequently, two of the nominees lodged petitions with the Constitutional Court challenging the SBE's rejection of their nomination as a violation of their constitutional right to contest elections; the court did not adjudicate the cases prior to election day. Following the nomination and the public display and contestation periods, on 24 April, the SBE announced that 20 political parties with 9,861 candidates and 165 independent candidates were registered. One positive example, some parties implemented gender quotas. Overall, some 28 per cent of candidates on party lists were female.

Consideration could be given to introducing temporary special legislative measures to promote women candidates, including gender quotas and placing women in winnable positions. Political parties could consider nominating a minimum number of candidates of each gender.

VIII. ELECTION CAMPAIGN

A. CAMPAIGN ENVIRONMENT

The Law on Basic Provisions provides a framework for regulating campaign conduct, aimed at ensuring a fair and equitable campaign. The law establishes two periods with different applications of campaign rules. During the official campaign period that started on 28 May, and ended on 6 June at 18:00, stricter regulations and broader equitable campaign principles applied.³⁶ Having only the last 10-day period of the campaign firmly regulated leaves the larger campaign process under-regulated and does not serve to ensure a fully level playing field for the campaign.

To ensure an equitable campaign environment, consideration should be given to modify the legislation to provide that all campaign prohibitions, including on the misuse of administrative resources and official positions for campaign purposes, apply for the duration of the electoral period.

For the first time, the HDP participated in the elections as a party as its representatives in the outgoing parliament were elected as independent candidates. Twenty political parties took part in these elections, offering the electorate a wide choice.

The campaign environment was marked by active engagement on substantive issues by contestants, involving a large number of voters in campaign events. Polarization between the ruling party and

³³ The SBE officially denied several individual requests for guidance on whether or not they were required to resign from a specific position to contest the elections, citing its lack of obligation to do so. In contrast, the SBE responded substantively to similar requests submitted by organizations regarding their staff and board members.

³⁴ A judge who resigned to contest the elections lodged a petition with the Constitutional Court to resume his post after he was not included on the CHP candidate list.

³⁵ One such objection was upheld and the individual's candidacy was cancelled by the SBE.

³⁶ In the 10-day campaign period, all public ceremonies and speeches on government works are prohibited and the Prime Minister, Ministers and MPs use of public vehicles and participation in protocol meetings and ceremonies while on campaign tours are banned. Public servants cannot participate in campaign tours.

other contestants was notable and confrontational campaign rhetoric was often observed.³⁷ The overriding issue in the campaign was the proposed change of the governmental system towards presidential, as advocated by the President and the AKP and opposed by other contestants. Socio-economic issues, the Kurdish-Turkish peace process and the ongoing situation in the Middle East were also widely discussed.

During the campaign, fundamental freedoms were generally respected. Contestants were generally able to campaign freely and did so extensively; however, there were several isolated cases of cancellation or restrictions of rallies of opposition parties in favour of events organized for the President or the Prime Minister.³⁸ Some parties voiced dissatisfaction with the allocation of campaign space and reported damage or removal of their campaign materials, including by local authorities. In mid-May, the Kirikkale and Ankara Criminal Courts ruled that certain MHP posters insulted the President and provoked hatred as prohibited under the Criminal Code. The courts ordered all provincial governors and the General Directorate of the Police to remove all such posters. On 2 June, the President launched a civil lawsuit against the CHP Chairperson for slander for statements made against him in a campaign speech.

The OSCE/ODIHR LEOM was informed of various allegations of students and civil servants being instructed by their superiors to attend campaign events of the AKP; and a case was filed on this matter with a Chief Public Prosecutor in Istanbul on 29 May. Such undue influence undermines the ability of citizens to hold and express opinions without fear of retribution, inconsistent with paragraphs 5.4 and 7.7 of the 1990 OSCE Copenhagen Document.³⁹

Efforts should be undertaken to ensure the impartiality of the public administration, including of state and local government officials, which should address pressure on and protection for civil servants.

The four largest political parties in the outgoing parliament had the most visible campaigns, with numerous and well-attended events throughout the country. Though legally prohibited, these parties also campaigned abroad.⁴⁰ The campaign was vibrant with rallies, banners, billboards, posters, street and door-to-door campaigning as well as media advertisements.⁴¹ Candidates and parties extensively used social media. In addition to Turkish, in some instances Kurdish, Arabic, Syriac and Zaza languages were used in the campaign.⁴² While most contestants addressed gender issues, the HDP was particularly vocal on gender-equality. Women played an active, but less visible role in the campaign,

³⁷ The OSCE/ODIHR LEOM observed the use of confrontational campaigning in the following rallies: on 16 May during an CHP rally in Adana, AKP rally in Bursa and MHP rally in Konya; on 17 May during an AKP rally in Istanbul and HDP rally in Adana; on 19 May during a Patriotic Party rally in Ankara; on 22 May during a SP rally in Samsun; on 31 May during a MHP rally in Istanbul, CHP rally in Ankara, and AKP rally in Diyarbakir.

³⁸ The Felicity Party cancelled its rally in Uşak on 27 May due to a presidential event scheduled afterwards. The rally of the Felicity Party in Sakarya, planned and authorized by the DEB for 9 May, was forced to be rescheduled due to an event by the Prime Minister. The authorized rally by the Patriotic Party in Adana for 29 May was restricted due to a presidential event.

³⁹ Paragraph 5.4 provides that the participating States agrees on “clear separation of State and political parties” and paragraph 7.7 to “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 of fear of retribution.”

⁴⁰ For example: the Prime Minister and AKP Chairperson in Germany on 3 May; the CHP Chairperson in Germany on 25 April; the MHP Chairperson in Germany on 26 April; the HDP Co-chairs in Switzerland on 18 April, in France on 1 May, and in Austria on 25 and 26 April.

⁴¹ In total, the OSCE/ODIHR LEOM observed 45 campaign events.

⁴² The OSCE/ODIHR LEOM observed the use of these languages in Adana, Diyarbakir, Izmir, Van and Mardin.

focused mostly on door-to-door canvassing. The average participation of women at campaign events attended by the OSCE/ODIHR LEOM was approximately 30 per cent.

