

# THE IMPACT OF THE 2023 EARTHQUAKES ON TÜRKIYE'S PRESIDENTIAL AND PARLIAMENTARY ELECTIONS

Case Study, March 2024

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## INTRODUCTION

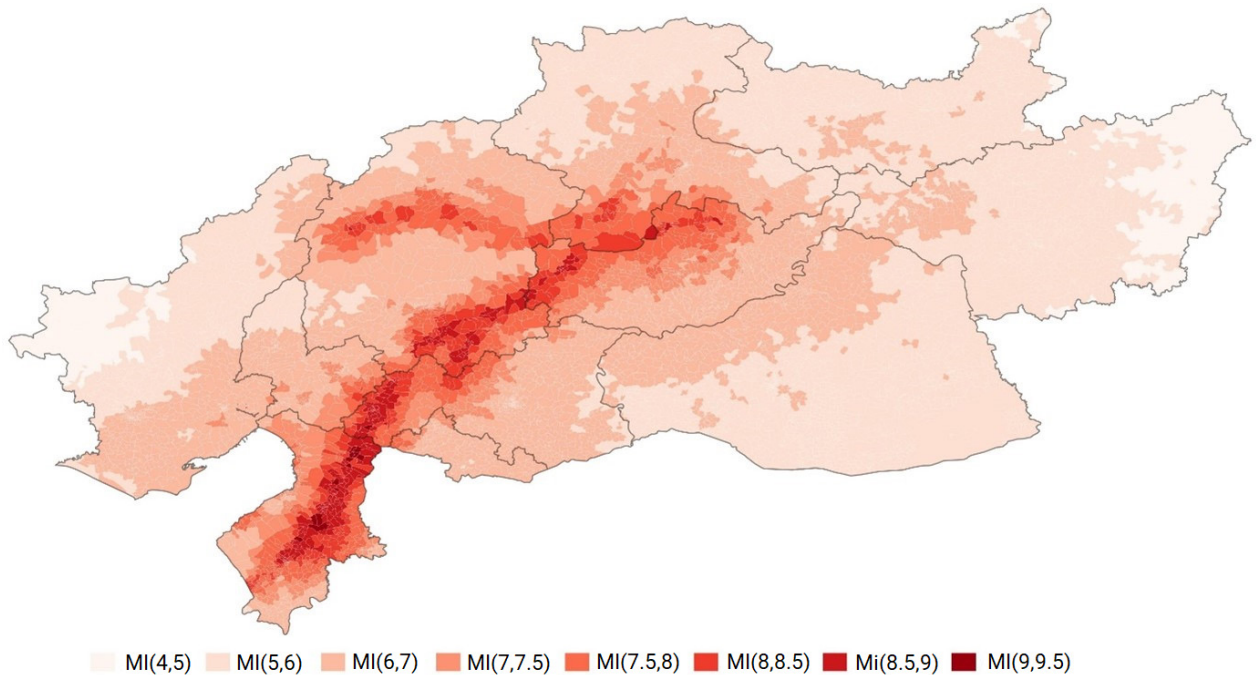
On 6 February 2023, with a nine-hour interval, two earthquakes measuring 7.8 and 7.5 on the Richter scale struck southern Türkiye. Originating from the Pazarcık area of Kahramanmaraş province, the earthquakes also impacted the adjacent provinces of Adıyaman, Hatay, Kilis, Osmaniye, Gaziantep, Malatya, Şanlıurfa, Diyarbakır, Elazığ, and Adana—an area home to over 16 million residents, including around 1.8 million Syrian refugees. These consecutive earthquakes were the most lethal seismic events in the region since the first century CE, with verified fatalities of over 50,000 and over 100,000 injured. This was also the most deadly earthquake globally since the Haiti earthquake in 2010 and ranked as the fifth worst earthquake of the 21st century with regard to the damage created. The estimated damage amounted to USD 104 billion, making these earthquakes the fourth most costly in history (Support to Life 2023). The earthquake-affected provinces' total population represents 16.4 per cent of the country's total, over 95 per cent of whom resided in urban and district centres (DSB 2023).

Figure 1 displays the Mercalli intensity of the earthquakes, which measures the felt intensity. As can be seen from the figure, the disasters were felt quite intensely on a belt crossing five cities (Moral et al. n.d.). Just after the earthquakes, by Presidential Decree No. 6785 dated 8 February 2023, a state of emergency (*Olağanüstü Hal* or OHAL) was declared for a period of three months covering provinces affected by the earthquake. This decision was published in the Official Gazette on the same day. The Türkiye Büyük Millet Meclisi (Turkish Grand National Assembly, TBMM) approved the OHAL decision—further discussed below—on 9 February 2023.

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**These consecutive earthquakes were the most lethal seismic events in the region since the First Century CE, with verified fatalities of over 50,000 and over 100,000 injured.**

Figure 1. Maximum estimated Mercalli intensity



Source: Moral, M., Adigüzel S., Sedashov E., Toros E. and Varol O., 'On the Effects of the Earthquakes on Electoral Behaviour in the May 2023 Turkish Parliamentary and Presidential Elections', Working Paper, [n.d.].

**The earthquakes struck approximately four months before the country's 2023 presidential and legislative elections.**

The earthquakes struck approximately four months before the country's 2023 presidential and legislative elections. This case study examines the dynamics of holding these contests in the aftermath (see Table 1 for a chronology).

The following sections (1 and 2) will provide information on the legal and institutional background of elections in Türkiye, before relating this background to the post-earthquake electoral scene by elaborating on debates that took place about postponement. The third and fourth sections discuss the practical matters of organizing elections in the post-earthquake context and results, respectively. Section 5 concludes the case study with tentative lessons learned.

