



Democracy Denied: Unfair Elections and Overturned Results for Turkey's Kurds

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SNAPSHOT

SUMMARY

- While most international attention has focused on Turkey's military campaign against Kurdish forces in northeastern Syria, Turkey's denial of Kurdish rights inside its own borders has intensified.
- Over the past year the government has carried out a systematic campaign to overturn the results of the March 2019 local elections in Turkey's predominantly Kurdish southeast by removing dozens of elected Kurdish mayors from their posts and replacing them with ruling-party appointees.
- The trusteeship policy has fundamentally altered the nature of local government in this region at the expense of voters' rights and interests.
- Ankara's uncompromising approach to the Kurdish question is unlikely to lead to a durable solution. Turkey's Kurdish conflict will remain a volatile problem that the United States will be forced to anticipate and to work around for the foreseeable future.

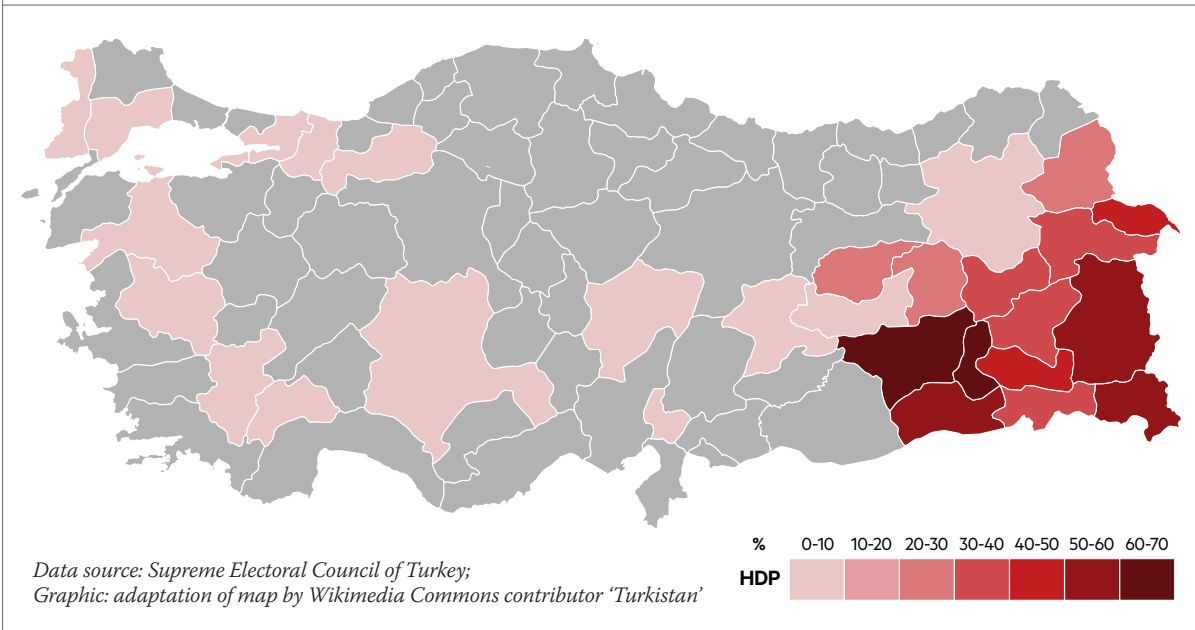
INTRODUCTION

The Turkish military's attack on American-backed Kurdish forces in northeastern Syria last October generated a brief flurry of Western media interest in Turkey's Kurdish conflict. Coverage soon faded, yet Turkey's denial of Kurdish rights inside its own borders has only intensified. Indeed, over the past year the Turkish government has carried out a

systematic campaign to overturn the results of the March 2019 local elections by removing dozens of elected Kurdish mayors from their posts. Last month, the government continued its crackdown on the predominantly Kurdish Peoples' Democratic Party (HDP) by stripping two MPs of their seats in parliament. When the HDP launched a "March for Democracy" to protest, it was met with tear gas, rubber bullets, and arrests.¹ Where President Recep