Under the Constitution, the president is obliged to be non-partisan and perform his/her duties without bias.⁴³ The President, as head of state, together with local officials, attended an extraordinary number of public events throughout the campaign, using these as opportunities to praise the work of the government, campaign in favour of the ruling party and to criticize opposition figures.⁴⁴ The President's campaigning continued during the 10-day official campaign period.⁴⁵ This practice contravened campaign rules, including prohibitions on the use of state resources for campaign purposes and is at odds with paragraph 5.4 of the 1990 OSCE Copenhagen Document.⁴⁶

On 30 May, a large public event commemorated the 562nd anniversary of the conquest of Istanbul. Speeches by the President and the Prime Minister (introduced as the AKP Chairperson), praised the AKP government. Prior to the event, the SBE decided, contrary to the law, that the organization of the event was not prohibited.⁴⁷ On 19 May, the MHP lodged a request with the SBE to prohibit the President from participating in the event and all other scheduled outdoor public meetings during the last 10 days of the campaign. The SBE denied the request.⁴⁸

To enhance the integrity and public confidence in the electoral process, authorities should implement safeguards to ensure a clear separation between the State and parties to prevent public officials, including the President and candidates, from using the advantage of their office for electoral purpose.

The campaign was tainted by a high number of attacks on candidates and party offices.⁴⁹ On 18 May, two bombs exploded at HDP branch offices in Adana and Mersin. One AKP candidate and one CHP candidate were wounded in separate armed attacks on 23 and 26 May, respectively. On 4 June, in Erzurum, 38 persons were injured during a targeted disruption of the HDP rally. On 5 June, two bombs exploded at the HDP rally in Diyarbakir; four people died and over 100 injured. The police launched investigations in all of these cases.

B. CAMPAIGN FINANCE

The legislation does not contain comprehensive regulations on campaign financing. It only imposes certain restrictions on the amount and nature of donations. There are no limitations on general party and campaign-related spending. Political parties are required to declare their campaign funds solely through annual party financial reports submitted to the Constitutional Court, and independent candidates declare

⁴³ Articles 101 and 103 of the Constitution oblige the President to sever his relations with his party and to pledge to perform his functions without bias. The President justified his right to speak publicly about the political future of the country on the basis of being directly elected by popular vote.

⁴⁴ The OSCE/ODIHR LEOM observed events in Adana and Istanbul on 29 and 30 May and in Erzurum and Manisa on 1 and 4 June. On 31 May, the President appeared in a two-hour interview on *TRT1*, essentially campaigning on behalf of the AKP. The President justified his right to speak about the country's political future based on being directly elected by popular vote. The President generally avoided directly mentioning the AKP in his speeches.

⁴⁵ The website of the Office the President referred to his public events as "inaugurations" until the start of the official campaign period after which the website referred to these scheduled events as "meetings with the public."

⁴⁶ Paragraph 5.4 provides for "a clear separation between the State and political parties; in particular, political parties will not be merged with the State."

⁴⁷ While public ceremonies are prohibited during the 10-day official campaign period, exemptions exist for ceremonies for national holiday; however, the day in question was not a national holiday.

⁴⁸ One SBE member included a dissenting opinion that the scheduled 30 May event contravened the election law, which prohibits holding of public ceremonies in the 10-day official campaign period and that local authorities organizing the event should be referred to the prosecutor's office.

⁴⁹ According to statistics provided by the Ministry of Interior covering the period from 1 January to 24 May, a total of 84 attacks on party premises and 49 physical attacks on party members or candidates were registered.

through their tax declarations. The Law on Political Parties includes sanctions for breaches of finance-related provisions; violations of donation-related provisions can result in six months to three years imprisonment and breaches of reporting requirements from three to six months imprisonment and fines of 15-60 million lira. Contributions and expenditure of parties and candidates during the campaign were not publicly available. The lack of timely and public disclosure of this information limits the overall transparency and accountability of the campaign finance framework and falls short of international standards and good practice for campaign financing, including recommendations by the Council of Europe's Group of States against Corruption (GRECO).⁵⁰ None of the political parties voluntarily disclosed their campaign finances.⁵¹

In line with international good practice and GRECO recommendations, authorities could consider establishing periodic, timely and transparent reporting of monetary and in-kind campaign contributions and expenditure, including having such reports publically available in a timely manner, and enhancing the effectiveness of institutional oversight.

Based on the results of the last parliamentary elections, the AKP, CHP and MHP qualified for state party funding in accordance with the seven per cent threshold. Total state funding amounted to 531 million lira for 2015. The HDP was not eligible for state party funds as its outgoing deputies were elected as independent candidates, and thus had to fund its campaign based generally on voluntary contributions from its supporters. Most political parties and independent candidates met with by the OSCE/ODIHR LEOM raised concerns regarding the lack of financing that limited their campaign abilities and placed them at a disadvantage compared with parties entitled to state support. In 2014, in following a previous OSCE/ODIHR recommendation, the LPP was amended to decrease the threshold for political parties to qualify for state funding from seven to three per cent.

IX. MEDIA

A. MEDIA ENVIRONMENT AND LEGAL FRAMEWORK

The media environment is vibrant, with a wide range of media outlets. Television is considered the primary source of information. Print media are numerous, although circulation is limited, while an ever-increasing importance is placed on online and social media. Despite the high number of media outlets, mainstream media ownership is concentrated in a few companies, which limits media pluralism. A number of these companies have significant non-media investments and partly rely on governmental contracts, which were noted by some OSCE/ODIHR LEOM interlocutors as limiting their criticism of the ruling party.

The legal framework encompasses undue constraints on the freedom of expression, as detailed in the Constitution, the Criminal Code, the Anti-Terrorism Act and the Internet Law. In particular, the Constitution permits restrictions in order to protect "the basic characteristics of the Republic and the indivisible integrity of the state with its territory and nation"; the Criminal code criminalizes defamation and "insulting the Turkish Nation"; and the Criminal Code and the Anti-Terrorism Act are used to prosecute journalists covering and investigating facts related to criminal and terroristic

⁵⁰ The GRECO [Interim Compliance Report](#) from 4 February 2015 noted that the majority of past recommendations have not been implemented. See also Article 7.3 of the UN Convention Against Corruption and paragraph 206 of the OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulations.