## 1. LEGAL AND INSTITUTIONAL BACKGROUND

### Turkish Supreme Electoral Council

In Türkiye, the highest electoral management body (EMB), Yüksek Seçim Kurulu (Supreme Electoral Council, YSK), leads the implementation of elections and ensures their integrity. The council's structure and operations have undergone several changes throughout its history, determined by both specific needs and political influences. Although the council was first established on a legal basis in 1950, it gained full authorization with amendments in 1954 and its

Table 1. Chronology

**Legislative elections and first round of presidential elections**

Date	Event
6 February 2023	Two consecutive earthquakes on 7.8 and 7.5 of Richter scale hit Türkiye.
7 February 2023	International relief teams from several countries arrive.
8 February 2023	Emergency rule for 90 days announced.
6 March 2023	President Erdoğan announces a comprehensive relief package including: a special fund of TRY 350 billion (approximately USD 12 billion); interest-free loans with a repayment grace period for the first year and a 60-month term for businesses heavily affected by the earthquake; and an emergency relief fund of TRY 10,000 (approximately USD 350) for more than a million earthquake victims. Erdoğan also pledges to build 500,000 new houses in one year.
10 March 2023	Presidential decision announced invoking the president's power to call for early elections under article 116 of the Constitution of Türkiye, initially scheduled for 18 June 2023.
10 March 2023	Yüksek Seçim Kurulu (Supreme Electoral Council, YSK) announces the presidential and legislative elections to be held together on 14 May 2023. If the presidential election reaches the second ballot, it will be held on 28 May 2023.
18 March 2023	Election calendar starts.
31 March 2023	Official Gazette prints the final presidential candidate list, and the presidential election campaign period starts.
12 April 2023	Finalization of electoral rolls.
27 April 2023	Voting at the customs gates and overseas missions starts.
4 May 2023	Legislative election campaign period starts.
9 May 2023	Voting at the overseas missions finishes.
13 May 2023	Campaign periods end.
14 May 2023	Election day
9 May 2023	Emergency rule ends.
<b>Second round of presidential elections</b>	
15 May 2023	Campaign period starts.
19 May 2023	YSK announces the final results of the legislative election.
20 May 2023	Voting at the customs gates and overseas missions starts.
24 May 2023	Voting at the international missions finishes.
28 May 2023	Election day.
29 May 2023	YSK announces the provisional results of the presidential election.
1 June 2023	YSK announces the final results of the presidential election.

constitutional basis came with the 1961 Constitution. It is possible to claim that Act No. 5545, which established the council in 1950, is the result of democratic maturity and a negotiating culture far ahead of the understanding of the time.

Significant changes were made to the Turkish electoral system over the years, as multiple governments amended Act No. 5545, the central act on elections, to establish a more democratic and transparent election system. The YSK's responsibilities changed accordingly. Constitutional reforms relating to regulations on radio and television propaganda, the General Directorate of Electoral Roll, and payments and fees, are among those that amended Act No. 5545.

The YSK employs a computerized system known as Seçim Bilgi Sistemi (Electoral Information System, SEÇSİS) to track electoral registration data. Despite minor issues, stakeholders have rated SEÇSİS an efficient and well-functioning mechanism. In their comments on the November 2015 elections, the Organization for Security and Co-operation in Europe (OSCE) election observation mission indicated broad trust in the accuracy of the voter list (OSCE-ODIHR 2015). In registering voters the YSK collaborates with various other state institutions and organizations (see 3.2: Preparation of electoral rolls). These intricate processes have occasionally invalidated elections by including on electoral rolls restricted voters—individuals banned from public services, or otherwise ineligible.

The YSK also has the authority to prohibit or permit political parties' participation in elections. This authority is significant for early or snap elections. Participating in elections, in addition to the possibility of winning, confers additional and exclusive rights and obligations on political parties, such as campaigning through the press, information and communication technologies, and the Internet; having a representative in the YSK, provincial and district election boards; opening an election office; and submitting voter lists. Since the YSK is the sole authority for determining which political parties will participate in elections—based on criteria provided by the legislature—its judgements relating to this function directly influence election results.

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**The YSK has been at the centre of numerous contentious matters in recent years.**

The YSK has been at the centre of numerous contentious matters in recent years. For example, before the 2014 local elections, it re-drew the electoral boundaries and doubled the number of cities in the metropolitan areas. This change not only was beneficial for the ruling AKP (Adalet ve Kalkınma Partisi—Justice and Development Party), but it also significantly weakened the primary opponent, CHP (Cumhuriyet Halk Partisi—Republican People's Party) (Aygül 2016). Moreover, the 2014 local election was the most controversial election of the early 2000s with allegations of various types of rigging including lost ballot papers, ballot-box tallies missing the legally required stamps and signatures, high numbers of invalid votes in constituencies that were likely to have close races, power blackouts and electoral violence (Toros and Birch 2019). In the 2017 referendum, which proposed changes to the Turkish Constitution, seeking to transition from a parliamentary system to a presidential system of

governance, as voting was ongoing, the YSK lifted the law requiring each ballot to have an official stamp. This decision was controversial and raised questions about the reliability and impartiality of the YSK, including among segments of the general public.

### **Electoral system and Türkiye's 2023 elections**

In Türkiye, the TBMM comprises 600 MPs elected using the D'Hondt method, a party-list proportional representation system. To secure representation in parliament, a political party must achieve a vote share of over 7 per cent across the entire country—either independently or as part of an electoral alliance, provided that the combined votes of the alliance are above the specified threshold. Consequently, political parties may get the highest number of votes in some regions yet fail to obtain any seats due to country-wide poor performance. The parliamentary threshold was significantly higher, at 10 per cent, for 40 years from 1982 to 2022. This regulation damaged the representativeness of the TBMM since any votes cast for parties below 10 per cent of the total were considered invalid, while the seats won by parties that did surpass the national threshold received a corresponding uplift. For instance, in the 2002 general election, the AKP won 34.28 per cent of the total votes yet managed to obtain almost two-thirds of the available seats.

The legislative and presidential first-round elections were held on 14 May 2023, just three months after the earthquakes. There were three competing alliances in the elections. The first coalition, the People's Alliance, consisted of four political parties but was primarily headed by incumbent Recep Tayyip Erdoğan's AKP and the MHP (Milliyetçi Hareket Partisi—Nationalist Action Party). The second, the Nation Alliance, was the main opposition coalition consisting of the CHP, İyi Parti (The Good Party, İYİ), and four other minor parties, including two headed by former AKP members. The third group was the Labour and Freedom Alliance, which comprised many left-wing groups in addition to the Halkların Demokratik Partisi (HDP—People's Democratic Party), a minor opposition party. The HDP ran with the support of Yeşil Sol Parti (YSP—Green Left Party) due to the danger of a pending case to close it down. The legislative election was conducted in line with the revisions made to Türkiye's electoral statute in 2022. As in the previous election in 2018, each of Türkiye's 87 electoral districts' 600 parliamentary seats was allotted to party lists using a proportional method.

The overwhelming majority of public opinion polls indicated that the opposition coalition Nation Alliance, also known as the Altılı Masa (Table of Six) would emerge victorious due to the severe economic breakdown facing the country, coupled with the complications created by the earthquakes (Wilks 2023). Despite this, the opposition bloc suffered significant difficulties in the lead up and after polling, including an apparent lack of internal coalition unity and the government's strong influence over judicial decisions, its financial supremacy and effective control of the media (Esen, Gümüşçü and Yavuzylmaz 2023: 163–203). There were also concerns about whether free and fair elections could be held, whether Erdoğan would relinquish power if he lost an election, and the potential complications of a close election (Rubin 2023).

