

INTERNATIONAL ELECTION OBSERVATION MISSION Republic of Türkiye – Presidential Election, Second Round, 28 May 2023

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

PRELIMINARY CONCLUSIONS

The run-off presidential election held on 28 May offered voters a choice between genuine political alternatives and voter participation remained high, however, as in the first round, biased media coverage and the lack of a level playing field gave an unjustified advantage to the incumbent. The election administration technically managed the election efficiently, but its lack of transparency and communication largely persisted. While the absence of regulation of several aspects of the second round did not provide legal certainty, positively, the Supreme Electoral Council (SEC) issued multiple regulations to remedy some of these legal gaps. In the subdued yet competitive campaign, candidates were able to campaign freely. However, harsher rhetoric, inflammatory and discriminatory language by both contestants, along with the continued intimidation and harassment of supporters of some opposition parties undermined the process. In an environment with restrictions on freedom of expression, both private and public media did not ensure editorial independence and impartiality in their coverage of the campaign, detracting from the ability of voters to make an informed choice. Election day was generally calm and well-administered. However, instances of deficient implementation of certain procedures, particularly during the vote count, were noted.

On 15 May, the Supreme Electoral Council (SEC) announced the preliminary results of the 14 May general elections. As none of the four presidential candidates obtained the legally required absolute majority to be elected, a second round was set for 28 May between the two top candidates, incumbent Recep Tayyip Erdoğan and the opposition-supported Kemal Kılıçdaroğlu. Following the elections, representatives of some opposition parties expressed concerns about alleged election day irregularities, mainly during counting and tabulation, and multiple parties filed numerous complaints and appeals to relevant election bodies. However, no contestant publicly questioned the results that were announced by the SEC. The second round took place in an environment of continued restrictions on fundamental freedoms of assembly, association and expression that hindered the participation of some opposition politicians and parties, civil society and independent media in the election process.

The SEC declared the final first round presidential results on 19 May. However, the announcement of final parliamentary results was delayed until after the second round, exceeding the deadline previously established by the SEC. According to the SEC, this was necessitated by the need to finalize the complaints process. The SEC did not publish the relevant decision or inform all stakeholders on the postponement of the announcement, including lower-level electoral councils, in a timely manner. Despite a previous ODIHR recommendation, the SEC did not release results disaggregated per polling station prior to announcement of the final results, missing an opportunity to address public concerns over alleged discrepancies in the tabulated results. These steps undermined the transparency of the results announcement, and voter's ability to be informed about the process.

The legislative framework does not address essential aspects of the second round, including issues related to voter registration, the composition and work of the election administration, regulation of the campaign, including in the media, out-of-country voting and the presence of party observers, which negatively impacted legal certainty and the stability of the overall legal framework. In addition, some legislated deadlines are incompatible with the timing requirements of a second round. Positively, prior to the first round, the SEC adopted several regulations pertaining to the administration of a potential second round, including on updates to the voter register, setting the campaign period, including in the media, and the dates and locations for out-of-country voting. Yet, certain issues remained unregulated or underregulated,

including the composition and mandate of ballot box committees (BBCs), eligibility for party observers, reallocation of campaign venues and registration for out-of-country and mobile voting.

The election administration managed technical preparations in an efficient and timely manner, despite a compressed timeline for the implementation of the run-off election and the concurrent finalization of the parliamentary contest. However, as in the first round, the SEC held closed sessions and, not in line with the requirements of the law, did not publish most of its decisions, further undermining transparency. While procedural deficiencies from the first-round election day were identified by mid-level electoral councils, no additional training was put in place to improve performance of BBCs.

Pursuant to a SEC decision, voters turning 18 years of age and those released from prison in the period between the rounds were added to the voter register. Individuals deprived of citizenship and the deceased remained on the voter lists, marked as “cannot vote”. There was no public scrutiny of voter lists between the rounds, and there was no opportunity to request additional changes. No additional special provisions were made to facilitate voting for citizens affected by the February earthquakes.

Overall, the campaign activities of both contestants were limited, unlike in the first round, and mostly focused on local mobilization. The presidential election offered voters a choice between genuine political alternatives, and in this subdued yet competitive campaign, candidates were able to campaign freely. However, representatives and supporters of Green Left Party (YSP) and Peoples’ Democratic Party (HDP) continued to face intimidation and harassment. In some instances, the campaign was characterized by inflammatory and discriminatory language, including accusatory rhetoric regarding refugees from Syria. Representatives of both candidates used persistent allegations of association with terrorism. Key campaign themes emerged around the status of the economy, national security, return, including deportation, of Syrian refugees and opportunities for the youth. Instances of campaigning while performing official duties continued in the second-round campaign and two instances of breaching the ban on inauguration events in the campaign period were noted. These instances, along with several cases of the use of administrative resources, provided an undue advantage to the incumbent, also noted in the first-round campaign.

The ODIHR EOM media monitoring found that public broadcasters significantly favoured the incumbent, despite constitutional guarantees of its impartiality. Such bias was also evident among numerous private media, while several other outlets leaned towards the opposition. The regulatory body Radio and Television Supreme Council (RTÜK) did not conduct any systematic media monitoring, nor did it formally assist the media with any guidelines specifically for the second round. Ongoing criminal trials and new arrests of journalists and bloggers continued, including cases involving the insult of public officials, further restricting freedom of expression.

The handling of first round post-election complaints lacked transparency across all levels of the election administration. Neither the mid-level councils published their decisions on the post-election complaints, nor did the SEC release information on complaints lodged with these bodies. Contrary to the law, the SEC did not publish its decisions on post-election appeals. Some opposition parties lodged numerous complaints alleging inaccuracies in the official BBC protocols and discrepancies between votes recorded for contestants in the protocols and those entered in the electronic results database. Although many complaints were rejected, according to the opposition parties, numerous complaints about the incorrect data entry were adequately resolved. The SEC established an unduly short timeline for consideration of the second-round post-election complaints, undermining the right to effective legal remedy, not in line with international good practice.