1. "HDP starts 'March for Democracy' from both ends of the country to the capital," Bianet English, June 15, 2020, <http://bianet.org/english/politics/225714-hdp-s-march-for-democracy-police-detains-many-in-istanbul-march-starts-in-hakkari>

FIGURE 1. PERCENT OF VOTES CAST FOR THE HDP IN THE 2019 MUNICIPAL ELECTIONS, BY PROVINCE



Tayyip Erdoğan once hoped to employ more sophisticated means to control Kurdish nationalism, he has fallen back on the tradition of crude repression that has already brought Turkey decades of instability.

For anyone in Washington concerned with the future of Turkish democracy or with stabilizing northeastern Syria, it is crucial to understand the scope and intensity of Erdoğan's current campaign against Kurdish politicians. The ongoing disenfranchisement of Kurdish voters is just the latest indication of how intractable Turkey's Kurdish conflict has become. It will remain a volatile problem that the United States will be forced to anticipate and to work around for the foreseeable future.

BACKGROUND

The current incarnation of Turkey's war with its Kurdish nationalist movement began in the 1980s, when the country's long-standing assimilationist

policies and denial of Kurdish cultural rights helped spawn a violent separatist insurgency led by the Kurdistan Workers' Party (PKK). The state responded with a brutal counter-insurgency campaign. A series of political parties affiliated with the PKK were banned and Kurdish politicians and activists were arrested, tortured, and, in some cases, killed. After four decades of fighting, the total death toll from the conflict is estimated at more than 40,000 combatants and civilians.²

After coming to power in 2002, Erdoğan's Justice and Development Party (AKP) initially pursued a different approach to the conflict. The AKP believed it could defeat Kurdish nationalism by winning over Kurdish voters at the ballot box. It sought to use a policy of promoting peace, extending Kurdish language rights, and expanding service provision to pull voters away from Kurdish nationalist parties.

Neither the government's limited cultural opening, however, nor its attempts at peace negotiations with the PKK proved sufficient to

2. Daren Butler, "Turkish jets strike Kurdish militant targets in northern Iraq," Reuters, June 14, 2020, <https://www.reuters.com/article/us-turkey-security-iraq/turkish-jets-strike-kurdish-militant-targets-in-northern-iraq-idUSKBN23L0UV>



A Kurdish woman stands before a demolished building in Cizre, southeast Turkey, during clashes between security forces and Kurdish insurgents on March 2, 2016. Credit: Nedim Yılmaz/Wikimedia.

transform Turkey's political dynamics. The Kurdish nationalist movement has maintained the support of roughly half of Turkey's Kurdish population, giving the HDP significant electoral majorities in many predominantly Kurdish southeastern provinces.³

In the face of this reality—manifested most clearly when HDP voters cost the AKP its parliamentary majority in the June 2015 Grand National Assembly elections—Erdoğan returned to repressive methods. In the summer of 2015, fighting between the Turkish military and the PKK resumed. In parallel, Erdoğan quickly adopted a host of undemocratic measures to address the political threat he saw in the HDP, all the while continuing to insist that the AKP was winning the battle for Kurdish hearts and minds.

During the fighting, PKK-affiliated youth militias seized control of a number of southeastern cities and declared autonomy or self-rule.⁴ The government's violent response left the centers of many of these cities empty and destroyed, displacing as many as 350,000 residents across the region.⁵ By the March 2019 elections, life in the southeast had still not returned to normal. Many cities had not been fully rebuilt, or had gone through demographic changes after soldiers, members of the security services, and pro-government residents replaced inhabitants who had been forced to flee.