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The opposition was formed around a clear strategy prioritizing reinstating Türkiye's pre-election parliamentary system that had been changed in the 2017 referendum and restricting presidential authority. This strategy also challenged the government's stance on a variety of foreign and domestic policy problems, notably threats to democracy and the rule of law in Türkiye, and committed to implementing changes, with a focus on economic difficulties. The dominant focal points of the opposition's electoral campaign were the disasters. The government faced criticism for its slow reaction to the earthquakes and the several development zoning amnesties that preceded it. The opposition especially highlighted the latter, a populist practice that entirely legalizes buildings that are non-compliant with existing laws and standards (e.g. having more floors than stated in the original plan) by issuing a 'building registration certificate'. The last wave of this practice came into effect before the June 2018 general elections. Architects and urban planners in the country had long warned that building codes related to seismic activity are insufficiently enforced (Beaumont 2023).

Erdoğan got 49.5 per cent of presidential votes in the first round, only a half-point short of the 50 per cent needed to be elected. The primary challenger, Kemal Kılıçdaroğlu of the Nation Alliance, earned 44 per cent of the vote, while the remaining third contender, Sinan Oğan, received an unexpected 5.2 per cent. Despite losing 21 seats, Erdoğan and the AKP-led People's Alliance maintained their majority in the Turkish Grand National Assembly with 323 MPs. These results necessitated a presidential run-off election—a first in the country's electoral history, as prior elections of this sort in 2014 and 2018 concluded in the first round. While Türkiye's economic troubles and the February earthquakes may have fuelled voter dissatisfaction with Erdoğan, his first-round electoral results outperformed many experts' projections.

Erdoğan was thus considered the favourite to win on 28 May. His chances of victory were strengthened on 22 May when the third-placed candidate, Sinan Oğan, announced his support for the incumbent. Receiving 52.2 per cent of the vote in the second round, Erdoğan gained his third presidential term (second under the presidential system introduced in 2017). The opposition candidate, Kılıçdaroğlu, received 47.8 per cent of the votes cast. Although Kılıçdaroğlu gained almost a million new voters compared to the first round, it was not enough to surpass Erdoğan, who also received an extra 700,000 votes.

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## 2. THE POST-QUAKE ELECTORAL CONTEXT

Coupled with the disaster's devastating effects, the post-quake period was marked by discussions about the approaching presidential and legislative elections. The government did not announce a specific election date before the earthquakes, set to be held on 18 June 2023, on normal conditions. At the same time, however, there was an expectation in the public that the elections would be on 14 May 2023. Following the earthquakes, two opposing

camps emerged: those advocating for swift elections and those wanting a postponement.

When making international comparisons, postponing elections after a crisis emergency is fairly typical. For example, during the Covid-19 pandemic it was reported that at least 80 nations and territories worldwide chose to postpone national and subnational elections, with 42 countries and territories postponing national elections and referendums (James, Clark and Asplund 2023). Thus, postponing an election may not necessarily be an undemocratic choice because the integrity of the voting process is likely to be jeopardized by disaster conditions, and humanitarian concerns may be paramount in the short term (Asplund and Hickey 2023). Accordingly, the postponement camp in Türkiye argued that the 6 February 2023 earthquakes were of historical scale and expected to have long-lasting impacts, leaving as they did a state of complete destruction in 10 cities, whose residents were preoccupied with their struggle for survival (Euronews 2023). As mentioned earlier, the earthquakes impacted over 16 million residents, who are represented in the TBMM by 96 parliamentarians in total. Table 2 displays the breakdown of MPs of the earthquake-affected constituencies according to parties.

Postponement supporters argued that since there were nearly no voters left in the region concerned (due to both casualties and migration), there was a need to update voter records. Since in the circumstances this was an

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**Table 2. MPs in earthquake-affected provinces by party**

Region	AKP	CHP	HDP	MHP	İYİ
Adana	5	3	2	2	2
Adıyaman	4	1	-	-	-
Diyarbakır	3	-	9	-	-
Elazığ	4	1	-	-	-
Gaziantep	8	2	1	2	1
Hatay	5	4	1	1	-
Kahramanmaraş	6	1	-	1	-
Kilis	2	-	-	-	-
Malatya	4	1	-	1	-
Osmaniye	2	1	-	2	-
Şanlıurfa	8	1	4	1	-

Source: Constructed by the author based on <<https://www.tbmm.gov.tr/sandalyedagilimi>>, accessed 13 January 2024.

impossible task, that made swift elections legally and practically impossible. This argument also underlined the necessity of adjusting the number of MPs representing the affected provinces, based on a new population census before the elections.

The contrary position, predominantly supported by opposition political parties, was that the schedule for elections must follow the provisions of the Constitution and existing electoral legislation. These discussions ended following President Erdoğan's announcement of 14 May as the date for legislative and presidential elections. Justice Minister Bekir Bozdağ indicated that no new legal restrictions were required for the forthcoming elections and that existing laws would be followed.

The following section will elaborate on these discussions in detail through the lenses of existing laws and regulations.

### Postponement debate

**By article 78 of the Constitution, elections can be postponed by one year in the event of war.**

As specified by article 78 of the Constitution (Türkiye 1982), elections can be postponed by one year in the event of war. According to this explicit constitutional provision, a war declared by the Grand National Assembly is the only such circumstance, and the war situation must make it impossible to hold elections. There are examples in the country's history where elections were conducted even under severe war conditions. For example, the initial Turkish National Grand Assemblies were formed after elections held in 1919 and 1920 during the National War of Independence. It is important to note that the existing wording of article 78 was a careful choice by the constitution-makers—it is known that the draft text of the 1982 Constitution contained provisions for the postponement of elections due to extraordinary events such as earthquakes, but these were removed from the final text because they were considered susceptible to misuse by those in power (Kanadoğlu and Şahin 2023).

Those favouring postponement claimed that due to force majeure, the elections could be postponed either by a decision of the YSK, through a new series of legislation, or by the State of Emergency Procedures and Institutions regulation (Kanadoğlu and Şahin 2023). The first stance, that the YSK itself can postpone elections, is supported by two sub-arguments: (a) that the YSK was granted the authority to do so by the Constitution and Law No. 7062 about the Formation and Responsibilities of the Supreme Election Board; and (b) the YSK's prior practices of delaying municipal elections in light of catastrophic disasters, such as earthquakes.

Article 79 of the Constitution is as follows:

The Supreme Board of Election shall execute all the functions to ensure the fair and orderly conduct of elections from the beginning to the end, carry out investigations and take final decisions, during and after the elections, on all irregularities, complaints and objections concerning the electoral matters,



and receive the electoral records of the members of the Grand National Assembly of Türkiye and presidential election. No appeal shall be made to any authority against the decisions of the Supreme Board of Election.