The run-off election day was well administered and largely peaceful, with isolated instances of violence, primarily against opposition supporters, and some breaches of campaign silence. Voting was assessed positively in a large majority of polling stations observed. Procedures were generally followed, however, IEOM observers noted several inconsistencies, particularly regarding the provision of instructions to

voters. Group or family voting, as well as potential compromises to the secrecy of the vote due to the layout of some polling stations, were also observed. The presence of party observers and civil society representatives enhanced transparency, yet obstruction of their activities occurred in numerous instances. IEOM observers were denied access to polling stations in some instances and to data entry for out-of-country voting. Several cases of interference from unauthorized individuals in BBC operations were noted by observers. During the count, several procedural shortcomings were observed, mainly due to the omission of important reconciliation procedures, indicating the need for enhanced training of the BBC members. The tabulation process was generally positively evaluated, with some procedural inconsistencies.

PRELIMINARY FINDINGS

Background and Post-First Round Developments

On 14 May, general elections were held to elect the president and the 600-member parliament. On 15 May, based on 99.92 per cent of votes tabulated, the SEC announced that none of the four presidential candidates obtained the absolute majority of valid votes to secure a first-round victory, and called for a second round to be held on 28 May between the incumbent Recep Tayyip Erdoğan and the opposition candidate Kemal Kılıçdaroğlu.¹ Since the introduction of direct presidential elections in Türkiye, this was the first time that a presidential election proceeded to a run-off.² The second round took place in an environment of continued restrictions on fundamental freedoms of assembly, association and expression that hindered the participation of some opposition politicians and parties, civil society and independent media in the election process.

Following the first-round election day, some opposition representatives, including from the CHP, Green Left Party (YSP) and “İyi Parti” raised allegations of numerous election day-related irregularities, including regarding the accuracy of the data entry, and lodged numerous complaints with various election bodies (see *Election Dispute Resolution*).³ Concerns regarding the lack of transparency in the announcement of preliminary election results were also expressed by some contestants.⁴ However, no contestant publicly questioned the results that were announced by the SEC.

The run-off took place in a starkly polarized environment, reflecting the dynamics during the first round. Both the ruling party and opposition candidates portrayed the elections as a decisive referendum on the nation’s future. Following the general elections, a swell of fierce criticism and verbal attacks surfaced

¹ By law, a second round is to be held in two weeks between the two top candidates. Mr. Erdoğan was supported by the governing People’s Alliance, including Justice and Development Party (AK Parti) and Nationalist Movement Party (MHP); Mr. Kılıçdaroğlu was supported by the opposition Nation Alliance, including the Republican People’s Party (CHP) and Good Party (*İyi Parti*).

² The first direct presidential election took place in 2014, following the constitutional amendments of 2007 that introduced direct presidential elections. Prior to these amendments, the president was elected by the parliament.

³ Numerous social network [posts](#) and public [statements](#), including those from the [Worker’s Party of Türkiye](#) (TİP) and YSP, raised allegations of systemic errors in the results protocols and entry of protocols, instances of multiple votes cast by law enforcement members, disenfranchisement of voters by involuntarily nominating them as BBC members, and voter intimidation. Mr. [Kılıçdaroğlu](#) and Future Party (*Gelecek*) leader Ahmet Davutoğlu [called](#) on the SEC to ensure accurate data entry into its electronic system. On 16 May, a [statement](#) from the Communications Directorate Centre for Combating Disinformation referred to the allegations as a manipulation intended to provoke public opinion. In a statement of 17 May, the SEC dismissed these allegations as groundless.

⁴ In the immediate aftermath of the vote count, with no official information available from the SEC, media outlets began reporting election results. Several opposition politicians, including the CHP Mayors of [Ankara and Istanbul](#), along with the YSP spokesperson, made allegations that Anadolu Agency had exaggerated the gains of AK Parti and its presidential candidate in the initial hours. Accusations were also [directed](#) against ANKA News Agency for allegedly suppressing data flow. Both media outlets have [refuted](#) these accusations, [attributing](#) the apparent discrepancies to differences in their methodologies.

across media and social networks, directed towards citizens affected by the February earthquakes who overwhelmingly voted for the incumbent parties.⁵ High-ranking government officials also made verbal attacks against a prominent civil society organization.⁶

The SEC announced final results of the presidential election on 19 May, following the adjudication of complaints and it did not announce the final parliamentary results before the run-off.⁷ The newly elected parliament includes an increase in the number of women represented, rising from 100 (16 per cent of parliament) to 121 female members of parliament (20 per cent). Despite the positive trend, the persistently low representation of women in parliament reconfirmed the necessity for concerted efforts from authorities to tackle barriers preventing broader female participation in politics. None of the presidential candidates were women.

Legal Framework

The legislative framework does not address essential aspects for holding a second round, including voter registration, the composition and work of the election administration, the regulation of the campaign, including in the media, out-of-country voting and party observers. This negatively impacted legal certainty for election management bodies, contestants and voters, and challenged the stability of the overall legal framework. The 1961 Law on Basic Provisions on Elections and Voter Registers, which regulates the administration and conduct of all types of elections, does not include any provisions for carrying out a second round. The 2012 Law on Presidential Elections does not regulate the holding of a second round; it only reiterates the constitutional provisions on the system for presidential elections and establishes the deadline for withdrawal of second-round candidates. The only provision relevant to the conduct of a second round is that the established donation limit to presidential contestants applies to each round. Furthermore, certain deadlines set by the law for the implementation of various aspects of the electoral process are incompatible with the timing required for second rounds.⁸

Positively, prior to the first round, the SEC took the initiative to adopt several regulations pertaining to the administration of a potential second round. These regulations addressed updates to the voter register, set the campaign period, including for the media, and set the dates and locations for out-of-country voting. Nevertheless, certain issues remained unregulated or underregulated, including the composition and mandate of ballot box committees (BBCs), eligibility for party observers, reallocation of campaign venues and registration for out-of-country and mobile voting. In response to inquiries from electoral councils and contestants, the SEC clarified some ambiguities and implemented supplementary measures between the two rounds.⁹

⁵ In the parliamentary elections, the residents of the affected provinces voted, with an average of 54 per cent, in favour of the ruling Justice and Development Party (AK Parti) and the Nationalist Movement Party (MHP). On 16 May, the pro-opposition media outlet *Sözcü* directed remarks at earthquake victims [suggesting](#) that they preferred “living in tents”. On social networks, [thousands](#) of posts [shared](#) verbal threats and assaults against voters in the earthquake-hit regions, and many pledged to cancel donations and aid to the region because of the election results. These criticisms were widely condemned by both presidential candidates and many stakeholders. The authorities [launched](#) investigations, and as a result, at least nine people were [detained](#) for their posts on social networks.