In the fall of 2016, Ankara formally removed the elected mayors of almost 100 predominantly Kurdish municipalities and replaced them

3. Historically the Kurdish vote has been split between Kurdish nationalist parties and more conservative, religious, and pro-state center right parties. After coming to power in 2002, the AKP consolidated the support of this last group. See Nicholas Danforth, "When Peace is Bad Politics," *Foreign Policy*, February 18, 2016, <https://foreignpolicy.com/2016/02/18/when-peace-is-bad-politics-turkey-kurds-akp-pkk/>

4. Ece Toksabay, "Turkey's Kurds call for self-rule amid violence in southeast," Reuters, December 27, 2015, <https://www.reuters.com/article/us-turkey-kurds/turkeys-kurds-call-for-self-rule-amid-violence-in-southeast-idUSKBN0UA0IH20151227>

5. "The Human Cost of the PKK Conflict in Turkey: The Case of Sur," International Crisis Group, March 17, 2016, <https://www.crisisgroup.org/europe-central-asia/western-europemediterranean/turkey/human-cost-pkk-conflict-turkey-case-sur>

with AKP-appointed *kayyums* or trustees.⁶ The AKP introduced *kayyums* in 2015 as a means of seizing control of companies linked to the Gülen movement before expanding this practice to the political realm.⁷ The government carried out these mayoral takeovers using emergency powers it had assumed in the aftermath of the July 15, 2016 coup attempt, claiming with often-dubious evidence that the sacked mayors had been supporting PKK terrorism in word or deed. Many of these mayors were quickly jailed on “terror” charges, as were the HDP’s co-chairs—Selahattin Demirtaş and Figen Yüksekdağ—and more than a dozen of the party’s parliamentarians. In the fall of 2018, HDP officials estimated that between six and eight thousand party members were in jail. Asked for a more specific figure, one parliamentarian apologized and explained that the party member responsible for keeping track of arrested party members had just been arrested herself.⁸

A SWIFTLY TILTING PLAYING FIELD: THE MARCH 2019 LOCAL ELECTIONS

Against this backdrop, the AKP went into the 2019 local elections claiming that it would now win the municipalities it had seized and, in so doing, vindicate the takeovers. Yet the many steps the government took to manipulate the electoral playing field undermined any possibility of a genuine democratic mandate for the AKP.

First and foremost, the elections took place with HDP’s leadership in jail. In a highly securitized environment, the constant threat of further arrests created obstacles to campaigning and recruiting candidates. And, in addition to

restricting HDP supporters’ freedom of speech and assembly, the government ensured that the media systematically denied HDP politicians airtime. The authorities routinely denied the HDP permits to hold election rallies, and rallies that did occur were broken up by the police. Several pro-HDP journalists remained in jail throughout the campaign. A few weeks before the vote, the Supreme Electoral Council (YSK) cited “security concerns” in relocating a number of polling stations across 14 southeastern provinces. HDP officials complained that this tactic, used in previous elections, made it more difficult for their supporters to vote.⁹

THE MANY STEPS THE GOVERNMENT TOOK TO MANIPULATE THE ELECTORAL PLAYING FIELD UNDERMINED ANY POSSIBILITY OF A GENUINE DEMOCRATIC MANDATE FOR THE AKP.

Exacerbating all these measures was Erdoğan’s announcement a month before the elections that, regardless of the results in the southeast, his government was prepared to “once again, immediately and without waiting any further, appoint our trustees.”¹⁰ By threatening to

6. Indeed, the government was happy to highlight this number. See, for example, Nebi Miş, “Kayyum Atanan Belediyeler ve HDP” [The HDP and the Districts with Trustees], *Siyaset, Ekonomi ve Toplum Araştırmaları Vakfı (SETA Foundation)*, November 13, 2018, <https://www.setav.org/kayyum-atanan-belediyeler-ve-hdp/>

7. Fehmi Tastekin, “Some 40 million Turks ruled by appointed, not elected, mayors,” *Al-Monitor*, March 12, 2018, <https://www.al-monitor.com/pulse/originals/2018/03/turkey-becoming-land-of-trustees.html>