—(Türkiye 1982: article 79)

As is evident, the clause grants the YSK the authority to carry out all processes related to the management and integrity of elections. Stakeholders favouring a rescheduling of elections interpret this clause broadly, including the action of postponement. However, since the postponement of elections necessitates an entirely different authority and given the fact that the clause did not explicitly define such a right, this interpretation can be labelled as a 'stretched' one. The YSK can use its authority to manage a specific election with a set date and resolve disputes related to that election. However, claiming that the YSK has the authority to postpone elections based on this clause is not legally convincing.

These arguments were not completely without merit since they were built on prior YSK decisions to postpone elections because of some force majeure. Among those, the 1966 postponement due to earthquake of village chief and council member elections in Goltepe village (a district of Varto province of Van) was widely discussed. However, in that specific case the Supreme Board's decision, published in the Official Gazette on 14 September 1966, stated that when natural disasters such as earthquakes, floods, significant fires, or similar events happened 'just before the planned date of elections', and which make it physically impossible to hold elections in a particular location, such elections can be postponed. It is noted that the Supreme Board of Elections decides when these elections, 'which should take place shortly after disaster days', will be held. Therefore, one is prompted to argue that rulings rendered by the board related to such matters apply to exceptionally infrequent and rare conditions.

Furthermore, it is important to highlight that the elections that the Supreme Board of Elections postponed had already commenced, and the unforeseeable circumstances occurred either on the day of the election or in its immediate vicinity. Whereas in 2023, there was a lead time of almost four months—sufficient for the YSK to identify individuals displaced by earthquakes, determine the cities they relocated to, and generate voter registration forms for these individuals in a format corresponding to their new residences. In practice, however, this responsibility was left to the citizens: the voters who were able to re-register in their new constituencies voted for the representatives of that particular constituency, and the ones who did not re-register either did not vote or travelled back to their initial constituencies to vote on election day.

Finally, two more recent rulings of the YSK should be mentioned, which rejected appeals seeking electoral postponement. The first involved a petition against Decision No. 708 dated 19 April 2015 and advocating postponement of the 25th term legislative elections scheduled for 7 June 2015 until 2016 due to ongoing military operations in the region against Kurdish armed groups. The appeal was unanimously declined by the YSK, since postponing elections due

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to war is exclusively the prerogative of the Turkish Grand National Assembly, based on article 78 of the Constitution (TRT Haber 2023). In the second one, the YSK similarly denied the request to defer the local council and elders' council elections initially scheduled for 5 March 2023 in the Elazığ Güneykent neighbourhood, among the regions impacted by the earthquakes.

The postponement camp's other resort was an appeal to the Constitutional Court. The basic argument was that article 79 of the Constitution only regulates legislative elections but not presidential ones. It is critical to consider the context that precipitated this appeal and the following decision. A constitutional amendment was ratified in 2007 which instituted the direct election of the president by the general populace. Following this, a Presidential Election Law was implemented which expanded the scope of article 78 (which, as we have seen, grants the Turkish Grand National Assembly the authority to adjourn legislative elections) to the presidential elections as well. In other words, the authority of the TBMM to postpone legislative elections by law automatically became applicable for presidential elections, even though there is no specific wording in article 78 for presidential elections (it fails to differentiate between presidential and legislative elections when it uses the phrase 'elections'). Accordingly, the Constitutional Court has examined the constitutionality of the provision in the Presidential Election Law that allows the postponement of the presidential election due to reasons of war.

When confronted with the petitioners' contention that legislation cannot establish such a rule, the Constitutional Court stated that legislation might render a provision of article 78 of the Constitution relevant to the presidential election. However, the Court's ruling also noted that the Turkish Grand National Assembly and the Supreme Board of Elections would not be authorized to judge the postponement of presidential elections based on justifications such as 'war and comparable circumstances'. Through jurisprudence, the Constitutional Court cannot broaden the restricted reasons (such as war) established by the Constitution. Furthermore, this legislation does not allow for delay for any cause other than war.

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**A final argument about the lawfulness of electoral postponement related to the announcement of the state of emergency (OHAL) by a Cumhurbaşkanlığı Kararnamesi (presidential decree) just after the earthquakes.**

In the end, article 102 of the Constitution was applied to determine whether the pertinent legislation was constitutional. Article 102 was repealed due to the 2017 constitutional revision, which also mandated the simultaneous presidential and legislative elections scheduling. Consequently, the Constitutional Court's stance about adjourning presidential elections on account of force majeure was rendered unlikely, as the Constitution now stipulates that both TBMM and presidential elections should be conducted simultaneously.

A final argument about the lawfulness of electoral postponement related to the announcement of the state of emergency (OHAL) by a Cumhurbaşkanlığı Kararnamesi (presidential decree) just after the earthquakes. A presidential decree in Türkiye is a regulation that allows the president to act without the need for a law enacted by the legislative body. However, these decrees cannot conflict with the Constitution and laws and are subject to oversight by

the TBMM. Effective on being published in the Official Gazette, presidential decrees became a significant part of Türkiye's legal framework and public policy process when the country moved from a parliamentary to a presidential system in 2018.

According to article 119 of the Constitution, an OHAL can be imposed by presidential decree 'in matters necessitated by the state of emergency'. These decrees can be issued for the duration of the state of emergency and for the regions covered by it. The OHAL was declared on 8 February 2023 by Presidential Decree No. 6785 and was declared only for the disaster area and for a period of three months. Although this period covers a considerable part of the election cycle, it did not cover the voting day and beyond. In its original form, therefore, it is clear that the elections could not be postponed nationwide based on this decree. It is important to note that, even if a state of emergency was declared for all of the country and for a longer period, still, elections could not be postponed based on this decree because, as explained earlier, article 78 of the Constitution explicitly outlines the authority and conditions for electoral postponement. Since this authority is exclusively vested in the TBMM, presidential decrees cannot be used for this matter.

Moreover, even if the president had decided to postpone elections using the authority granted by the OHAL decree, the Constitutional Court could have overturned such a decision since the Constitutional Court has the power to review and invalidate decisions or regulations it deems unconstitutional or in violation of fundamental legal principles, including those made under emergency powers. In its 1991 jurisprudence, the Constitutional Court stated that regulations made under OHAL decree must be subject to constitutional review, regardless of their substance.

For all these reasons, debate about the elections' timing concluded with their being held on schedule, without postponement.