⁶ In a 21 May statement, Minister of Interior Süleyman Soylu verbally [attacked](#) the citizen observer group Vote and Beyond, alleging that its representatives have terrorized voters, adding they have “no place in the polling stations”.

⁷ In the presidential election, Mr. Erdoğan received 49.52 per cent, Mr. Kılıçdaroğlu 44.88 per cent, Sinan Oğan 5.17 per cent, and Muharrem İnce 0.43 per cent of the votes. In the parliamentary elections, according to preliminary data, AK Parti received 35.6 per cent, CHP 25.3 per cent, MHP 10.1 per cent, *İyi Parti* 9.7 per cent, YSP 8.8 per cent, New Welfare Party (YRP) 2.8 per cent, Victory Party (*Zafer Partisi*) 2.2 per cent, TİP 1.7 per cent, Great Unity Party (BBP) 1 per cent, and Homeland Party (*Memleket*) 0.9 per cent of the votes cast.

⁸ For instance, legislated timelines related to the allocation of campaign places, assignment of free media time slots, and voting abroad are not compatible with the two-week period for second rounds.

⁹ For instance, the SEC provided opinions regarding the entitlement of entities to appoint new BBC members as well as to have representatives and observers at electoral bodies during the second election day and made a decision to reprint and distribute new voter invitation cards.

Election Administration

By a SEC regulation, the deadline for announcing final results was set for 19 May. However, the announcement of final parliamentary results was delayed until after the second round, exceeding the deadline previously established by the SEC, which was necessitated by the need to finalize the complaints process, as the SEC informed the ODIHR IEOM. The SEC did not publish the relevant decision or inform all relevant stakeholders, including lower-level electoral councils, in a timely manner, undermining transparency of the results announcement and voter's ability to be informed about the process.¹⁰ While not contrary to the law, the SEC did not release the preliminary results disaggregated per polling station before announcing the final results, despite a previous ODIHR recommendation.¹¹ This missed opportunity to address public concerns about alleged discrepancies in the tabulated results, further reduced transparency and eroded public trust in the electoral administration.¹²

The election administration managed technical preparations in an efficient and timely manner, despite a compressed timeline for the technical implementation of the run-off election and the concurrent finalization of the parliamentary contest. However, as in the first round, the SEC held closed sessions and did not publish most decisions, further undermining transparency. The SEC considered the term of all BBCs *de facto* extended for the second round, without a publicly available formal decision on this matter. Some political parties informed the ODIHR EOM that they replaced some of their appointed BBC members due to unsatisfactory performance on election day. Despite DEC's identifying procedural deficiencies from the first-round election day, there were no refresher training sessions to improve BBCs' performance for the second round.¹³ The SEC considered the accreditation for observers of all electoral contestants valid in the second round. No additional voter education campaign was conducted.

Out-of-country voting resumed from 20 to 24 May in foreign countries, and continued until 28 May at customs gates within Türkiye. To address issues identified in the first round, such as overcrowding, the SEC modified polling arrangements in 15 countries, mainly through increasing the number of polling stations.¹⁴ However, it also shortened voting periods in five countries and reduced the number of polling stations in a few instances, raising concerns among some political parties about an alleged political motivation behind this decision. Following an official request from CHP, the SEC almost entirely reverted to the initially planned voting periods.¹⁵

¹⁰ The election calendar published by the SEC on 13 March was not updated to reflect the postponement of the results announcement. Several DEC's informed the ODIHR EOM that they did not receive any information from the SEC regarding the announcement of election results after the first round election day. Some PECs, including in Ardahan, Burdur, Erzurum, Hakkari, Kars, Mardin, Sivas and Van announced the final provincial parliamentary results by 24 May, before the announcement of the final nationwide results by the SEC.

¹¹ Unlike the general public, political parties participating in the general elections had access to the tabulated results and scanned protocols via the SEC information system from election night.

¹² The ODIHR EOM compared a random sample of approximately 100 results protocols from the general elections, which were collected by IEOM observers on the first election day, against the officially tabulated results. Although some corrections made in accordance with the law were observed, all result figures showed a clear match.

¹³ The ODIHR EOM was informed that brief training sessions were conducted by DEC's for those BBC members who were newly appointed from the civil service, due to resignations between the two rounds.

¹⁴ The modifications were made following a proposal from the Ministry of Foreign Affairs to extend the voting period and increase the number of polling stations in certain counties, considering voter turnout in the first round; and a suggestion to reduce voting hours from 8:00 to at most 22:00 to mitigate errors caused by personnel fatigue.

¹⁵ For Australia, Canada, the UK, and the USA, the SEC planned to reduce the scheduled 5-day voting period to 2 days; for Ireland and Japan, the plan was to shorten the 3-day period to 2 days. Opposition parties highlighted that tens of thousands of voters from these countries participated in the first round and a majority, up to 80 per cent in places, voted for opposition parties. Upon reconsideration of its initial plan, only the decision pertaining to Japan remained valid.

Voter Registration

The legislation does not contain any provisions for updating the voter register between the two rounds. In line with a SEC regulation mandating updates by 19 May, some 48,000 voters who turned 18 years of age between the two rounds, and individuals released from prison in this period, have been added to the voter register.¹⁶ Individuals deprived of their citizenship and voters who passed away remain on the voter lists, with the annotation “cannot vote”. According to the SEC, the number of registered voters for the second round was in country 60,771,236, and out of country 3,423,735.