8. Author’s conversation with Ayşe Acar Başaran, Ankara, October 24, 2018.

9. Mehmet Toroğlu and Tezcan Taşkıran, “YSK Parti Temsilcilerinden ‘Sandığın Başında Olun’ Mesajı” [YSK Party Representatives Message: Be at the Ballot Boxes], *Voice of America*, March 28, 2019, <https://www.amerikaninsesi.com/a/ysk-temsilcilerinden-partilere-sandigin-basinda-olun-mesaji/4851535.html>

10. “Mayors seen as having links with PKK will be dismissed: Erdoğan,” *Hurriyet Daily News*, February 25, 2019, <https://www.hurriyetdailynews.com/mayors-seen-as-having-links-with-pkk-will-be-dismissed-erdogan-141479>



A young girl poses on January 19, 2019, during an HDP rally ahead of the March 2019 elections. Credit: HDP Official Facebook Page

undemocratically overturn the outcome, the HDP argued, Erdoğan sought to instill a sense of futility among HDP voters in order to suppress their turnout.

Despite all these repressive measures, when the votes were cast, the AKP was unable to claim the decisive victory it had been hoping for. While the ruling party performed slightly better than it had in the 2014 local elections, the HDP still won 65 municipalities in the southeast, demonstrating its continued political dominance across much of the region. Moreover, the AKP suffered dramatic losses in Ankara and in Istanbul, where the HDP had thrown its support behind winning CHP mayoral candidate Ekrem İmamoğlu. Where Erdoğan had hoped to use the local elections to showcase his party's success among Kurdish voters, the national debate quickly shifted to

how far he might go in trying to overturn the mayoral election in Turkey's largest city.¹¹

THE POST-ELECTION CRACKDOWN

As this debate played out, however, the government quickly made it clear that Erdoğan's earlier threat of removing elected HDP mayors had not been an empty one. Indeed, by June 2020, HDP mayors were left in control of just a dozen of the 65 municipalities the party had won a year earlier.¹²

This disenfranchisement came in several waves. First, immediately after the election, the YSK deemed the HDP mayors of six municipalities ineligible to take office due to ongoing criminal cases against them—despite having previously approved these mayors to run as candidates. The

11. The government's response was to allege fraud and subsequently to force the YSK to rerun the Istanbul election. Only after losing the June 23, 2019 rerun by an even more decisive margin did Erdoğan eventually concede defeat.

12. For a detailed breakdown and mapping of these districts see Michael Daventry, "How the HDP was purged in Turkish local government," James in Turkey Blog, June 3, 2020. Of the elected HDP mayors who remain, two formally left the HDP and are now independents. <http://www.jamesinturkey.com/purging-the-hdp-in-turkish-local-government/>

YSK proceeded to award their offices to the AKP runners-up.¹³ In August, the government moved against the HDP mayors in the three largest municipalities in the southeast: Diyarbakır, Mardin, and Van.¹⁴ In October, immediately after Turkey's Syria incursion, the government removed seven more mayors, followed by four more in November and eight more in March 2020. Most recently, on May 15, five additional mayors were removed.¹⁵ The HDP reports that 21 of these ousted mayors remain in jail today.

THE HDP REPORTS THAT 21 OF THESE OUSTED MAYORS REMAIN IN JAIL TODAY.

While the anti-democratic nature of the government's trusteeship policy is self-evident, the specifics are all the more striking.¹⁶

- *Legal Irregularities:* The structure and implementation of the *kayyum* law has exacerbated its undemocratic impact. Most importantly, the law allows mayors to be removed after simply being accused, rather than convicted, of a crime. In December 2019, for example, the co-mayors of the Kulp district of Diyarbakır were removed from office and placed in pre-trial detention following a PKK bombing in the district,

only to be released pending trial but not reinstated.¹⁷ The law requires the government to review trusteeships every two months, but such reviews have never been conducted. In addition to replacing mayors with trustees, the government has also prevented HDP-controlled municipal councils from meeting, making its power grab even more far-reaching.