### **Campaigning**

The legal structure delineated two distinct phases for political campaigning: the electoral period, which in 2023 commenced on 18 March for parliamentary elections and 31 March for the presidential election, and was characterized by specific campaign regulations (such as a prohibition on the improper use of administrative resources); and the formal campaign period, which extended for 10 days preceding both election days and entailed more stringent campaigning criteria.

The earthquakes forced political parties to rethink their campaigning strategies. For example, the incumbent AKP, which had been preparing its election manifesto with the perspective of 'Türkiye Century' since the previous summer, shaped its campaign with the slogan 'We're starting anew'. However, the party amended the election manifesto and campaign approach following the disaster, shifting from large rallies to visiting tents and other temporary structures housing the displaced. Party officials conducted a silent campaign without music. The AKP also set four messaging priorities focusing on the

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physical recovery of the earthquake-stricken region; improving the living conditions of the disaster-affected citizens; measures to be taken in the face of potential future earthquakes or other natural disasters, including regulations related to the environment; and steps to reverse the economic devastation caused by the earthquake (Kahvecioğlu 2023). Similarly, the opposition bloc decided to start and end the campaign period in the affected region.

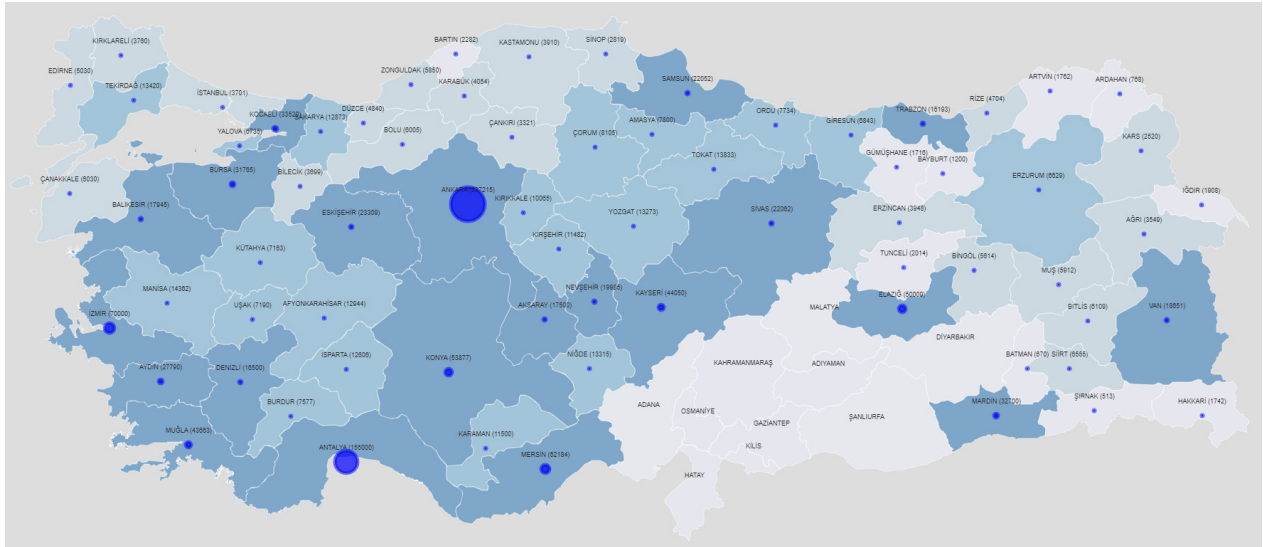
### 3. REORGANIZING THE ELECTIONS

Coupled with the postponement discussions, there were several concerns about the voting arrangements for people in the affected areas and those displaced to other cities. Table 3 provides the estimated displaced population in the 11 provinces of the earthquake zone.

**Table 3. Scale of internal displacement by region**

Region	Total population	Internally displaced persons (IDPs) (estimated)	(%)
Adana	2,531,237	52,779	2.09
Adıyaman	657,888	307,204	46.70
Diyarbakır	1,827,867	98,913	5.41
Elazığ	604,486	28,090	4.65
Gaziantep	2,625,601	252,317	9.61
Hatay	2,043,472	774,483	37.90
Kahramanmaraş	1,274,468	489,149	38.38
Kilis	236,744	13,750	5.81
Malatya	845,352	320,100	37.87
Osmaniye	598,719	69,442	11.60
Şanlıurfa	2,543,524	58,895	2.32
<b>Total</b>	<b>15,789,358</b>	<b>2,465,122</b>	<b>15.61</b>

Source: Constructed by the author based on Sağıroğlu, A. Z., Ünsal, R. and Özenci, F, 'Deprem Sonrası Göç ve İnsan Hareketlilikleri: Durum Değerlendirme Raporu' [Post-Earthquake Migration and Human Mobilities: Situation Assessment Report], AYBÜ-GPM, 1 March 2023, <<https://aybu.edu.tr/GetFile?id=89c8b6eb-c9a1-482a-8e22-065eb9b71006.pdf>>, accessed 13 January 2024>.

**Figure 2. Internally displaced persons by destination**

Source: Constructed by the author based on Yiğit, M. A., 'Depremzedeler Yurdun Dört Bir Yanında Misafir Ediliyor' [Earthquake victims are hosted all around the country], Anadolu Agency, 4 March 2023, <<https://www.aa.com.tr/tr/info/infografik/32685>>, accessed 13 January 2024>.

An early analysis made by the official news agency of the Turkish Republic, Anadolu Agency, on 4 March 2023 shows that the relocated population was dispersed around the country to multiple urban centres (Figure 2).

The cities with the highest influx were Ankara, Antalya and İzmir, with 205,454, 154,086 and 70,000 individuals, respectively. Despite being declared the 11th province affected by the earthquake, Elâzığ also received 50,000 earthquake victims from other provinces. The earthquake victims seemed to prefer not to relocate to Istanbul, Türkiye's largest metropolis, due to the city's significant seismic activity and higher living costs.

Undoubtedly, every election should fulfil the principle of fair representation, and the votes cast must have equal weight in distributing parliamentary seats. The post-quake period, accordingly, has necessitated careful thinking in considering the population decline in provinces that were heavily impacted. This consideration was also valid for the cities where populations significantly increased due to IDPs. The following section summarizes these discussions under three headings.

### Distribution of seats to electoral districts

The first issue was how parliamentary representation should be distributed in regions where permanent or temporary migration occurred, consequent on the earthquake. Parliamentary Election Law No. 2839 explains how legislative elections are organized and conducted in Türkiye. According to its article 4, when allocating parliamentary seats to electoral districts, each province is initially allocated one of the total number of parliamentary seats, which is 600.