⁵¹ Following Transparency International Turkey's call to political parties and candidates to disclose personal assets, 32 candidates (20 from HDP, 7 from CHP, 1 from AKP, 1 from LDP and 3 independent candidates) disclosed their campaign finances on 12 May.

organizations. These restrictions hinder public debate and critical reporting.⁵² While the number of detained journalists has decreased in the last few years, media freedom remains a major concern. OSCE/ODIHR LEOM interlocutors reported increased pressure and intimidation towards media deemed to be critical of those in power.⁵³ This includes direct interference of public officials and political entities, restriction to access and cover institutional and ruling party's events, and threats to ban media outlets. In addition, fears of withdrawal of advertising from private companies close to the government, as well as lawsuits against journalists, led to widespread self-censorship. Some media faced pressure and intimidation specifically during the election period.⁵⁴

The legal framework should be amended to bring it in line with international obligations on freedom of expression, and in accordance with Article 10 of the European Convention on Human Rights (ECHR), authorities should refrain from undue interference into the right of freedom of expression, to hold opinions and to receive and impart information and ideas.

The conduct of broadcast media during the election period is regulated by the Law on the Establishment of Radio and Television Enterprises and their Media Services (Law on Broadcasting), the Law on Basic Provisions and SBE decisions. Media regulations require all broadcasters to ensure impartiality, truthfulness and accuracy during broadcasting. During the last seven days of the campaign, the public broadcaster, the Turkish Radio and Television Corporation (TRT) is obliged to grant free airtime to political parties contesting the elections. All parties are entitled to two slots of ten minutes. Additional free airtime of varying duration is granted to all parties with a parliamentary group, and to the governing and the main opposition party.⁵⁵ Independent candidates do not qualify for free airtime. Paid political advertising is allowed throughout all media. The law requires media to provide paid advertising under equal conditions for contestants and does not set a ceiling on the amount contestants can purchase. While the legalisation for broadcast media during the election period is comprehensive, a number of important aspects are lacking, including sufficiently clear regulations for the proper implementation of a definition for equal or equitable coverage, public guidelines on how media compliance with the regulations is monitored by the RTSC, regular publication of media monitoring reports and a system of sanctions communicated to the broadcasters in a timely manner.

During the election period, the SBE has authority over broadcast, print and online media, related to electoral matters, including consideration of media complaints and issuance of sanctions. The Radio and Television Supreme Council (RTSC) was responsible to oversee compliance by broadcast media with the existing regulations and to submit weekly reports on detected violations to the SBE. However, the seemingly partisan functioning of the RTSC undermines its independence.⁵⁶ The RTSC members nominated by opposition parties publicly voiced their dissatisfaction over the RTSC's lack of transparency and inaction towards the extensive coverage by some national broadcasters in favour of the AKP and the President. The RTSC only submitted reports to the SBE on detected violations, and not comprehensive reports on its media monitoring findings.

⁵² On 31 May, the President publicly threatened and subsequently lodged a criminal complaint against the Editor-in-chief of *Cumhuriyet*, following the publication of a critical video.

⁵³ See the [statement by the OSCE Representative on Freedom of the Media from 15 December 2014](#). As of 7 June, a total of 22 journalists were in prison.

⁵⁴ On 19 May, the newspaper *Hurriyet* published an open letter to the President replying to his harsh criticisms against the Dogan Media Group over *Hurriyet*'s reporting.

⁵⁵ The AKP was entitled to 50 minutes, CHP 40 minutes, MHP and HDP 30 minutes each, other parties 20 minutes.

⁵⁶ The RTSC consists of nine members elected by parliament; five nominated by the AKP, two by the CHP and one each by the MHP and HDP.

To enhance the transparency of the RTSC and safeguard its independence, consideration should be given to publishing guidelines of its media monitoring as well as comprehensive periodic reports on its findings.

As of 12 June, the SBE considered 150 RTSC reports, which resulted in 157 warnings to 39 television channels and 120 program suspensions on 20 channels.⁵⁷ Nevertheless, not all decisions were published and broadcasters were not informed in a timely manner, which undermined the effectiveness of the sanctions. In response to complaints lodged by a political party, the SBE decided to block access to 70 links to online news articles, which published opinion polls during the last ten days before election day, in contravention of the Law on Basic Provisions.⁵⁸

To ensure effective redress of violations, broadcasters should be informed in a timely manner of SBE decisions. To enhance transparency, consideration should be given to publishing all SBE media-related decisions.



B. MEDIA MONITORING RESULTS

OSCE/ODIHR LEOM media monitoring findings revealed that the election coverage was often polarized along partisan editorial lines.⁵⁹ The overall media coverage of the campaign, both in broadcast and print media, focused on the four largest political parties to the detriment of smaller parties and independent candidates. Broadcast media largely covered the election period with live broadcasts of campaign rallies, while the editorial coverage of the campaign was limited. Debates among party leaders were not held. This reduced the opportunity for open debate among contestants.

Consideration could be given to reviewing the legal framework to have the public broadcaster, TRT, provide more editorial coverage of campaign activities and candidate programmes, in a fair and impartial manner to enhance the ability of voters to make an informed choice.

In its newscasts, the *TRT1* offered largely biased coverage in favour of the ruling party, which benefited from 46 per cent of the airtime. The *NTV* and *ATV*, in their editorial coverage and live broadcast of campaign events offered coverage to the AKP, 32 and 34 per cent, respectively. *CNN Turk* offered more coverage to the CHP and HDP, 30 and 27 per cent respectively, while the MHP and AKP received 18 and 12 per cent, respectively. *Samanyolu TV* offered limited, but fairly balanced coverage of the contestants; however, the tone of the coverage towards the ruling party was often negative.

The AKP largely invested in paid advertising purchasing 51 per cent of the total paid political advertising on all channels monitored. The AKP was the only party to purchase paid advertising on *ATV* and had 91 per cent of the advertising on *TRT1*.⁶⁰ The CHP also invested in paid advertising, purchasing 19 per cent of total paid advertising.

⁵⁷ Most sanctions issued to broadcasters were related to AKP advertisements for non-compliance with campaign regulations prohibiting the use of religious symbols and the Turkish flag, and other sanctions for unbalanced coverage and/or violations of the rules for publishing opinion polls.

⁵⁸ On 3 and 5 June, the MHP lodged two complaints to the SBE on opinion polls published by online media during the last ten days of the election campaign. SBE decisions were issued on the day the complaint was filed.

