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Kayyım Appointments in Turkey

The Turkish government is pursuing hostile policies against the Kurds. During a period when discussions are ongoing about resolving the Kurdish issue democratically and peacefully, the government is bombing civilian settlements, oil fields, wheat storage facilities, as well as water and electricity infrastructures in Northeast Syria and the Kurdistan federal region of Iraq. Within Turkey, the government attempts to criminalize Kurdish institutions by using the judiciary and security forces. On October 31, 2024, Esenyurt Mayor Ahmet Özer, who is of Kurdish origin, was arrested, and a trustee was appointed in his place. On November 4, 2024, the mayors of Mardin, Batman, and Esenyurt were removed from office and replaced with trustees.

In the CAT session of July 2024 and the CCPR session from October 23-24, 2024, as well as in the UPR session of January 2020, it was noted that judicial, executive, and legislative powers were concentrated into a single authority, effectively abolishing the principle of separation of powers. The Turkish government uses the judiciary to maintain its power and exert pressure on dissidents, minorities, and various ethnic groups. Since July 2016, it has not implemented the recommendations of the United Nations, nor complied with the decisions of the European Court of Human Rights and the Council of Europe. During the CAT and CCPR sessions, criticism was raised over the arbitrary detention of Kurdish-origin party leaders, democratically elected MPs, mayors, Kurdish journalists, media workers, civil society representatives, and party members. The Turkish state, as always, justifies its actions under the guise of “fighting terrorism.” However, the state’s long-standing policies against the Kurds since the 1980s suggest otherwise.

Especially since the 1990s, legally established Kurdish parties, which were protected under Turkish law, have either been systematically shut down, or their MPs and members were killed or imprisoned for decades, depriving them of their freedom. During the 1990s, many met their fate through extrajudicial killings or disappearances. Under the AKP-MHP government, “secret witnesses” have been used to impose decades-long prison sentences through the judiciary.

In the 1990s, unofficial figures indicate that approximately 17,000 Kurdish politicians, journalists, or civilians disappeared under suspicious circumstances. As a result, every Saturday, families of these victims—known as the “Saturday Mothers”—hold peaceful protests in Istanbul, demanding to know the fate of their missing relatives or, if discovered, for those responsible to be prosecuted. These protests are often arbitrarily obstructed by the police, with participants detained.

Notable cases from the 1990s include:

1. Mehmet Sincar: A deputy from the People’s Labor Party (HEP) in Batman and the Democracy Party (DEP) in Mardin. On September 4, 1993, he, along with six other deputies, went to Batman to investigate unsolved murders. The city was plagued by frequent unsolved murders and chaos. While investigating, they were attacked in the street. Mehmet Sincar, who was hit by eight bullets, and DEP official Metin Özdemir were killed in this attack. The ultra-nationalist organization Turkish Revenge Brigade initially claimed responsibility. Later, someone on behalf of Hezbollah also took responsibility, but the case was eventually closed due to the statute of limitations.

2. Musa Anter: A Kurdish intellectual and politician. On September 20, 1992, while visiting Diyarbakır to mediate between two feuding families, he was killed under mysterious circumstances. Some confessions later claimed to have committed the murder on behalf of JITEM, a counter-insurgency force linked to the Turkish gendarmerie, but no thorough trial was conducted, and the case was closed, remaining unresolved.



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3. **Vedat Aydın:** In 1990, he served as the head of the People's Labor Party in Diyarbakır. A Kurdish politician and human rights defender, he was abducted from his home by men posing as police on July 5, 1991. On July 7, 1991, his tortured body was found under a bridge in Elazığ. Although it was known that JITEM was responsible, the case was closed due to the statute of limitations.

4. **Muhsin Melik:** A Kurdish-origin politician who served as the provincial head of the banned HEP and DEP parties in Urfa. He was also nominated for both parliamentary and mayoral positions in Urfa. On June 2, 1994, he was killed in a crossfire while leaving home for work. His case remains unsolved.

As mentioned above, in the 1990s, around 17,000 Kurdish politicians, intellectuals, journalists, and civilians fell victim to unsolved murders. In approximately 80% of these cases, either the perpetrators were never identified, or the cases were closed by the judiciary with reasons such as "statute of limitations," "lack of jurisdiction," or "no grounds for prosecution."