**The first issue was how parliamentary representation should be distributed in regions where permanent or temporary migration occurred, consequent on the earthquake.**

The total population of Türkiye, as determined by the latest general population census, is divided by the remaining number of parliamentary seats (519) to obtain a specific number. Then, by dividing the population of each province by this number, the number of parliamentary seats each province will additionally elect is determined. After this calculation, if a province's allocated number of deputies is equal to or under 18, that particular province is regarded as a single electoral district. Provinces with allocated deputies between 19 and 35 are divided into two electoral constituencies, while provinces with 36 or more deputies are divided into three. Table 4 provides an example of this calculation for Istanbul.

**Table 4. Calculation of the number of MPs for Istanbul**

Total of Turkish population	Dividend	Istanbul population	Number of MPs	Number of constituencies
85,279,553	$85,279,553/519 = 164$	15,907,951	$15,907,951/164 = 97 + 1$ (pre-allocated) = 98	3

This formula helps to distribute parliamentary seats to provinces in a way that reflects their population. According to article 5 of the same law, the election districts and the number of parliamentary members to be elected from each are determined by the YSK within six months of the announcement of the results of the general population census. The Turkish Statistical Institute shares updated population data annually with the public, based on the Address-Based Population Registration System. The YSK updates its calculations each year based on this data.

For the 2023 elections, the YSK used the data as of 31 December 2022 to calculate the number of parliamentary members that provinces elect for the TBMM (YSK 2023b). Accordingly, the deaths due to the earthquake or the migration of citizens from the earthquake-affected regions to other provinces did not change the number of parliamentary members each province elects. This decision prompted serious concerns about electoral integrity since a significant portion of the citizens in heavily populated, severely affected cities, such as Hatay, Kahramanmaraş and Gaziantep, left their homes for other provinces—either permanently or temporarily. The YSK did not take any steps to identify these individuals, confirm the deceased or update the address records of those who had moved—even though sufficient time and resources were available (Kanadoğlu and Şahin 2023).

## The second problem was compiling voter rolls in the affected regions.

### Preparation of electoral rolls

The second problem was compiling voter rolls in the affected regions. Undoubtedly, accurate preparation of the electoral roll is crucial for ensuring the integrity of any election. Following article 33 of Law No. 298 on Basic

Provisions of Elections and Electoral Rolls, voter rolls are updated yearly under the procedures and principles to be determined by the YSK based on the information in the address registration system. These rolls are updated automatically in each election period following the most recent relevant data and announced publicly. Concurrently, Law No. 7062 concerning the Organization and Duties of the Supreme Electoral Board designates the General Directorate of Electoral Roll with the responsibility of generating and maintaining the voter rolls, as well as procuring the requisite information and documents from all public institutions and organizations to ensure its accuracy. These regulations empower the YSK to seek guidance from heads of state, district governors, mayors and administrators in compiling the rolls. All public officials, including governors, district governors, mayors and headmen, are required by Law No. 298 to promptly and accurately transmit the information and documents requested by election boards about election affairs and voter registration.

Given the extraordinary circumstances of 2023, election boards in the affected areas provided additional facilities for earthquake victims to access the election rolls—typically announced by neighbourhood headman display lists. In the areas recognized as disaster zones, various communication channels were used to publicize where these lists were displayed, and the display period (YSK 2023a).

In the provinces recognized as disaster zones, voters with a registered residential address who wished to change their address during the display period were not asked to provide any of the usual documentation, and their addresses were registered as requested in their new locations. Since this automated task can be carried out online, it helped to compile the new electoral roll efficiently. Likewise, no approved address declaration documents were asked of state-appointed or voluntary relief personnel working newly in the region to change their residential addresses for voting purposes. At the same time, the YSK did not provide the same opportunities for those affected by the earthquake who stayed in their original settlements, and only relocated to temporary housing. In this category, those who wanted to vote at their place of residence during the display period were obliged to personally apply to the relevant population directorates of their current locations with documents confirming their stay, and to submit a signed and approved copy of the address declaration form and its attachments to the district election board presidency. Such inconsistencies may have led to problems in compiling the voter records and affected the integrity of the elections, but there is no data available to assess this.

The final voter registration matter that needed to be settled was the status of people who either had gone missing or were thought to have died in the earthquake. Since death and disappearance are treated differently in the regulations, it was a difficult task for the authorities to resolve. Article 31 of the Turkish Civil Code states that even if a person's body is not discovered, they are deemed to be dead if they vanish in a way that suggests they have passed away. According to the Population Services Law, the civil authority of

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**The final voter registration matter that needed to be settled was the status of people who had either gone missing or were thought to have died in the earthquake.**

the location where the application is filed must issue an order before an official death record can be created. Death records are created at the civil authority's discretion if the incident is recorded—people who are assumed to be dead in such a situation will not have any legal distinctions from the deceased. These people will, therefore, not be eligible to vote or hold public office. For a declaration of disappearance, on the other hand, a minimum of one year from when the danger of death has passed or five years from the date of the last news is required. Clearly, neither conditions were met before the 2023 election date, for declaring someone missing due to the earthquake. Therefore, the voting rights of individuals for whom a declaration of disappearance is requested have remained in effect and in 2023 they had the same status as living individuals in matters related to voter registers, among other things.

The Election Observation Mission (EOM) of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), underlined this chaotic situation in its report. The report mentioned that the authorities took insufficient precautions to address the abovementioned problems, which affected an estimated 2 million voters. According to the Ministry of Interior, around 453,000 citizens, 70 per cent of whom were of voting age, had changed their addresses from the earthquake-affected areas to register in other provinces. Although we do not have any data on how the relocated citizens voted in the elections, and it is nearly impossible to isolate the impact of the disaster on voting, one can still say the relocation of voters did not produce dramatic changes in the end. Table 5 compares the five leading parties' (those with the highest vote shares) performances in 2023 and 2018, in the five provinces with the highest influx numbers.

Numerous OSCE political party and civil society interlocutors during the EOM agreed that an extended period for address changes, free transportation, or other alternative measures would have made voting more accessible for

**Table 5. Party strength (number of MPs) 2018 and 2023 in provinces with the highest population influx**

Province	Estimated influx	AKP		CHP		HDP		MHP		İYİ	
		2018	2023	2018	2023	2018	2023	2018	2023	2018	2023
Ankara	237,215	15	15	10	13	1	0	5	3	5	5
Antalya	155,000	6	6	5	6	1	1	1	2	3	2
İzmir	70,000	8	8	14	14	2	2	2	1	2	3
Mersin	62,184	4	4	3	5	2	2	2	1	2	1
Elazığ	50,000	4	3	1	1	0	0	0	1	0	0

Source: Constructed by the author based on Yiğit, M. A., 'Depremzedeler Yurdun Dört Bir Yanında Misafir Ediliyor' [Earthquake victims are hosted all around the country], Anadolu Agency, 4 March 2023, <<https://www.aa.com.tr/tr/info/infografik/32685>>, accessed 13 January 2024.



individuals affected by the disasters (OSCE-ODIHR 2023). Furthermore, after a one-month break, the Council of Higher Education restarted in-person higher education nationally on 30 March; the news came just before the registration deadline closed, leaving students with a three-day window to register to vote at their study places. Despite several civil society organizations and political parties offering free transportation for earthquake-displaced individuals to vote at their permanent dwellings, many experienced considerable difficulty returning to vote (OSCE-ODIHR 2023).