⁵⁹ The OSCE/ODIHR LEOM conducted a quantitative and qualitative media monitoring of five television stations: *TRT1*, *CNN Turk*, *NTV*, *ATV* and *Samanyolu TV*; and four newspapers: *Zaman*, *Hurriyet*, *Sabah* and *Sozcu*.

⁶⁰ On 11 April, *TRT1* refused to air a paid CHP campaign advertisement, considering it negative campaigning against the ruling party in breach of the Law on Broadcasting and the Regulation on Commercial Advertisement and Unfair Commercial Practices, which also apply to paid political advertisement. However the same paid advertisement was broadcast by other channels without being considered a violation by the competent regulatory bodies, the RTSC and SBE.

During public speeches, the President often referred to electoral contestants. The President benefited from extensive coverage, to the advantage of the ruling party. *TRT1*, *ATV* and *NTV* devoted to the President 40, 46 and 30 per cent, respectively, of their editorial coverage of political and institutional actors. Several political parties and MPs lodged complaints to the SBE and the Constitutional Court, including a challenge to the media coverage received by the President; all complaints were rejected or left unconsidered before election day (see *Complaints and Appeals*).

Print media covered the campaign mostly by reflecting the political polarization of these elections. Two of four monitored newspapers, *Zaman* and *Sozcu*, displayed distinct criticism of the President and the ruling party. *Sabah* showed a pro-government editorial line, with extensive coverage of the President and ruling party, partly with a positive tone, and to some extent, a negative tone towards the HDP and CHP. All television channels monitored respected the campaign silence period.

X. COMPLAINTS AND APPEALS

In general, appeals against decisions of lower level election boards can be lodged with the higher level boards, up to the SBE.⁶¹ Those eligible to appeal include parties, voters, partisan observers, and candidates. Civil society organizations are not entitled to lodge complaints, undermining the protection of the broader public interest in the electoral process. Clear timeframes for submission and adjudication of some, but not all types of electoral disputes are established in the law. Lodging of campaign-related complaints is not regulated in the legislation and the SBE did not sufficiently regulate oversight of the campaign process.⁶² The OSCE/ODIHR LEOM noted widespread inconsistencies in the understanding of local authorities and DEBs regarding their responsibilities in the campaign process, including authority over campaign-related complaints. Lower level boards were not required to report to the SBE on complaints received, which undermined the SBE's ability to conduct general oversight of the complaints process and to enhance transparency in the overall electoral process. The law provides for challenges against election results at all levels, but does not establish criteria for conducting recounts and on invalidation of results.

Various OSCE/ODIHR LEOM interlocutors expressed a lack of trust in the election administration and courts to impartially and effectively handle election-related disputes and cases. Some interlocutors noted they refrained from officially lodging electoral complaints due to a lack of trust or to avoid conflict with other parties, and that complaints are often raised and dealt with in an informal manner, in some cases outside the parameters of the law. Adjudication proceedings of electoral boards are not open to observers or the media, and not all decisions on complaints and appeals were publically available, nor published in a timely basis, undermining transparency in the dispute resolution process.⁶³

⁶¹ PEB decisions related to the formation of DEBs and BBCs, and DEB and PEB decisions on voter registration are final and cannot be appealed.

⁶² There are ambiguities in SBE Regulation 236 regarding which authorities are responsible for overseeing particular campaign matters and during which periods of time and the handling of campaign-related complaints is not addressed in the regulation.

⁶³ The SBE decides on a case-by-case basis whether to publish decisions on complaints and appeals. Decisions on appeals and objections on candidate registration are not published. Written decisions are posted between 7 and 10 days after the date of decision. The OSCE/ODIHR LEOM was able on request to receive from the SBE copies of complaints and decisions and verbal information about decisions before they were published.

To enhance the election dispute resolution process, the law should establish a right for civil society organization to lodge complaints, clear oversight of the campaign by relevant authorities, and reasonable deadlines to submit and adjudicate complaints.

The SBE received 13 complaints lodged by opposition parties and MPs, and a private citizen, related to the President's widespread campaigning in favour of the ruling party and against opposition parties, in breach of the constitutional obligation for impartiality, and challenging the media's extensive coverage of these events as a breach of broadcasting regulations on equal opportunities.⁶⁴ The SBE rejected all such complaints on the ground that it does not have sanctioning authority over the President and that regulations do not include the possibility to monitor the media's coverage of the President's activities. The SBE's handling of these complaints denied stakeholders an effective remedy in election disputes and negatively affected the fairness of the electoral process. Most of the decisions included dissenting opinions.⁶⁵

Few complaints were lodged with lower level electoral boards, mostly related to posting or unlawful removal of campaign materials, including by municipal officers. Other complaints involved claims of unfair allocation and use of campaign space, misuse of administrative resources, and distribution of valuable goods by campaigners. Two criminal complaints were lodged by opposition parties on the use of state resources. The SBE and lower level boards did not take initiative to address campaign-related violations that came to their attention unless official complaints were lodged, undermining the overall legality and fairness of the campaign process.

Several appeals against PEB decisions regarding allocation of rally venues for use by the President were submitted by political parties to the SBE. A DEB decision denying the President the use of a rally venue allocated to the Patriotic Party was overturned by the PEB on appeal.⁶⁶ On further appeal, the SBE decided that the venue could be shared by the President and Patriotic Party; although the President was not an electoral contestant, which unduly restricted the party's right to freely campaign.⁶⁷ Disregarding the SBE's decision, the DEB gave the venue exclusively to the President citing security concerns if the venue was shared. On appeal to the PEB, the DEB's decision was upheld and on further appeal, the SBE again decided the venue was to be shared.⁶⁸ The handling of these cases by the SBE and lower boards did not employ a proper legal approach and left the complainant without effective remedy.

To ensure the integrity of the electoral process and a level playing field for all contestants, election management bodies and local authorities should exercise campaign-related duties and adjudication

⁶⁴ These comprised the majority of complaints received by the SBE. All but two of these complaints challenged the media's coverage.

⁶⁵ SBE decisions on nine such complaints included dissenting opinions (two opinions in most cases). These noted that the President's campaign activities were inconsistent with his constitutional duty to remain impartial and requested the SBE to call on the RTSC to review media coverage of the President's campaign events.

⁶⁶ The DEB decision, dated 18 May, denied the President a rally venue in Adana for 29 May due to the allocation of the venue for that date to the Patriotic Party and on grounds that under the law, identified venues are for exclusive use of electoral contestants during the 10-day campaign period.