- *Political Crimes:* The "terrorism" charges brought against HDP mayors have consistently proven political in nature, often involving what should be protected speech. Among the accusations against Selçuk Mızraklı, the removed mayor of Diyarbakır, are that while working as a doctor he treated a PKK militant, that he belonged to several NGOs later closed by the government, and that he tweeted comments allegedly "supportive" of the PKK. Several other mayors have been charged with attending the funerals of or holding moments of silence for slain PKK members.
- *Lack of Evidence:* In many cases where mayors have been charged with providing *material aid* to the PKK, the charges have been based on unreliable evidence from secret witnesses and anonymous informants. In March 2020, for example, the mayor of Diyarbakır's Eğil district, Mustafa Akkul, was removed and arrested for supposedly helping a man named Süleyman join the PKK. The pro-government paper *Daily Sabah* described the evidence against the mayor as follows:

13. Jasper Mortimer, "Turkish election board disqualifies pro-Kurdish mayors in southeast," Al-Monitor, April 15, 2019, <https://www.al-monitor.com/pulse/originals/2019/04/ankara-mayor-race-vote-limbo-hdp-winners-disqualification.html>

14. Diego Cupolo, "Turkey ousts three more pro-Kurdish mayors," Al-Monitor, August 19, 2019, <https://www.al-monitor.com/pulse/originals/2019/08/three-hdp-mayors-dismissed-turkey-crackdown.html>; Diego Cupolo, "Two more elected HDP officials suspended in Turkey," Al-Monitor, August 12, 2019, <https://www.al-monitor.com/pulse/originals/2019/08/elected-officials-east-turkey-hdp-suspended.html#ixzz5x3IDZjxG>

15. The districts targeted included Kayapınar, Kocaköy, Bismil, and Erciş (October 2019); Mazıdağ, Savur, Derik, and Suruç (November 2019); Batman, Ergani, Eğil, Lice, Silvan, Güroymak, Halfeli, and Gökçebağ (March 2020) and Iğdır, Siirt, and Kurtalan (May 2020).

16. These issues have been most comprehensively documented by Human Rights Watch. See, for instance, "Turkey: Kurdish Mayors' Removal Violates Voters' Rights," Human Rights Watch, February 7, 2020, <https://www.hrw.org/news/2020/02/07/turkey-kurdish-mayors-removal-violates-voters-rights>

17. Hatice Kamer, "Görevden alınan Diyarbakır Kulp Belediye Eş Başkanları ilk duruşmada tahliye edildi" [Removed Diyarbakır Kulp Co-Mayors released at first hearing], T24, December 11, 2019, <https://t24.com.tr/haber/gorevden-alinan-diyarbakir-kulp-belediye-es-baskanlari-ilk-durusmada-tahliye-edildi,851747>

According to an anonymous witness, it had been rumored that Süleyman used to come to the municipality occasionally with a laptop and have conversations with Akkul that sometimes lasted about an hour. The witness... said: "I know that Akkul's family is close with the PKK. I think that [Süleyman] was brought to the PKK through Akkul."¹⁸

CONSEQUENCES

Alongside a host of other supposed counter-terror measures, the *kayyum*s have deepened the oppressive atmosphere across the southeast. Moreover, the government's replacement of elected HDP mayors with appointed trustees has fundamentally altered the nature of local government in this region at the expense of voters' rights and interests.

