

37th SESSION

Local elections in Turkey and Mayoral re-run in Istanbul (31 March and 23 June 2019)

Resolution 450 (2019)¹

1. Further to the observation of the 2019 local elections in Turkey, carried out by the Congress of Local and Regional Authorities based on the invitation from the State authorities, dated 22 February and 20 May 2019, the Congress refers to:

a. Article 2, paragraph 4 of the Committee of Ministers' Statutory Resolution CM/Res(2015)9 on the Congress of Local and Regional Authorities of the Council of Europe;

b. the principles laid down in the European Charter of Local Self-Government (ETS No. 122) which was ratified by Turkey on 9 December 1992;

c. Chapter XVIII of the Rules and Procedures of the Congress on the practical organisation of election observation missions.

2. It reiterates the fact that genuinely democratic local and regional elections are part of a process to establish and maintain democratic governance. Observation of grassroots elections is a key element in the Congress' role as guardian of democracy at local and regional level.

3. It welcomes the report on the observation of the 2019 local elections in Turkey stating that both polling days were orderly and well-managed overall by largely competent electoral staff and proceeded by a competitive and dynamic campaign.

4. The Congress endorses the assessment of the report on local elections in Turkey and Mayoral re-run in Istanbul (31 March and 23 June 2019) requiring different improvements including the following aspects: harmonisation of all election-related laws; transparency and consistency of decision-making of the election administration at all levels, in particular, the SEC (Supreme Election Council) and its institutional independence; effective regulations on campaign periods, on party and campaign financing and related to the misuse of administrative resources during campaigning; freedom of expression and related undue restrictions based on anti-terror legislation and defamation provisions, media plurality and critical journalism; transparent and impartial complaints and appeals procedures; the organisational and practical side of elections, notably the status of civil servants required for Presidents and Deputies of Ballot Box Committees; the merger and move of polling stations on security grounds; the use of mobile ballot boxes to support voters with impaired mobility and other disabilities; and the accreditation of domestic and international election observers in local elections.

5. Considering the issues drawn to the Congress' attention by interlocutors with regard to the decision taken by the SEC on 6 May 2019 to repeat the Istanbul Metropolitan Mayor election on 23 June, and with regard to the denial of the mayoral mandate for successful HDP candidates in the south-east of the country, the Congress will commission a member of its Group of Independent Experts on the European Charter of Local Self-Government (GIE) to carry out an analysis in view of a possible request for legal Opinion of the European Commission for Democracy through Law (Venice

¹ Debated and adopted by the Congress on 30 October 2019, 1st sitting (see Document [CG37\(2019\)14](#), explanatory memorandum), rapporteur: Andrew DAWSON, United Kingdom (R, ECR).

Commission) on the constitutionality of these decisions and their compliance with general principles of rule of law.