The voter lists were not displayed for public scrutiny between the two rounds, and there was no opportunity to request changes. Voters who had registered for out-of-country or mobile voting for the first round remained on the respective voter lists. By 19 May, entitled political parties received copies of the updated voter lists in an electronic format, enhancing transparency. No additional provisions were made by the authorities to facilitate voting for citizens affected by the February earthquakes. As in the first round, certain political parties offered free transportation, enabling some individuals affected by the earthquakes to vote at their permanent residence locations.

Electoral Campaign

According to a SEC regulation, campaigning could continue after the first-round election day, while the regulated campaign period for the second round was set as 19 to 27 May, during which all campaign-related restrictions applied.¹⁷ Mr. Erdoğan commenced campaigning shortly after the announcement of the second round, while Mr. Kılıçdaroğlu began actively campaigning on 19 May.

Upon the announcement of a second round, the People’s Alliance reaffirmed its commitment to Mr. Erdoğan’s candidacy, while the Nation Alliance reiterated their support for Mr. Kılıçdaroğlu.¹⁸ Both candidates prioritized voter mobilization, concentrating on small-scale meetings, door-to-door canvassing, and social media engagement.¹⁹ Reflecting the discourse in the first round, the rhetoric from both camps featured personal attacks, inflammatory and discriminatory language, and persistent mutual accusations of association with terrorism.²⁰ Key campaign topics included stability of governance, economy, national security, and the return, including deportation, of Syrian refugees. The campaign featured harsh, accusatory rhetoric, mostly from the opposition, towards migrants and refugees in

¹⁶ Updates were made on the basis of personal data from the civil and address registry maintained by the Ministry of Interior (MoI) as well as data provided by the Ministries of Justice and Defence.

¹⁷ The legal framework establishes two periods for campaigning: the electoral period is subject to certain campaign regulations including a prohibition on the misuse of administrative resources. In the campaign period, the law puts additional bans on public ceremonies as well as speeches, statements and publications on government works. During this period, the law also bans ministers and members of parliament from using public vehicles and civil servants on campaign tours and explicitly subjects them to all campaign regulations in their activities and speeches. A silence period is in place from 18:00 on 27 May until election day, during which campaigning is prohibited.

¹⁸ Among the other two presidential candidates, Mr. İnce chose not to publicly endorse either of the two run-off candidates, while on May 22, Sinan Oğan announced his support for Mr. Erdoğan.

¹⁹ ODIHR EOM LTOs observed five campaign events, all of which were reported to be accessible to persons with physical disabilities.

²⁰ On 15 May, the President [said](#): “We were not with those who received instructions [from PKK]. We take the instruction only from our Allah and our nation”. On 18 May, at a press conference, Mr. Kılıçdaroğlu [said](#), addressing the President: “Aren’t you the one who sat at the table with terrorist organizations many times? Who makes secret bargains [...] behind closed doors [...] against the glorious Turkish Army?”. On 19 May, at a meeting with Şanlıurfa Metropolitan Municipality council members, the Minister of Justice Bekir Bozdağ [said](#), referring to Mr. Kılıçdaroğlu, “It is clear that [...] terrorist organizations have taken some commitments from you”; on 19 May, Süleyman Soylu, Minister of Interior, in a TV interview [talked](#) about the alleged rapprochement of CHP with terrorist organizations. On 20 May, at a press conference, *İyi Parti* chairperson Meral Akşener [said](#) “Either you will choose those who lean on the PKK in 2019 and Hezbollah in 2023, or you will choose those who will not harbour even the shadow of terrorism in our country.”

Türkiye.²¹ High-ranking government officials, including the incumbent, made inflammatory statements regarding the LGBTI community.²² The second-round campaign period was otherwise peaceful.

Overall, the campaign activities of both contestants were limited, unlike in the first round, and mostly focused on local mobilization. The presidential election offered voters a choice between genuine political alternatives, and in this subdued yet competitive campaign, candidates were able to campaign freely. However, representatives and supporters of YSP and HDP continued to face intimidation and harassment.²³ In some instances, the President and incumbent mayors from the opposition campaigned while performing their official duties.²⁴ Further, there were some instances of breaching the ban on inauguration events and promoting government works in the campaign period were noted.²⁵ These instances, along with several cases of the use of administrative resources, provided an undue advantage to the incumbent, also noted in the first-round campaign.²⁶ Unlike in the first round, campaign-related

²¹ In a 20 May [press conference](#), Ms. Akşener said: “Either you will choose those who say [...] ‘We cannot send back the Syrians, Allah will burn us.’ or you will choose those who refuse to be Europe’s migrant ditch [...].” In a video shared on Twitter by Mr. Kılıçdaroğlu, stated that if the current government stays in power “irregulars, asylum seekers will turn into potential crime machines. Looting will start.” On 24 May, in a social network post, the leader of the Victory Party stated: “Syrians will go. [...] I will send them as the Minister of the Interior. [...] anyone who thinks Türkiye is the world’s amusement park, treats our women as concubines, turns our streets into drug havens, organizes Salafi jihadists and consumes 11 billion dollars a year, will go”.

²² On 20 May, in a [speech](#) in Adıyaman, the incumbent claimed that CHP and *İyi Parti* are “LGBTI-ist” but LGBTI cannot infiltrate AK Parti and MHP. On 22 May, in a television interview, the President [said](#) “we will actively fight against deviant tendencies such as LGBTI that threaten our family structure”, adding that CHP is defending LGBTI. On 22 May, Minister of Interior Süleyman Soylu [stated](#) in a Twitter post that the election had been won by those who said ‘No to [PKK], no to LGBTI’.

