We Call upon All Actors to Act Responsibly in the Local Elections of 30 March

As the Checks and Balances Network, we are witnessing various concerns being raised in the public before the local elections of 30 March in relation to the transparency and security of the elections. In the mainstream media and new media, in news reports by various newspapers and Internet sites, in newspaper columns and in comments from readers, we encounter worries that the principle of election integrity will be damaged. We demand that such worries should be eliminated before they turn into a source of tension and call upon all relevant actors to act responsibly for no shadow to be cast on the results of the local elections and for the election day to pass peacefully.

The existence of local governments has a great importance so that radical and wide-ranging steps may be taken for democratization in our country and local democracy may further develop. Local governments are public legal entities established to provide the common local needs of people who live in a certain area, whose principles of organization are specified by law and whose decision-making bodies are formed through elections by voters.1 Due to the roles they play in democratic life to ensure transparency and pluralism and to the functions they assume in the provision of public services to the people and in access to those services, local governments are the first stage of people's participation in government. Since they are important for establishing democracy and enabling citizens to participate in decision-making processes, it is a social responsibility for us all as the judiciary, the legislative, the executive, the press, civil society and citizens, who are the components of the system of democratic checks and balances, to ensure that the local elections reflect the electorate's will in the ballot box in a way free from suspicion.

Elections and referendums are conducted under judicial direction and supervision according to the principles of free, equal, secret, direct and universal suffrage and public counting and sorting of votes. A Supreme Board of Election2 is established for this purpose.

Article 79 of the Constitution provides: “Elections are held under the general direction and supervision of the judicial bodies. It is the duty of the Supreme Board of Election to take the necessary measures for the fair and orderly conduct of elections from the beginning to the end, to review and decide upon all complaints and objections regarding illegal practices in the elections during and after the elections, and to ratify the election credentials of the elected members of Parliament and of the President of the Republic. No application may be filed with any other authority against decisions of the Supreme Board of Election.”

Blank ballot papers found among refuse in the local elections of 2009 led to allegations that voters had been paid to use pre-arranged votes in the elections.3 Article 18 of Law no. 2972 on the Elections of Local Governments, Neighbourhood Authorities and Aldermen's Boards provides as follows: “The joint ballot papers to be used at each polling station shall be brought in packages in a quantity that is 15% greater than the number of voters at that polling station and, after they are numbered and stamped by the Supreme Board of Election or by the election board that had them printed, they shall be sent to the constituencies together with a sufficient number of envelopes and the list of names of the candidates for membership of the municipal council.”

The number of ballot papers 15% greater than the number of voters as required by the Law is too high a figure. Since the countries where ballot papers are printed in a number 15% greater than the number of voters are concentrated in the continent of Africa, the African Union has made a statement and expressed the opinion that ballot papers should be printed in a number greater by only 5 to 10% than the

---

number of voters. The Venice Commission also states that if there are more ballot papers at the polling station than the number of voters, action should be taken to determine the reasons for such excess and that the situation should be recorded to indicate the number of ballot papers found in excess. There is also need to make it difficult to print illegal ballot papers by putting watermarks on ballot papers and taking similar measures.

For the first time after Turkey started accession talks with the European Union (EU) in 2005, eighteen parliamentarians from various groups called for the EU to send observers to the local elections of 30 March in Turkey. The EU does not send delegations to monitor local elections save for very exceptional cases.

In the local elections of 2014, where concerns have increased about the transparency, fairness and security of elections in Turkey, all political parties must act responsibly and carry out their duties at every stage of the elections to ensure that the will of the electorate is properly reflected in the results. The Supreme Board of Election, which is responsible for the direction and transparency of all elections in Turkey, must also fully carry out its duty of taking the necessary measures to ensure the fair and orderly conduct of the elections from the beginning to the end.

As the Checks and Balances Network, We Propose the Following

To the Supreme Board of Election:

- No obstacles should be raised to the monitoring of all electoral processes by the press to ensure transparency.
- The Supreme Board of Election should state the reason for the printing of ballot papers in a quantity 15% greater than the number of voters and ensure that ballot papers left unused or incorrectly used are recorded.
- It should publish the results in detail such that the total numbers of votes in districts and provinces can be reached from the polling station data.
- It should permit civil society to appoint independent observers to monitor the elections.

To the Officers at the Polling Stations:

- They should cancel and consider invalid any ballot papers cast but not carrying the stamp of their polling station and report the situation to the authorities concerned.

To the Political Parties:

- They should be present to monitor the polling station procedures. The political parties and independent candidates should each send an observer.
- The representatives of political parties should not leave the polling stations during the elections and should be on duty at every stage where the votes are counted, compiled and entered in the computer.
- The political parties should provide their officers at the polling stations with comprehensive training on the process and legal framework.

To the Bar Associations:

- They should create a team to take prompt action to deal with any legal problems that may occur concerning ballot box security on the election day.

---

6 “Four principal and four substitute members of the district board of election shall be recruited from political parties. At the same time, political parties and independent candidates may each send one observer to monitor the polling station procedures. The observers and candidates from political parties and the independent candidates and their observers may be present to monitor the polling station procedures.” Art. 25, 72 of Law no. 298 on the Basic Provisions for Elections and on the Registers of Voters.
To the National and Local Press:

- They should **carefully monitor all procedures on the election day**, including especially the procedures of combining the records at the district and province boards of election, and **inform the public**.

To Civil Society:

- As far as they can, they should **monitor and report the electoral process** and be present at the polling stations as **voluntary supervisors**.