

*Council of Europe*  
*The Secretary General*

Strasbourg, 15 April 2019

Dear President,

The Council of Europe has received reports that a number of candidates recently elected as mayors in the 31 March local elections have since been declared ineligible by your Board (Supreme Electoral Board/YSK). They therefore cannot take office and assume the duties entrusted to them by their electorates. Their ineligibility is apparently based on their previous dismissal from public service by decree-law under the state of emergency.

It is however our understanding that all of these candidatures had been checked and validated before the elections by various authorities, including the YSK. Therefore the YSK's decision to bar the elected candidates from assuming office raises questions concerning rule of law standards.

At the same time, we also note that the YSK decided to recognise as the winners of the election those who have received the second highest number of votes. This goes against the general principles of democracy.

Legal certainty and predictability of the law are essential with regard to electoral legislation. The aim of such legislation in a democracy is to ensure that the will of the people is respected and not thwarted.

Turkey is an important member of the Council of Europe and it is essential that the sovereign will of the people be respected. Failure to observe this basic democratic principle undermines people's trust in democratic institutions.

Yours sincerely,



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