²³ According to the Human Rights Foundation of Türkiye, on 17 May the People’s Democratic Party (HDP) Batman provincial director was [subjected](#) to torture by the police. On 21 May, HDP members distributing pamphlets in Istanbul were taken into custody, as the party reported to the ODIHR EOM. The media reported that on 22 May, in a police raid [launched](#) in 5 cities, 19 individuals were detained, including HDP supporters and an HDP party member for allegedly spreading propaganda for a terrorist organization. On 23 May, in anti-terror operations across 11 provinces, at least 69 individuals, including executives from HDP and members of YSP, were detained as part of investigations by the chief prosecutor’s offices in [Mardin](#), [Tekirdağ](#), and [Mersin](#). On 24 May, seven YSP youth activists were detained in Diyarbakır, as reported to the ODIHR EOM by the party.

²⁴ On 19 May, at the Meeting of Citizens’ Associations in Istanbul, the incumbent President [accused](#) the opposition of taking orders from terrorist organizations and of threatening the traditional institution of family. On 19 May, at a wreath laying ceremony in Istanbul, CHP mayor Ekrem İmamoğlu [criticized](#) the government. Ankara Metropolitan CHP Mayor Mansur Yavaş, in his speech at a 19 May commemoration event [said](#), referring to the government: “They are releasing fake videos and posters to win the elections and change perceptions. They lie and slander unspoken words. [...] They] turned our cities into weapons depots for terrorists.” On 23 May at a presidential visit in Sivas, the incumbent, in reference to his opponent, [stated](#): “He will end his political journey, which he supposedly started as ‘Gandhi Kemal’ [...] as ‘Nazi Kemal’”. On 24 May, at the Meeting of Transportation Tradesmen in Istanbul, Mr. İmamoğlu talked about the ruling coalition, [stating](#): “They are trying to deceive our nation with videos that they themselves admit to be lies and montage, and they are trying to defame us [...] for the sake of votes, lying, slandering”. Speaking on 25 May at the “Stronger Industry, Stronger Türkiye” conference in Istanbul, the incumbent [accused](#) his opponent of taking instructions “from PKK, and working with them to develop a roadmap”. On 19 May, the president delivered a speech at the Istanbul Museum of Modern Art in which he highlighted the achievements of the government in terms of projects supporting sports and arts.

²⁵ On 21 May, the ODIHR EOM observed the inauguration of a park by the President in Şehitkamil. On the same day, at the opening ceremony of a hospital in Hatay, the President accused the opposition candidate of going “hand in hand with the terrorists.”

²⁶ The Sivas Municipal government announced that they would provide free public transportation on 23 May, because of the President’s visit in the city. Similar to the first round, the websites of both the Presidency and the Directorate of Communications under the Presidency published presidential campaign speeches. Paragraph 5.4 of the 1990 OSCE Copenhagen Document provides for “a clear separation between State and political parties”. Paragraph II. B. 1.3 of the 2016 ODIHR and Venice Commission’s Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes (Guidelines) stipulates that ordinary work of government must continue during an election period. However, to prevent the misuse of administrative resources to imbalance the level playing field during electoral competitions, the legal framework should state that no major announcements linked to or aimed at creating a favourable perception towards a given party or candidate should occur during campaigns. Paragraph II. B. 1.1 of the Guidelines states that “the legal framework should provide effective mechanisms for prohibiting public authorities from

rights were not restricted by the exercise of authority by governors for anti-terrorism purposes in any provinces. The three-month State of Emergency, declared on 8 February in the earthquake-impacted provinces to aid in relief and recovery efforts, was terminated on 9 May, prior to the first round. Visibility of women in the second-round campaign was limited. However, Mr. Kılıçdaroğlu's campaign focused, among other things, on women's rights, and the incumbent highlighted his party's achievements in advancing women's political participation.²⁷

During the second round, the ODIHR EOM continued to follow the online activities of presidential candidates and other political actors on Twitter and Facebook. Presidential contestants conducted a subdued campaign on social networks, initially focusing on preliminary results, and later delivering messages that mirrored the offline campaign. Representatives of both contestants raised concerns about the use of disinformation in the campaign.²⁸ On 26 May, the authorities issued a warning to mobile service providers following the distribution of a campaign message from Mr. Kılıçdaroğlu, promising to erase individuals' credit card interests if elected. Although multiple contestants sent campaign messages by SMS during the first round, this was the first such warning known to be issued in the election period. As in the first round, arrests and detentions based on the posts on social networks occurred.²⁹

Media

The legislation does not regulate second-round campaigning in the media. In line with a SEC decision, the Turkish Radio and Television Corporation (TRT) allocated 20 minutes of free airtime to both contestants, although half of it was aired outside of the prime-time. The election campaign in the broadcast media resumed on 15 May, with paid political advertisements for Mr. Erdoğan. Mirroring the first round, Mr. Erdoğan did not accept the invitation for a public debate, thereby limiting voters' opportunity to make an informed choice. During the second round, the legal prosecution of journalists and bloggers continued, including cases involving the insult of public officials, which further restricted freedom of expression.³⁰

taking unfair advantages of their positions by holding official public events for electoral campaigning purposes, including charitable events, or events that favour or disfavour any political party or candidate”.

²⁷ Of five campaign events observed by ODIHR EOM, no events featured women speakers.

²⁸ The ODIHR EOM was informed that Mr. Kılıçdaroğlu filed both a criminal and civil lawsuit against the incumbent for defamation related to a doctored video that he claims falsely shows him campaigning with terrorist organizations. On 25 May, the criminal court issued an interim ban against posting the video on social media. A private citizen who filed a criminal complaint against the video was put under investigation and detained overnight for statements in the court filings that are alleged to insult the President. The ruling coalition repeatedly criticized the announcements made by CHP representatives on election night alleging that the opposition candidate was about to win the presidential race, calling it a manipulation attempt. See the 15 May [statement](#) of the AK Parti spokesperson and the incumbent's Twitter [post](#) on the same day.