⁶⁷ The SBE referred to its Regulation 236, which states that in case more than one political party and independent candidate apply for the same public meeting area in the same date and hour for campaign purposes, the venue is to be shared and the sequence of events shall be determined by lot.

⁶⁸ The SBE decided that the Patriotic Party could use the venue from 19:30 – 21:52. The SBE decision included five dissenting opinions, including one member who stated that the SBE has no authority to authorize the rally location for the President and that when the SBE gives the President priority, political rights are restricted. The OSCE/ODIHR LEOM observed the two rallies, and noted that the President's rally ended one hour late, resulting in the party's rally taking place in the dark.

responsibilities in an impartial manner, and adopt decisions consistent with the law and intent of the law and with fundamental rights.

SBE decisions, including regulations, administrative decisions, decisions on complaints and appeals, and the determination of election results, are final and not subject to judicial review. Although composed of judges, the SBE is an administrative organ. The SBE acting as a last instance in electoral matters and disputes leaves the electoral process under the final authority of an administrative body, challenging the separation of powers guaranteed by the Constitution, and denies the opportunity for effective judicial remedy in electoral disputes. This is contrary to paragraph 18.4 of the OSCE 1991 Moscow Document, paragraph 5.10 of the 1990 OSCE Copenhagen Document and Section II.3.3 of the Code of Good Practice.⁶⁹

To provide for an effective means of redress, the Constitution and legislation should be amended to provide a right to judicial review of SBE decisions in a timely manner.

A 2010 constitutional amendment established the right to lodge individual petitions to the Constitutional Court for violations of fundamental rights and freedoms within the scope of the ECHR and guaranteed by the Constitution.⁷⁰ These were the first parliamentary elections during which the new legal mechanism was in force.⁷¹ To date, the court has not ruled on whether violations of electoral rights in parliamentary elections as protected by the ECHR and the Constitution can be the subject of individual petitions taking into consideration the finality of SBE decisions, as per the Constitution.⁷²

Prior to election day, 16 election-related petitions were lodged with the Constitutional Court. Eight lodged by opposition parties, MPs and a private citizen related to campaigning by the President, his misuse of administrative resources in the campaign, and the media's extensive coverage of these events. One petition filed by a civil society organization challenged the SBE's decision denying it permission to observe the elections, as a breach of OSCE Commitments and international standards.⁷³ Other petitions related to breaches of citizens' active and passive suffrage rights. There is no deadline for the Constitutional Court's consideration of election-related petitions. Under the court's prioritization policy election cases are not given priority. The court did not take decisions by election day, denying timely remedy of electoral disputes.

Consideration could be given for the Constitutional Court to interpret and exercise its jurisdiction broadly over individual petitions related to violations of fundamental rights to ensure that electoral rights are protected, including a timely deadline to address election-related petitions.

⁶⁹ Paragraph 18.4 of the Moscow Document states that "the participating States will endeavor to provide for judicial review of such regulations and decisions"; paragraph 5.10 of the Copenhagen Document states: "everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity."

⁷⁰ All available legal mechanisms to protect these rights must be exhausted prior to lodging an individual petition.

⁷¹ Legislation implementing the Constitutional Court's individual petition process was adopted in 2012.

⁷² A 2014 Constitutional Court judgment on a challenge to a local election result ruled that only parliamentary election rights are within the scope of the ECHR and thus the case was not reviewable by the court but expressly stated the judgment would remain silent on whether or not decisions of the SBE are subject to review for breaches of parliamentary election rights.

⁷³ The petition references Turkey's commitment to provide for citizen observation under the 1990 OSCE Copenhagen Document and in accordance with international electoral rights, the constitutional provision that international law prevails over national legislation, and the "double standard" in accrediting international observers but not citizen observers.

XI. CITIZEN AND INTERNATIONAL OBSERVERS

The law does not create the legal basis for the effective implementation of citizen and international observation as per paragraph 8 of the 1990 OSCE Copenhagen Document, previous PACE recommendations, and Section II.3.2 of the Code of Good Practice.⁷⁴ However, for these elections five international organizations were accredited to observe. At the same time, two civil society organizations were denied accreditation by the SBE on grounds of lack of legal basis for citizen observation.⁷⁵

Consideration should be given to amending the legislation to explicitly provide for the presence of observers, both international and citizen, to ensure full compliance with paragraph 8 of the 1990 OSCE Copenhagen Document.

The Law on Basic Provisions provides for monitoring of the election process only by representatives of political parties and independent candidates. Several citizen observers groups undertook efforts to observe the election process, with a specific focus on election day either through political parties or independently. The extensive presence of partisan and citizen observers during the voting and counting process was widely viewed as contributing to the integrity of this part of the process.

The SBE did not establish a formal mechanism for accreditation and identification of partisan observers or a requirement for BBC and DEB members to wear identification. As a result, difficulties with the identification of persons present at polling stations and DEBs were noticed in many places on election day, contributing to the presence of unauthorized persons and limiting transparency.

The SBE could develop procedures for official accreditation of observers including the issuance of accreditation cards for persons authorized to be present at polling stations and a requirement for all election officials and observers to wear identification.

XII. ELECTION DAY AND ANNOUNCEMENT OF RESULTS

In line with standard OSCE/ODIHR LEOM methodology, the mission did not conduct a comprehensive and systematic observation of election day proceedings. However, mission members visited a limited number of polling stations and followed the tabulation of results in some districts. At the limited number of BBCs and DEBs visited, polling, counting and tabulation processes were noted as generally transparent, although many procedural errors were observed and to some extent the unnecessarily complicated procedural requirements led to confusion and errors. The security seals for ballot boxes and some other materials are outdated, as is the practice of burning excess ballots in the reconciliation process. In addition, procedures do not permit a voter to exchange a spoiled ballot.

Authorities could consider revising and simplifying election day procedures, including removing any steps that do not contribute substantively to the process, as well as updating election materials. Consideration should be given to introducing provisions to allow a voter to exchange a spoiled ballot.

⁷⁴ Paragraph 8 of the 1990 OSCE Copenhagen Document states: “The participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for states in which elections are taking place. They therefore invite observers from any other participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings, to the extent permitted by law.”