During the AKP-MHP government, politicians, members of parliament, and mayors are being imprisoned through judicial means. Between 2012 and 2015, "democratic solution and peace" negotiations were held between the PKK and the Turkish state. However, on June 7, 2015, after the AKP lost its parliamentary majority, it suspended the peace talks and initiated a bloody and conflict-driven process against the Kurds. The mountains and villages in Kurdish regions were subjected to military operations and bombardments to render them uninhabitable. The partial details of these events can be seen in reports released by the UN High Commissioner in February 2017 (3) and March 2018 (4).

Particularly after the failed coup attempt on July 15, 2016, the Turkish government took advantage of the situation to intensify its crackdown on Kurdish institutions, civil society organizations, and media outlets. During the 142nd CCPR session, it was noted that a large number of these institutions were closed down. The government launched investigations against the co-chairs, MPs, and mayors of the Peoples' Democratic Party (HDP), leading to their imprisonment. Despite rulings by the European Court of Human Rights, resolutions from the Council of Europe, and recommendations from the UN High Commissioner for Human Rights, the Turkish state has not fulfilled its obligations under international law. Instead, it has imposed long sentences on the mentioned politicians or removed them from office, appointing trustees in their place, especially in municipalities in the Kurdish regions.

Since 2016, mayors elected by public vote under the HDP, now known as the Peoples' Equality and Democracy Party (DEM), have been arbitrarily dismissed. They are replaced by government-aligned officials.

The Interior Ministry recently dismissed the Mardin Metropolitan Mayor Ahmet Türk, Batman Mayor Gülistan Sönük, and Halfeti Mayor Mehmet Karayılan on the grounds of "terrorism," and appointed trustees in their place. This action is based on a legal framework stemming from the constitutional amendment annulled by the Constitutional Court (AYM) in 1988 but reinstated through a Decree-Law (KHK) issued after the failed coup attempt of July 15. As a result, over the past 10 years, 147 municipalities have been placed under trustees. The Interior Minister removed these mayors based on Article 127 of the Constitution, which deals with "local administrations."



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Article 127 of the Constitution grants the Interior Minister the authority to “temporarily suspend members of local administrative bodies or their members who are under investigation or prosecution for a crime related to their duties until a final court decision is made.” However, the article does not specify who should be appointed in place of a dismissed mayor.

The conditions for the dismissal of mayors are regulated under Municipal Law No. 5393. The Interior Ministry cites Articles 45, 46, and 47 of this law as the legal basis for such dismissals. Article 47, titled “Suspension from Duty,” states that “members of municipal bodies or their members who are under investigation or prosecution for crimes related to their duties may be suspended by the Interior Minister until a final court decision is made.” Article 45 outlines the procedures to be followed in the event of a mayoral vacancy. On August 15, 2016, an additional clause was added via a decree that granted the Interior Minister the authority to appoint governors or district governors as trustees if mayors are removed on terrorism grounds. This decree was ratified into law on November 10, 2016.

For the past three terms, the AKP-MHP government has systematically removed the mayors elected by the Kurdish majority in municipalities where the HDP (now DEM) won the elections, replacing them with centrally appointed trustees. This has been attributed to anti-Kurdish sentiment. The recent cases of Esenyurt, Mardin, Batman, and Halfeti are particularly noteworthy.

In Turkey, the most recent municipal elections took place on March 31, 2024. Before their candidacy, mayors and municipal council members are required to submit criminal records issued by judicial authorities to the Supreme Electoral Council. Once approved by the Supreme Electoral Council, their candidacies are confirmed. These four mayors were all cleared by the Supreme Electoral Council and elected with a significant majority by the people.

Although the co-chairmanship system is not legally recognized in Turkey, the HDP and its successor, the Peoples’ Equality and Democracy Party (DEM), have been practicing it in reality. As a result, if one co-chair is dismissed, the other is also removed and punished accordingly.