²⁹ On 21 May, three individuals were [arrested](#) based on their social network posts about Muharrem İnce, on charges of 'blackmail' and 'unlawful acquisition and dissemination of personal data', among others. On 26 May, in a special police operation in Bingöl and Ağrı provinces, at least 35 individuals were detained for their social network posts, according to media [reports](#). The same day, an individual in Gaziantep was [arrested](#) for a social network post.

³⁰ On May 17, the Ankara public prosecutor initiated an investigation into the negative campaign against Mr. İnce, resulting in the detention of 14 people, out of whom 9 were later released. On May 18, the Istanbul Chief Prosecutor initiated an investigation based on posts on social networks against journalist Ahmet Güneş. On the same day, the Istanbul Criminal Court issued an arrest warrant against Deniz Yücel for insulting the president and criticizing state and judicial bodies. Paragraph 38 of the [General Comment No. 34](#) to Article 19 of the International Covenant on Civil and Political Rights (ICCPR) states:” [...] The mere fact that forms of expression are considered to be insulting to a public figure is not sufficient to justify the imposition of penalties. [...] All public figures, including those exercising the highest political authority such as heads of state and government, are legitimately subject to criticism and political opposition.” In addition, on 23 May, the general director and a journalist from Mezopotamya Agency were detained, as well as 10 people on 24 May for their posts on social networks, which allegedly supported a terrorist organization. On 24 May, the Istanbul Public Prosecutor launched an investigation against 34 people on “dissemination of misleading information” regarding the 14 May election results.

The ODIHR EOM media monitoring results show that the broadcast media did not meet its legal obligation to provide impartial coverage of the campaign and equal opportunities for the two presidential contestants. The majority of the monitored broadcasters displayed a clear support to Mr. Erdoğan, without separating his activities as a president from those as a candidate. Furthermore, the majority of these broadcasters often blurred the distinction between facts and opinions in their news coverage and selectively presented the news to favour their supported candidate.

Despite constitutional guarantees of impartiality, public television TRT-1 and TRT *Haber* continued to display support to Mr. Erdoğan, allotting him 64 and 73 per cent of the politically relevant news coverage, with a predominantly positive tone. Mr. Kılıçdaroğlu received 36 and 27 per cent of such coverage, the tone of which was largely negative.³¹

The private station ATV also provided campaign coverage favouring Mr. Erdoğan, allocating him 44 per cent of coverage, exclusively positive in tone. Mr. Kılıçdaroğlu received 46 per cent of coverage, exclusively negative in tone. Contrary to legal provisions, ATV often added background music to their political news coverage, uplifting for Mr. Erdoğan and unsettling for Mr. Kılıçdaroğlu, and used grotesque imagery of Mr. Kılıçdaroğlu in their news coverage.³² Furthermore, all three broadcasters emphasized the alleged alliance between the CHP and Mr. Kılıçdaroğlu with the Peoples' Democratic Party (HDP), accusing them of collaborating with terrorist organizations.

In contrast, Fox TV and Halk TV displayed a clear bias in favour of Mr. Kılıçdaroğlu by allocating him 50 and 49 per cent of positive and neutral news coverage, while Mr. Erdoğan received 50 and 51 per cent of such coverage, largely negative in tone. Although Kanal D, Star and Show presented a more balanced tone in their coverage of Mr. Kılıçdaroğlu, these broadcasters largely abstained from negative coverage of Mr. Erdoğan. On 16 and 25 May, Kanal D and CNN Türk, on 22 May, seven public televisions, and on 26 May, four private televisions aired 60-90 minutes long interviews with Mr. Erdoğan, offering him a platform to campaign by criticizing his opponent.

The bias was also apparent in print and online media; the newspapers *Hürriyet*, *Sabah* and the online *Habertürk* demonstrated a clear favouritism towards Mr. Erdoğan, while newspapers *Cumhuriyet* and *Sözcü* largely showed support for Mr. Kılıçdaroğlu, and sharply criticized Mr. Erdoğan. Although the portal *T24* allotted comparable shares of coverage to both contestants, it was more positive in tone in coverage of Mr. Kılıçdaroğlu.

There was an absence of effective media oversight during the second-round campaign period. The regulatory body Radio and Television Supreme Council (RTÜK) did not conduct any systematic media monitoring, nor did it formally assist the media with any guidelines specifically for the second round.

Election Dispute Resolution

Decisions of lower-level electoral bodies, including those determining polling station, district and provincial results, can be appealed to higher councils, up to the SEC. Contrary to international standards and OSCE commitments, decisions of the SEC, including on the final election results, are not subject to

³¹ Paragraph 16 of the [General Comment No. 34](#) to Article 19 of the International Covenant on Civil and Political Rights (ICCPR) requires States Parties to “ensure that public broadcasting services operate in an independent manner” and to “guarantee their independence and editorial freedom.” Paragraph 8.10 of the Council of Europe (CoE) [Resolution 2254](#) (2019) calls on member states to “guarantee the editorial independence of public service media, putting an end to any attempts to influence them or transform them into governmental media”.

³² The Law on Audio-visual Media stipulates that media should abstain from using “exaggerated audio and images, and any effects and music other than natural sounds” in news reporting.

judicial review.³³ The handling of post-election complaints in the parliamentary and first-round presidential election lacked transparency at all levels. DEC's and provincial electoral councils (PECs) did not publish their decisions on complaints, and the SEC did not collect and publish information on complaints lodged at the mid-level election bodies. Contrary to the law and despite prior ODIHR recommendations, decisions of the SEC on complaints were also not published, including complaints related to the second-round pre-electoral period.