⁷⁵ The organizations were the Association for Monitoring Equal Rights and the Human Rights Association.

In the few instances where the tabulation of results was observed at the DEB level, processing procedures were efficient. Nevertheless, in some instances DEBs were overcrowded and in others international observers were denied access. Results protocols from BBCs were scanned and uploaded to the SBE at the DEB level, with access granted to political parties. Public access to BBC results protocols on the SBE website was not given until 18 June. On election day all channels monitored by the OSCE/ODIHR LEOM, including the public broadcaster, published provisional election results earlier than 21:00, in contravention of the Law on Basic Provisions.⁷⁶ The SBE did not publish preliminary results on the election day.

To enhance transparency and trust in the electoral process, the law should provide for the immediate publication of detailed preliminary election results by the SBE with public access to result protocols.

In most polling stations visited by international observers, the number of BBC members was less than the legally prescribed number and in some instances citizen observers were performing the duties of polling staff. In order to carry out their key role, citizen observer groups mostly registered on behalf of parties and were present in most of the visited polling stations. In many BBCs, the number of ballots and envelopes did not match or differed from the number indicated on the accounting form.

Irregularities during voting occurred, including reported cases of voters fined by police for offences such as violating the secrecy of the vote, multiple voting, and campaigning on election day.⁷⁷ In one BBC, the OSCE/ODIHR LEOM observed serious malfeasance during the counting process.

The DEB in charge of out-of-country voting received some 50 complaints and notifications regarding irregularities during the voting and counting processes, and against decisions of BBCs. The DEB generally handled these matters in a responsive and effective manner.⁷⁸

Authorities should ensure that alleged electoral offences related to voting and counting processes be thoroughly investigated by law enforcement bodies on a timely basis, prosecutions undertaken in appropriate cases, and proportionate penalties imposed.

After election day, various political parties challenged the results of BBCs in several constituencies, citing errors in determining invalid ballots and filling out protocols, and requested recounts. Several independent candidates challenged the constituency results in Bingöl, Istanbul 3 and Ankara 2 claiming unequal treatment between political parties and independent candidates in the format of the ballots; in one constituency a confusing ballot layout led to a disproportionately high number of invalid ballots.⁷⁹ In these cases, the SBE determined its design of the ballots was lawful.

Authorities should consider reviewing the legislation and its implementation by the SBE to ensure that all candidates are uniformly presented on the ballot and in a format that is easily understandable by voters.

⁷⁶ Two news agencies, *Anadolu Agency* (state-run) and *Cihan News Agency* (private) collected provisional results from party observers and their correspondents, and shared them with the media.

⁷⁷ In Antalya Province, it was reported by the media that 62 voters were fined for various election-related offences on election day.

⁷⁸ Some BBCs were given warnings and one chairperson was dismissed. Some alleged offences, including related to photographing filled in ballots, family voting, directed voting, multiple voting, and negligent conduct of duties of BBC members were referred by the DEB to the Ankara Prosecutor's Office.

⁷⁹ The fonts of independent candidate names were smaller than those for parties; parties were permitted logos and colours while independent candidates were not.

The OSCE/ODIHR LEOM was informed by various interlocutors of complaints and appeals lodged to electoral boards challenging results in various constituencies. The Nation Party requested recounts of all ballots in Konya constituency and the AKP requested recounts in various BBCs in Aksaray and Diyarbakir provinces based on alleged mistakes in the protocols. The AKP reportedly requested recounts of all invalid ballots in Giresun and Samsun constituencies. The MHP confirmed it challenged results in Iğdir, Kocaeli and Amasya provinces and in Izmir province, the AKP, CHP and HDP reportedly challenged results. In the period following election day, the SBE considered a total of 23 complaints, all of which were rejected.

The SBE announced final election results on 18 June. Detailed results broken down per BBC were made available the same date. The OSCE/ODIHR LEOM was not made aware of any complaints related directly to the final results.

XIII. RECOMMENDATIONS

These recommendations as contained throughout the text are offered with a view to enhance the conduct of elections in Turkey and 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 OSCE/ODIHR recommendations that remain to be addressed, in particular those contained in the final report on the 2014 presidential election. The OSCE/ODIHR stands ready to assist the authorities of Turkey to further improve the electoral process and in following up on recommendations contained in this and previous reports.⁸⁰

A. PRIORITY RECOMMENDATIONS

1. The SBE should adopt regulations that sufficiently supplement all aspects of the election legislation and that are within its regulatory authority, and issue decisions that are consistent with the law to ensure a comprehensive and cohesive legal framework.
2. The electoral legal framework should be thoroughly reviewed and amended in line with past OSCE/ODIHR recommendations to address substantive gaps and to enhance its clarity.
3. To ensure the equality of the vote the system of seat allocation should be reviewed in order to address the disparity of the population size in constituencies.
4. The parliament should fully implement ECtHR decisions on prisoner voting rights. Furthermore, the ban on voting rights for conscripts and cadets should be repealed to bring the Constitution in line with international obligations.
5. Authorities should consider review of the eligibility requirements for parliamentary candidates and the provisions on restitution of candidacy rights to bring them in line with international obligations and good electoral practice. In addition, consideration could be given to amending the provision on electoral deposits to establish a reasonable threshold for their return.
6. The legal framework should be amended to bring it in line with international obligations on freedom of expression and in accordance with Article 10 of the European Convention on

⁸⁰ In paragraph 24 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations.”

Human Rights (ECHR), authorities should refrain from undue interference into the right of freedom of expression, to hold opinions and to receive and impart information and ideas.

7. Consideration could be given to reviewing the legal framework to have the public broadcaster, TRT, provide more editorial coverage of campaign activities and candidate programmes, in a fair and impartial manner to enhance the ability of voters to make an informed choice.
8. To provide for an effective means of redress, the Constitution and legislation should be amended to provide a right to judicial review of SBE decisions in a timely manner.

B. OTHER RECOMMENDATIONS

Legal Framework and Electoral System

9. To provide a fully democratic basis for the conduct of elections, the government is encouraged to ensure broad guarantees for fundamental rights and freedoms in the drafting of a new constitution. This process should take place in an inclusive public consultative manner. Legislation should be consistent with fundamental freedoms of association, assembly, and expression, and electoral rights.
10. Consideration should be given to reviewing the requirements for political parties to participate in elections, loosening restrictions on political party platforms, tightening the framework for dissolution of parties and allowing the formation of party blocs to further strengthen fundamental freedoms and increase pluralism.
11. To increase the pluralism and representativeness of the parliament, consideration could be given to lowering the threshold for parties to qualify for seat allocation.