- *Transformed Priorities:* Not surprisingly, upon taking over, AKP-appointed trustees stopped implementing the policies supported by HDP voters and began to pursue their own political agendas. These included cutting funding for NGOs that promote women's rights and Kurdish culture and channeling money instead toward religious organizations.¹⁹
- *Financial Waste:* Upon resuming control in March 2019 of municipalities previously run by AKP trustees, HDP officials sought to document the waste and corruption of their predecessors. Among the examples the HDP cited were extravagantly refurbished government offices, lavish gifts to AKP officials, and contracts awarded on favorable terms to AKP supporters.²⁰
- *Persecution and Violence:* For many residents of the southeast, the imposition



The mayor of Diyarbakır's Eğil district, Mustafa Akkul, is pictured above December 23, 2019. He was removed from office and arrested in March 2020 for supposedly helping a man join the PKK. Credit: Mustafa Akkul Facebook Page

of AKP-appointed mayors is seen as inseparable from the repression that has accompanied the past five years of violence. Widespread military curfews have been lifted but individuals remain subject to arrest and detention on a regular basis. Moreover, the judicial system often seems to let vigilante violence against the HDP go unpunished. In April, armed men threatened the mayor of Kars following a dispute over a government contract. Charges were dropped when the perpetrators explained that they had not intended to smash up the furniture in his

18. "Kurdish mother claims abducted son visited HDP before disappearance," *Daily Sabah*, March 25, 2020, <https://www.dailysabah.com/politics/kurdish-mother-claims-abducted-son-visited-hdp-before-disappearance/news>

19. Harun Ercan, remarks during panel discussion "Reclaiming Democracy? One Year After Turkey's Local Elections," virtual event organized by the Project on Middle East Democracy (POMED), April 30, 2020, <https://pomed.org/event/reclaiming-democracy-one-year-after-turkeys-local-elections/>

20. "The Trustee Regime in Turkey and the Denial of Right to Vote and Right to be Elected," November 20, 2019, Peoples' Democratic Party, <https://www.hdp.org.tr/en/kayyim-trustee-report/13740>

municipal office but had simply “tripped” upon entering the room.²¹

CONCLUSION

Where it was once possible to discuss what a “solution” to Turkey’s Kurdish question would look like, this language no longer reflects the Turkish government’s uncompromising approach to the issue. Erdoğan and his allies now see themselves locked in a battle for survival with a host of enemies, foreign and domestic. As such, it is difficult to imagine the government pursuing meaningful peace talks

with the PKK or easing its crackdown on the HDP. At the same time, the Turkish military’s successes against Kurdish forces in Turkey and Syria over the past five years have not brought Ankara any closer to the decisive victory that has eluded it for the last four decades. Nor has the arrest of HDP politicians and the seizure of HDP-run municipalities broken the party’s base of support amongst Kurdish voters. While the government might consider a tactical truce with the PKK, or perhaps some form of opportunistic outreach to Kurdish voters, such moves are unlikely to lead to a durable solution. For now, at least, an end to the conflict remains out of sight beyond the political horizon.

21. “Kars Belediyesi’ne saldıranlar ‘Ayağımız takılmıştı’ dedi, serbest bırakıldı” [Kars Municipal Building attackers said “We tripped” and were released], *Gazete Duvar*, April 20, 2020, <https://www.gazeteduvar.com.tr/gundem/2020/04/20/kars-belediyesine-saldiranlar-ayagimiz-takilmisti-dedi-serbest-birakildi/>



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THE PROJECT ON MIDDLE EAST DEMOCRACY (POMED) is a nonpartisan, nonprofit organization based in Washington, DC, that is dedicated to examining how genuine democracies can develop in the Middle East and how the United States can best support that process. Through dialogue, research, and advocacy, POMED works to strengthen the constituency for U.S. policies that peacefully support reform in the Middle East. POMED research publications offer in-depth, original expert analysis of political developments in the Middle East as they relate to the prospects for genuine democracy in the region and to U.S. policy on democracy and human rights. The views expressed in POMED Snapshots and other publications are those of the authors and do not necessarily reflect the views of POMED or its Board of Directors. For more information, please contact the series editor Amy Hawthorne at amy.hawthorne@pomed.org.



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