On the first election day and in the days following, political parties and candidates lodged thousands of complaints to DEC's.³⁴ Many complaints by opposition parties alleged discrepancies between the votes recorded for their parties in BBC results protocols and those entered by the DEC's into the electronic results database.³⁵ Numerous complaints, including by the AK Parti, asserted incorrect figures in the BBC protocols or incorrectly invalidated ballots and requested recounts, with only a few granted.³⁶ An HDP complaint alleged widespread multiple voting by law enforcement officers on election duty in Istanbul.³⁷ Although many cases known to the ODIHR EOM at all levels were rejected, including those appealed to the SEC, often citing a lack of evidence, some opposition parties informed the IEOM that numerous complaints regarding incorrect data entry were properly resolved, provided they were sufficiently substantiated.³⁸

The consideration of complaints related to the presidential election was finalized through all levels of the election administration by 18 May, in accordance with the unduly shortened deadlines previously established by the SEC.³⁹ In regards to complaints related to the parliamentary elections, the SEC reverted to the extended legislative deadlines for adjudication of complaints by the election bodies, but not for the

³³ Paragraph 5.10 of the [1990 OSCE Copenhagen Document](#) states that “Everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity.” Section II.3.3.a of the [Venice Commission’s Good of Good Practice in Electoral Matters](#) (Code of Good Practice) states that “The appeal body should be either an electoral commission or a court. In any case, final appeal to a court must be possible.”

³⁴ The IEOM was made aware of complaints lodged by AK Parti, CHP, HDP, *İyi Parti*, MHP, Communist Party of Türkiye (TKP), TİP, YSP, and independent parliamentary candidates.

³⁵ For example, the CHP reported that it lodged complaints nationwide about discrepancies in BBC protocols or entries in the national electronic results database for 2,269 polling stations in the presidential election and 4,825 polling stations in the parliamentary elections.

³⁶ For example, a DEC in Van province granted a CHP request to recount two ballot boxes, which resulted in the CHP receiving more votes. The media reported that some DEC's in Diyarbakır, Şanlıurfa, and Batman granted recounts to YSP. YSP reported that it formally objected to the invalidation of some 16,000 presidential election ballots and some 20,000 parliamentary election ballots in Aydın province. In Istanbul, the HDP filed more than 5,000 complaints, many alleging discrepancies between BBC protocols and entries in the electronic results database. The legal framework does not regulate the granting of recounts, leaving the decisions to the full discretion of election councils.

³⁷ The complaint stated that numerous law enforcement officers utilized their duty letters to vote at multiple locations, failing to hand in the letters after voting at the respective BBC's where they were assigned. Some letters stated that they were also to be used in a second round.

³⁸ The SEC informed the IEOM that for the presidential elections, it received six appeals; five were rejected and one overturned a DEC decision granting a recount. As of 26 May, the SEC had adjudicated 48 appeals concerning the parliamentary elections; 39 were rejected, two satisfied, three forwarded to lower-level election councils and four pending. The *İyi Parti* filed complaints to the SEC requesting recounts of Isparta province, one-third of polling stations in Uşak province and three districts in Erzurum province. According to information provided to the ODIHR EOM by political parties, there were also instances of inconsistent rulings amongst mid-level electoral councils in response to comparable complaints supported by the same evidence. For instance, *İyi Parti* informed the ODIHR EOM that some DEC's, in considering complaints, applied different criteria to determine the validity of ballots.

³⁹ An earlier SEC decision had scheduled the finalization of complaints related to both the presidential and parliamentary election on 18 March and announcement of results on 19 May.

submission of complaints.⁴⁰ However, it did not make public its decision to apply the extended resolution deadlines, further reducing legal certainty and transparency of the election dispute resolution process.

As it did for the first-round election, the SEC established unduly short deadlines for the submission and resolution of post-election disputes related to the second-round presidential election.⁴¹ This challenged stakeholders' access to an effective legal remedy related to the second-round election day proceedings and results for the presidential election.

Election Day

The second-round election day was generally calm and well administered, with isolated incidents involving physical violence, mainly committed against those affiliated with the opposition.⁴² Violations of campaign silence⁴³ were also reported, including online.⁴³ Polling stations generally opened on time and the opening process was positively assessed in all but one BBCs observed. Some procedural oversights were noted, such as inconsistent recording of the number of ballots received (4 cases), not stamping all ballots before opening (5 cases), and failing to stamp envelopes (7 cases). Women constituted approximately one third of the BBC members.

Observers positively assessed the voting in 97 per cent of the BBCs observed, describing it as a calm, smooth and organized process, with procedures generally followed. However, certain steps were inconsistently implemented. In some two out of five observations, BBC members did not consistently instruct voters to put their ballot into the envelope. Posters on the secrecy of the vote were not posted as required in 27 per cent of the polling stations. Group or family voting was noted in 4 per cent of the observations, and in 2 per cent, the polling station layout potentially compromised the secrecy of the vote. In eight cases, individuals inside and outside of polling stations were observed keeping track of voters arriving at polling stations, possibly leading to pressure.

Political party and candidate observers were present in 76 per cent of the polling stations observed, while civil society representatives accredited as party agents or without accreditations were present in 18 per cent, enhancing transparency. Concerningly, several cases of obstruction and physical assault of observers and civil society representatives were made known to the IEOM.⁴⁴ In 8 cases, IEOM observers were denied access to polling stations or asked to leave by party representatives and unauthorized persons, indicating need for further awareness of the role of observers. The presence of unauthorized persons,

⁴⁰ On 19 May, the SEC informed the ODIHR EOM that all complaints related to the parliamentary elections would be finalized by 28 May. After the first election day, the TKP lodged an unsuccessful complaint to the SEC requesting the extension of the shortened one-day deadline for submission of post-election complaints and appeals. The HDP informed the ODIHR EOM that the established deadlines were too short to timely file complaints related to results tabulation.

⁴¹ Deadlines established by the SEC provide for the finalization of complaints and appeals through all levels of the election administration by 1 June, four days after the election day. Guideline 3.3g. of the [Code of Good Practice](#) provides that time limits for lodging and deciding appeals must be short (three to five days for each at first instance)."

⁴² According to social media reports, AK Parti members or those affiliated with the party were reported to be involved in attacks on BBC members in [Erzurum](#), a CHP [mayor](#) along with [voters](#) in front of a polling station in Istanbul, and people waiting in the courtyard of a polling centre in Istanbul. YSP and HDP representatives were reported to have been attacked in Şanlıurfa while trying to enter a polling station where violations had allegedly taken place. Further, a fight broke out between BBC members and voters in [Diyarbakır](#). According to the media reports, one *İyi Parti* member was [killed](#) during victory celebrations in Ordu province.