Election Administration

12. Consideration should be given to revising the constitutional and legal framework to strengthen the independence of the judiciary and of the election administration, which would also serve to increase public trust in the election administration.
13. To increase transparency and confidence in the electoral process, provisions for printing and distribution of ballots per BBC should be revised and clearly defined in the Law on Basic Provisions, and should include adequate safeguards to account for any surplus ballots.
14. To increase the transparency of the election administration, meetings of electoral boards should be open to media and observers, and all regulations and decisions could be made publicly available including on the SBE website in a timely manner.
15. The election administration could consider implementing comprehensive and standardized training for all BBC members.
16. Authorities could consider alternative voting methods to ensure the participation of individuals in medical facilities and welfare and social institutions.
17. To enhance overall understanding of the electoral process, the SBE could consider preparing comprehensive voter information on various aspects of the elections, including voting procedures; and make it available in languages other than Turkish.

Voter Registration

18. Consideration could be given to extending the period for scrutiny of voter lists and to bringing the deadline for changes closer to election day, to ensure a more accurate voter register and to facilitate voter participation.
19. Authorities could consider alternative voting methods to ensure the participation of individuals in medical facilities and welfare and social institutions.

Candidate Registration

20. Consideration could be given to introducing temporary special legislative measures to promote women candidates, including gender quotas and placing women in winnable positions. Political parties could consider nominating a minimum number of candidates of each gender.

Campaign Environment

21. To ensure an equitable campaign environment, consideration should be given to modify the legislation to provide that all campaign prohibitions, including on the misuse of administrative resources and official positions for campaign purposes, apply for the duration of the electoral period.
22. Efforts should be undertaken to ensure the impartiality of the public administration, including of state and local government officials, which should address pressure on and protection for civil servants.
23. To enhance the integrity and public confidence in the electoral process, authorities should implement safeguards to ensure a clear separation between the State and parties to prevent public officials, including the President and candidates, from using the advantage of their office for electoral purpose.

Campaign Finance

24. In line with international good practice and GRECO recommendations, authorities could consider establishing periodic, timely and transparent reporting of monetary and in-kind campaign contributions and expenditure, including having such reports publically available in a timely manner, and enhancing the effectiveness of institutional oversight.

Media

25. To enhance the transparency of the RTSC and safeguard its independence, consideration should be given to publishing guidelines of its media monitoring as well as comprehensive periodic reports on its findings.
26. To ensure effective redress of violations, broadcasters should be informed in a timely manner of SBE decisions. To enhance transparency, consideration should be given to publishing all SBE media-related decisions.

Complaints and Appeals

27. To enhance the election dispute resolution process, the law should establish a right for civil society organizations to lodge complaints, clear oversight of the campaign by relevant authorities, and reasonable deadlines to submit and adjudicate complaints.
28. To ensure the integrity of the electoral process and a level playing field for all contestants, election management bodies and local authorities should exercise campaign-related duties and adjudication responsibilities in an impartial manner, and adopt decisions consistent with the intent of the law and with fundamental rights.
29. Consideration could be given for the Constitutional Court to interpret and exercise its jurisdiction broadly over individual petitions related to violations of fundamental rights to ensure that electoral rights are protected, including a timely deadline to address election-related petitions.

Citizen and International Observers

30. Consideration should be given to amending the legislation to explicitly provide for the presence of observers, both international and citizen, to ensure full compliance with paragraph 8 of the 1990 OSCE Copenhagen Document.
31. The SBE could develop procedures for official accreditation of observers including the issuance of accreditation cards for persons authorized to be present at polling stations and a requirement for all election officials and observers to wear identification.

Election Day and Announcement of Results

32. Authorities could consider revising and simplifying election day procedures, including removing any steps that do not contribute substantively to the process, as well as updating election materials. Consideration should be given to introducing provisions to allow a voter to exchange a spoiled ballot.
33. To enhance transparency and trust in the electoral process, the law should provide for the immediate publication of detailed preliminary election results by the SBE with public access to result protocols.
34. Authorities should ensure that alleged electoral offences related to voting and counting processes be thoroughly investigated by law enforcement bodies on a timely basis, prosecutions undertaken in appropriate cases, and proportionate penalties imposed.
35. Authorities should consider reviewing the legislation and its implementation by the SBE to ensure that all candidates are uniformly presented on the ballot and in a format that is easily understandable by voters.

ANNEX I: FINAL RESULTS

Total number of registered voters	56,608,817
Total number of votes cast	47,507,467
Total number of valid votes	46,163,243
Total number of invalid votes	1,344,224
Turnout (percentage)	83.92

POLITICAL PARTY	In Country	Out-of-country	Customs points	TOTAL	Percentage
True Path Party (DYP)	27,550	1,119	183	28,852	0.06
Anatolia Party (Ana Parti)	27,045	531	112	27,688	0.06
Rights and Freedoms Party (HAK-PAR)	57,142	1,350	224	58,716	0.13
Communist Party (KP)	13,497	227	56	13,780	0.03
Nation Party (MP)	17,307	140	26	17,473	0.04
Rights and Justice Party (HAP)	5,116	522	73	5,711	0.01
Center Party (MEP)	20,649	247	49	20,945	0.05
Social Reconciliation... (TURK PARTİ)	71,821	672	208	72,701	0.16
People's Liberation Party (HKP)	58,590	1,579	227	60,396	0.13
Liberal Democratic Party (LDP)	26,067	372	61	26,500	0.06
Nationalist Movement Party (MHP)	7,423,555	83,457	12,994	7,520,006	16.29
People's Democratic Party (HDP)	5,847,134	196,827	14,528	6,058,489	13.12
Felicity Party (SP)	932,867	13,999	2,312	949,178	2.06
Republican People's Party (CHP)	11,338,681	146,263	33,195	11,518,139	24.95
Justice and Development Party (AKP)	18,347,747	462,506	57,158	18,867,411	40.87
Democratic Left Party (DSP)	84,194	1,380	236	85,810	0.19
Homeland Party (YURT-P)	9,111	149	29	9,289	0.02
Democratic Party (DP)	75,217	421	146	75,784	0.16
Patriotic Party (VP)	155,205	5,350	1,119	161,674	0.35
Independent Turkey Party (BTP)	95,052	1,191	232	96,475	0.21
Independent Candidates	488,226			488,226	1.06
TOTAL	45,121,773	918,302	123,168	46,163,243	100