### Voting operations

The country's election day was well managed and mostly peaceful, with few disturbances. The OSCE reported tensions or disturbances in 4 per cent of polling stations (OSCE-ODIHR 2023). Where the earthquake-affected regions were concerned, adhering to secure and confidential elections (ballot secrecy) was especially crucial. For this purpose, the YSK appointed a delegation on 5 April 2023 to conduct inspections in 11 provinces in the earthquake-affected region. The delegation made detailed assessments regarding the health status of personnel, institutional buildings, buildings where ballot boxes are placed, election and office supplies, transport and technical infrastructure of the system. Its measures recommended in response were presented to the board members (Dal 2023).

According to Law No. 298, the area where the ballot box is placed and the polling board operates is called the 'polling area', and locations for placing ballot boxes must be selected to ensure that voters can cast their votes easily, freely and confidentially. The law also states that, where applicable, polling boxes can be placed in common areas like school yards, in suitable sections of school buildings (including private schools and colleges) and, if necessary, in rented places like cafeterias or restaurants. (Polling boxes cannot be placed in military buildings, police stations, party buildings, nor *muhtarlık* (local headman) rooms. Following these regulations, the YSK and local authorities took additional measures to ensure the structural integrity of the buildings where polling boxes were placed in the earthquake-affected areas (Dal 2023). On that score, the YSK delegation made a second round of inspections in the earthquake-affected region and gathered information from the Ministry of National Education and the Ministry of Environment, Urbanization and Climate Change regarding the schools where ballot boxes were to be placed. The delegation determined that 80 per cent of the schools in the region were suitable for voting. Where schools were unsuitable, the YSK replaced them with other public institutions, and health centres. In Hatay's Antakya and Defne districts, 245 polling stations in schools affected by the earthquake were replaced by 110 temporary structures (Gerek 2023). Similarly, for villages with difficult access, voting tents were set up for the convenience of the citizens. No incidents were reported from the region stating that the principle of the secret ballot was violated or that polling board members were remiss in fulfilling their duties.

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**The YSK appointed a delegation on 5 April 2023 to conduct inspections in 11 provinces in the earthquake-affected region.**

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**In Hatay's Antakya and Defne districts, 245 polling stations in schools affected by the earthquake were replaced by 110 temporary structures.**

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#### 4. TURNOUT AND RESULTS

According to the electoral rolls, the number of registered voters in the biggest four electoral districts in the affected region—Adıyaman, Hatay, Kahramanmaraş and Malatya—increased by around 9,000, corresponding to less than 1 per cent compared to the previous elections. Since, on average, this figure is around 8 per cent for all electoral districts in Türkiye, this reflects the heavy outflux of voters from the earthquake-affected region. While we observe a significant decrease in voter numbers for the Adıyaman and Malatya districts, there were minor increases for Hatay and Kahramanmaraş. In that sense, Malatya's decline of over 4 per cent is noteworthy. However, this region continuously experiences out-migration due to socio-economic reasons, so the earthquake is unlikely to have been the sole cause. For example, in other districts like Gümüşhane and Ardahan, which are not in the earthquake zone, the number of voters has decreased by 4 and 2 per cent, respectively. Likewise, the increase in the number of voters in Hatay and Kahramanmaraş is higher than increases in Ardahan, Artvin, Bayburt, Gümüşhane, Kars, Kütahya, Tunceli and Yozgat, which were not related to the earthquake. Accordingly, it does not seem possible to attribute these voter number changes to a significant earthquake effect.

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**This decrease of vote casting numbers was around six per cent for Malatya and Antakya, which were severely hit by the earthquake.**

The earthquake's impact on the region's turnout rates is more pronounced. In Türkiye, voting is compulsory. Although compared to the 2018 elections the total number of votes cast for legislative elections increased—by over 8 per cent throughout the country on average—in these four provinces under examination, the number of votes cast decreased by around 130,000, a 5 per cent decrease on the 2.3 million cast in 2018. This decrease was around 6 per cent for Malatya and Hatay, which were severely hit by the earthquake. While the overall voter turnout in Türkiye was around 89 per cent (of registered voters), in these four provinces, it averaged just over 83 per cent. These differences in voter turnout are likely due to the thousands of families who relocated but did not update their voter information. Table 6 displays the turnout figures in the earthquake region and Türkiye as a whole in 2018 and 2023.