⁴³ On social networks, several political parties posted campaign messages, including MHP, CHP, YSP, TİP, and Victory Party, among others, with the notable exception of the incumbent president and AK Parti. On election day, Mr. Kılıçdaroğlu, a CHP Vice President and an AK Parti Deputy Chairman called on voters to support their candidates. The ODIHR EOM observed campaigning during the silence period by the AK Parti in Mardin. According to allegations on social networks, the AK Parti and the incumbent sent text messages on election day calling for their support.

⁴⁴ According to reports from the media and allegations from social networks, in the Akçakale district in Şanlıurfa, lawyers were physically [attacked](#) when trying to enter a polling station where allegedly ballot-box stuffing had occurred; party observers were physically attacked for objecting to irregularities in several instances, including CHP party observers in the Eyyübiye district in [Şanlıurfa](#) and party observers and civil society representatives in [Mardin](#), in [Antakya](#), and in [Malatya](#).

mainly local officials or non-accredited party representatives was observed in some 8 per cent of polling stations. Moreover, in 3 per cent, persons not belonging to the BBC, mainly party observers, were seen interfering with the voting process. Slightly more than half of the polling stations observed were accessible for persons with physical disabilities. Despite the 2022 legal amendments requiring providing voting templates for the visually impaired, these were not updated for the run-off election.

Closing and counting procedures were positively assessed in 79 out of 84 observations, with one case of obstruction of the counting process observed by the IEOM. However, the observed shortcomings, including some significant procedural errors, indicate a need for improved training of BBC members. In an attempt to speed up the process, 47 BBCs observed did not complete all the prescribed safeguard procedures before opening the ballot box, and the prescribed order of the subsequent procedures was not followed in 22 instances.

In 10 instances, signatures and fingerprints on voter lists were not counted and in 17 cases, unused envelopes and ballots were not counted. Persons not belonging to the BBCs participated in five counts observed. The validity of envelopes was not consistently verified, and their number was not compared with number of voters who voted in 13 instances. Ballots were not properly separated and counted in 24 instances, but ballot validity was consistently determined in all but three observations. Official protocols were pre-signed by the BBC members in 16 observations. Results protocols were not publicly displayed in 12 polling stations, but they were provided upon request to those eligible, with two exceptions.

The tabulation process, followed by the IEOM observers in 60 DECAs, was positively evaluated as efficient and well-organised in all but two. The limited negative assessments were mostly associated with inadequate layout and confined space of the tabulation premises. In 21 instances, election materials were not delivered by at least three BBC members, as required by law, and the IEOM observers noted that some BBCs did not stay at the DECAs to keep track of processing the results from the respective polling station. IEOM observers noted discrepancies during the data entry in two cases. IEOM observers were not given access to observe the data entry for out-of-country voting.

The SEC and the Ministry of Interior did not publish information on complaints filed during election day, limiting transparency. IEOM observers noted official complaints filed in 33 polling stations observed.⁴⁵ The SEC released the first aggregated preliminary results on television at 19:30. At 22:30, in its second announcement, the SEC declared the re-election of Mr. Erdoğan as president, based on 99.4 per cent of the tabulated results. The voter turnout was reported by the media at 86 per cent.

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

⁴⁵ The media reported that a number of complaints were lodged with election bodies and law enforcement alleging group voting, voting without ID documents, irregular voting by police officers, breaches of the secrecy of the vote, multiple voting, ballot stuffing and campaign silence violations. Moreover, the media reported some cases when BBCs refused to record complaints throughout election day.

MISSION INFORMATION & ACKNOWLEDGEMENTS

Ankara, 29 May 2023 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly (OSCE PA) and the Parliamentary Assembly of the Council of Europe (PACE). The assessment was made to determine whether the elections complied with OSCE commitments and other international obligations and standards for democratic elections and with national legislation.

Ms. Farahnaz Karimi was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and Leader of the OSCE short-term observer mission and headed the OSCE PA delegation; Mr. Frank Schwabe headed the PACE delegation. Ambassador Jan Petersen is the Head of the ODIHR EOM, deployed from 27 March.

Each of the institutions involved in this International Election Observation Mission (IEOM) has endorsed the 2005 Declaration of Principles for International Election Observation. This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the electoral process. The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the electoral process, including the count, tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the electoral process. The OSCE PA will present its report at its next meeting. The PACE will present its report at its June 2023 part-session in Strasbourg.

The ODIHR EOM includes 15 experts in the capital and 26 long-term observers deployed throughout the country. On election day, 232 observers from 31 countries were deployed, including 26 long-term and 133 short-term observers deployed by ODIHR, as well as a 31-member delegation from the OSCE PA, a 20-member delegation from the PACE. Opening was observed in 83 polling stations and voting was observed in 646 polling stations across the country. Counting was observed in 84 polling stations, and the tabulation in 60 DECs.

The observers wish to thank the authorities for their timely invitation to observe the elections, and the Supreme Electoral Council and the Ministry of Foreign Affairs of Türkiye for the assistance. They also express their appreciation to other state institutions, political parties and civil society organizations and the international community representatives for their co-operation.

For further information, please contact:

- Jan Petersen, Head of the ODIHR EOM, in Ankara (+90 534 853 7307);
- Katya Andrusz, ODIHR Spokesperson (+48 609 522 266), or Kseniya Dashutsina, ODIHR Election Adviser, in Warsaw (+48 603 793 786);
- Nat Parry, OSCE PA Director of Communications (+45 601 08 177);
- Sylvie Affholder, Secretary of the PACE delegation, (+90 536 958 97 70, +33 7 60 19 75 05)

ODIHR EOM Address:

Hotel Sheraton, Noktali St., Kavaklıdere, 06700 Ankara
Tel: +90 (0) 312 457 6129