Allocation of Parliamentary Seats

Party	Total MPs	Women MPs
AKP	258	41
CHP	132	20
HDP	80	31
MHP	80	4
TOTAL	550	96

Source: SBE Decision No. 2015/1415 18 June 2015

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

Short-Term Observers

OSCE Parliamentary Assembly

Vilija	Aleknaite-Abramikiene	Lithuania	Special Co-ordinator
Jose Ignacio	Sanchez Amor	Spain	Head of Delegation
Lukas	Mussi	Austria	
Christine	Muttonen	Austria	
Philip	Dewinter	Belgium	
Peter	Van Rompuy	Belgium	
Luchezar	Ivanov	Bulgaria	
Irena	Kotseva	Bulgaria	
Kiril	Tzotchev	Bulgaria	
Romana	Jerkovic	Croatia	
Milovan	Petkovic	Croatia	
Branko	Vuksic	Croatia	
Marina	Adamidou	Cyprus	
Kyriakos	Kyriakou-Hadjjiyanni	Cyprus	
Silvia	Demir	Czech Republic	
Ivana	Dobesova	Czech Republic	
Petr	Gawlas	Czech Republic	
Jan	Hornik	Czech Republic	
Ladislav	Sincl	Czech Republic	
Andreas	Baker	Denmark	
Loic	Poulain	France	
Anna	Di Domenico	Germany	
Egon	Juttner	Germany	
Jurgen	Klimke	Germany	
Oezcan	Mutlu	Germany	
Georgios	Champouris	Greece	
Sokratis	Famellos	Greece	
Theodoros	Karaoglou	Greece	
Georgios	Varemenos	Greece	
Zsolt	Csenger-Zalan	Hungary	
Vincenzo	Amendola	Italy	
Sergio	Divina	Italy	
Roberto	Montella	Italy	
Marietta	Tidei	Italy	
Giuseppe	Trezza	Italy	
Nurgali	Ashim	Kazakhstan	
Fred	Teeven	Netherlands	

Geir Joergen	Bekkevold	Norway
Barbara	Bartus	Poland
Andrzej	Dera	Poland
Henryk	Smolarz	Poland
Isabel	Santos	Portugal
Nilza	Sena	Portugal
Anca	Constantin	Romania
Doina	Silistru	Romania
Sebastian	Gonzalez Vazquez	Spain
Margareta	Cederfelt	Sweden
Arhe	Hamednaca	Sweden
Kent	Harstedt	Sweden
Eva	Hjem	Sweden
Iryna	Sabashuk	Ukraine
Alfred	Dubs	United Kingdom
Jennifer	Hilton	United Kingdom
Simon	McGuigan Burns	United Kingdom
Alex	Johnson	United States of America
Robert Spencer	Oliver	United States of America
Richard	Solash	United States of America

Parliamentary Assembly of the Council of Europe

Tiny	Kox	Netherlands	Head of Delegation
Philippe	Blanchart	Belgium	
Rik	Daems	Belgium	
Yanaki	Stoilov	Bulgaria	
Francesca	Arbogast	France	
Nathalie	Bargellini	France	
Maryvonne	Blondin	France	
Franck	Daeschler	France	
Nicole	Durantou	France	
Josette	Durrieu	France	
Yves	Pozzo di borgo	France	
Athanasia	Anagnostopoulou	Greece	
Attila	Tilki	Hungary	
Paolo	Corsini	Italy	
Andrea	Rigoni	Italy	
Birutė	Vėsaitė	Lithuania	
Emanuelis	Zingeris	Lithuania	
Srdan	Darmanović	Montenegro	
Marit	Maij	Netherlands	
Ingebjørg	Godskesen	Norway	
Morton	Wold	Norway	
Tadeusz	Iwiński	Poland	
Jan	Rzymelka	Poland	

Corneliu Mugurel	Cozmanciuc	Romania
Cezar Florin	Preda	Romania
Bogdan	Torcătoriu	Romania
Anže	Logar	Slovenia
Amaya	Ubeda de torres	Spain
Jonas	Gunnarsson	Sweden
Kerstin	Lundgren	Sweden
Andreas	Gross	Switzerland
Alfred	Heer	Switzerland
Richard	Balfe	United Kingdom
Anne	Godfrey	United Kingdom
John	Tomlinson	United Kingdom

Long-Term Observation Mission

OSCE/ODIHR LEOM Core Team

Geert-Hinrich	Ahrens	Germany	Head of Mission
Davor	Ćorluka	Bosnia and Herzegovina	
Vania	Anguelova	Bulgaria	
Marla	Morry	Canada	
Thomas	Boserup	Denmark	
Pietro	Tesfamariam	Italy	
Malgorzata	Falecka	Poland	
Yury	Ozerov	Russian Federation	
Vadim	Zhdanovich	Russian Federation	
Marija	Babić	Serbia	
Jelana	Stefanović	Serbia	
Ranko	Vukčević	Serbia	

OSCE/ODIHR LEOM Long-Term Observers

Rudolph	Rotter	Austria
Marcela	Maskova	Czech Republic
Hanne	Bang	Denmark
Klaus	Friis Koenig	Denmark
Alienor	Benoist	France
Petra	Bornhoeft	Germany
Gerd	Gersbeck	Germany
Detlev Andreas	Palluch	Germany
Edward	Horgan	Ireland
Catharina Maria	Appel	Netherlands
Toril	Lund	Norway
Camilla	Michalsen	Norway
Lars	Lagergren	Sweden
Lars	Tollemark	Sweden
Sascha	Alderisi	Switzerland

Shumit	Arun Chanda	Switzerland
Roger	Bryant	United Kingdom
Sandra	Gale	United Kingdom

ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is the 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.

The OSCE/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 130 staff.

The OSCE/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 OSCE/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. The OSCE/ODIHR implements a number of targeted assistance programs annually, seeking to develop democratic structures.

The OSCE/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 persons, 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**, the OSCE/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. The OSCE/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.

The OSCE/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).