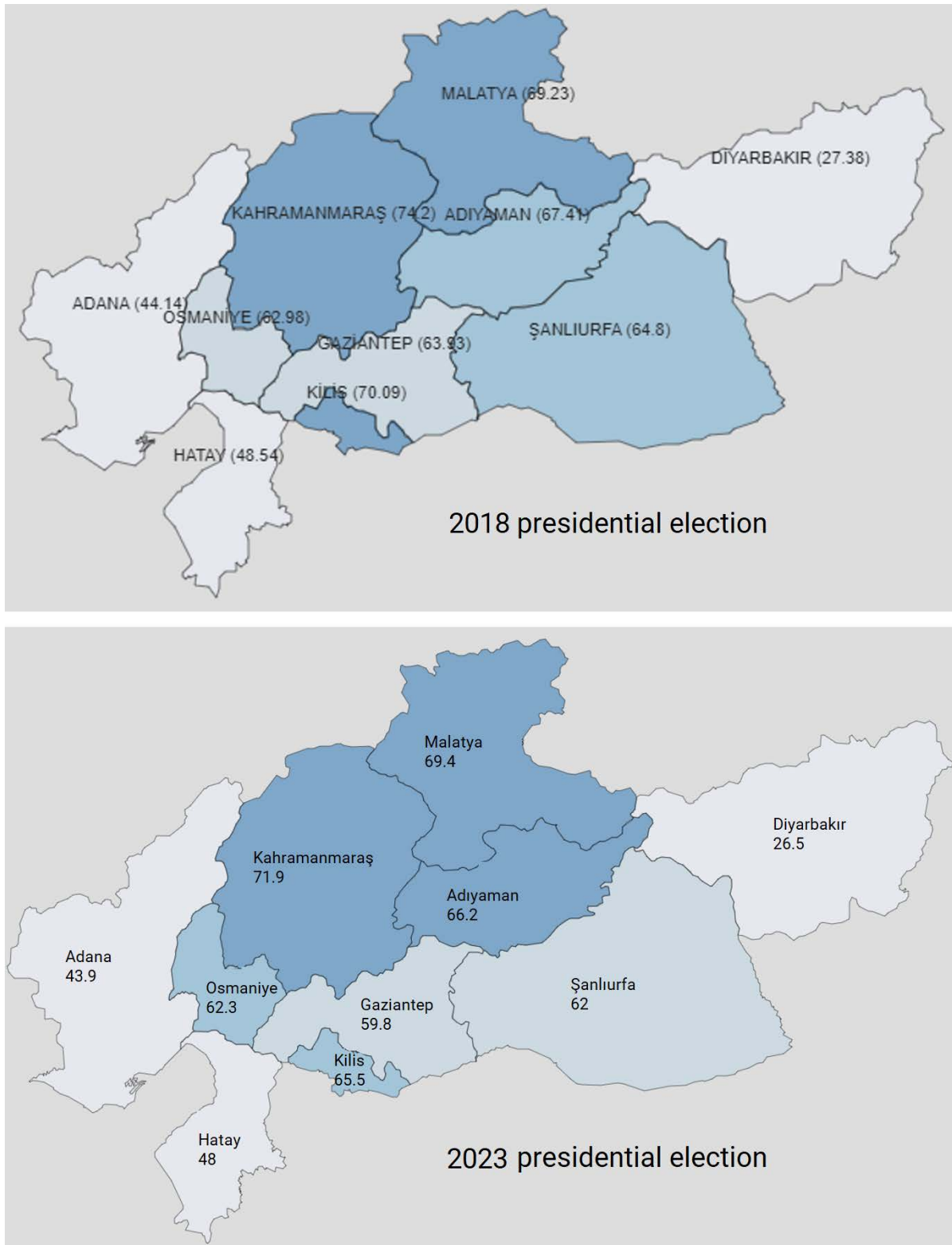
Lastly, Figure 3 displays the results of the presidential elections for the incumbent Erdoğan. The maps depict that the earthquakes did not substantially alter voting preferences.

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#### 5. CONCLUSION AND LESSONS LEARNED

As discussed, Turkish society debated two primary issues regarding electoral procedures following the 2023 earthquakes. The first was the timeliness of holding elections—whether the legislative and presidential elections of 2023 should go ahead as scheduled or be postponed. Although these discussions were primarily conducted on legal grounds, it is also crucial to draw attention to the political dimension. The ruling bloc predominantly put

Figure 3. Erdoğan's vote shares (%) in 2018 and 2023



Source: Maps retrieved and reconstructed from Anadolu Agency, <<https://secim.aa.com.tr>>, accessed 3 February 2024.

**Table 6. Turnout in the 2018 and 2023 legislative elections (%), earthquake affected regions**

Region	2018	2023
Adana	86.5	87.9
Adiyaman	86.8	82.4
Diyarbakır	84.1	82.2
Elazığ	85.3	86.2
Gaziantep	86	86.1
Hatay	89.2	83.6
Kahramanmaraş	89.8	85.8
Kilis	88.1	89.1
Malatya	88	82
Osmaniye	86.7	88.1
Şanlıurfa	81.9	82.3
Türkiye national average	86	87

Source: Constructed by the author based on data from <[www.ysk.gov.tr](http://www.ysk.gov.tr)>, accessed 13 January 2024.

forward arguments advocating for the postponement of elections, while those asserting the necessity of timely elections often came from the opposition bloc, and these positions were not coincidental. The opposition bloc's insistence on the timely conduct of the 2023 elections can be linked to an expectation of the possibility of an alteration in government, as had happened after the earthquake disaster in 1999. Although that is the case, it is also vital to acknowledge that, despite the democratic backsliding that the country has experienced recently, whereby the government's control of the media and restrictions on fundamental freedoms curtailed fair elections (Esen and Gümüŝçü 2021; International IDEA 2023; OSCE-ODIHR 2023), Türkiye managed to carry out elections without changing the existing election legislation.

The second issue of debate related to the practical matters of conducting an election after such a devastating event. Evaluating the influence of natural disasters on the election procedure necessitates a detailed investigation of several elements, and all relevant parties, including the EMBs, must conduct meticulous investigations to arrive at an informed and efficient response. Even before 2023, Türkiye was grappling with problems that affected election administration. Pre-existing criticism of the YSK (the EMB) was exacerbated in

the response to the earthquake; specifically the handling of voter registration in light of displacement and lost ID cards.

Residents who had lost their main identity papers (passport, driver's licence, national ID card) were allowed to vote using a temporary ID document valid for three months that could be obtained through the e-government portal. But while additional efforts such as this were made, the overall process did not satisfy the general public. Second, the board did recalculate the seats allocated for districts which experienced heavy outflux and influx of citizens. Third, the YSK made only limited efforts to communicate the substantial modifications to the electoral cycle. To strengthen openness and public trust, EMBs should hold public sessions and publish material of public interest, including all agendas, decisions, and complete statistics on complaints and objections. Doing so in a timely and consistent way is critical to the operation of voting processes and voters' trust.

Hence, lessons can be drawn from Türkiye's experiences after these earthquakes. All administrative authorities related to elections should have plans and necessary resources for such unforeseen disasters. These plans should include solutions for practical voting day matters and the whole electoral cycle, including electoral rolls and other key public records. Considering the benefits of conducting such processes electronically through e-government applications, as seen in Türkiye's example, the widespread adoption of such applications could be deemed beneficial for problem-solving in other contexts. In such a challenging environment, another crucial point within EMBs' emergency policies is ensuring transparency and keeping communication channels open with the public. A communication strategy, additional training for observers and specialized expertise for verifying the accuracy of systems are all part of this.

Organizing elections after natural disasters of this magnitude presents multifaceted challenges beyond immediate logistical hurdles, including complexities arising from infrastructure damage, voter displacement and disruption of communications. Indeed, planning and administration efforts during these periods necessitate a nuanced and adaptive approach by EMBs, ensuring a delicate balance between upholding democratic principles and responding to the pressing needs of affected communities. Such an effort requires meticulous planning, contingency frameworks, and collaboration among governmental agencies, emergency services and the wider community.

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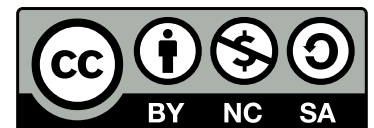
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