Mr. Ahmet TÜRK: Active in Turkish politics since the 1970s, Ahmet Türk is 82 years old and has previously served as a party chairman and member of parliament. He was elected as the mayor of Mardin Metropolitan Municipality in the elections of March 30, 2014, March 30, 2019, and March 31, 2024. On all three occasions, he was dismissed from his position, and a trustee was appointed in his place. The first dismissal was in November 2016, the second on August 19, 2019, and the third on November 4, 2024. In each case, the justification given was alleged “membership in or support of a terrorist organization.” The reason cited for his dismissal on November 4, 2024, was a 10-year prison sentence handed down by a local court in the “Kobane case,” even though the trial has not been concluded and the decision has not been upheld by the Supreme Court. The European Court of Human Rights had previously criticized the sentencing of Ahmet Türk and Selahattin Demirtaş in the Kobane case as a “political maneuver.” Ahmet Türk also played an active role in the “democratic solution and peace negotiations” held between the PKK and the Turkish state between 2012 and 2015. He is known as a “peace envoy” in resolving disputes among families in Kurdish regions and is a well-respected figure among the local population.

Mr. Ahmet ÖZER: At the end of the 1980s, he worked as a specialist sociologist in the Southeastern Anatolia Project (GAP) led by the State Planning Organization (DPT), based in Şanlıurfa. He has been involved in sociological and public research on the political identity of the Kurds. In the following years, he served as a lecturer and held administrative positions at various universities. He has



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authored 38 books, including four novels and a screenplay addressing migration. On March 31, 2024, he was elected as the mayor of Istanbul's Esenyurt district for the Republican People's Party (CHP). He was dismissed from office on October 30, 2024. Although no court ruling has been issued against him yet, he was removed due to an investigation initiated after the March 31, 2024 elections. Ahmet Özer was suspended by the Interior Ministry as a temporary measure under Article 127 of the Constitution and Article 47 of Municipal Law No. 5393, based on wiretapping records and the testimony of a "secret witness" alleging "membership in a terrorist organization."

Mrs. Gülistan SÖNÜK: Elected as co-mayor of Batman on March 31, 2024, with 64.52% of the vote. She has made significant efforts for the recognition of women's rights and is Batman's first female co-mayor. She was removed from office on November 4, 2024, and replaced with a trustee. This action was taken based on Article 127 of the Constitution and Article 47 of Municipal Law No. 5393. Although her legal proceedings have not yet been concluded, she was sentenced to 6 years and 3 months for "aiding a terrorist organization" by a local court.

Mr. Mehmet KARAYILAN: Elected as the mayor of Halfeti on March 31, 2024. On November 4, 2024, the Interior Ministry appointed a trustee to replace the DEM Party-affiliated Halfeti Municipality. The Halfeti District Governor, Hakan Başoğlu, was assigned to the role. The justification provided was the ongoing investigation and a 6-year, 3-month, and 15-day prison sentence for "membership in an armed terrorist organization."

As seen in the cases of the four dismissed mayors, their legal proceedings have not yet been concluded. Shortly after the recent municipal elections, the dismissal of mayors elected from the HDP and DEM Party in Kurdish-majority areas is rooted in the Turkish state's political approach toward Kurds and its policy of criminalizing them.

Both before the elections and after the appointment of trustees, the use of police force against Kurds protesting the state's policies toward their mayors further highlights the government's anti-Kurdish stance. (3) Turkish police forces have employed violence against demonstrators protesting the dismissal of mayors and the appointment of public officials as trustees. In addition to the use of force against democratic protests, threats have also been used to intimidate the public. They have been told that if they continue their democratic protests, every measure will be taken against them. (4)

The repressive and hostile policies of Turkey towards Kurds and opposition figures will likely continue to escalate unless criticized by international organizations such as the United Nations, the European Union, and the Council of Europe. As reported in the media, there are speculations that Ankara Metropolitan Mayor and Istanbul Metropolitan Mayor may also be removed under fabricated justifications and replaced with trustees.

As the Kurdish Human Rights Center, we urge the United Nations High Commissioner to take action against the oppressive policies targeting democratically elected mayors and politicians. We recommend that a specialized team designated by the CCPR conduct investigations into the municipalities in Kurdish regions to address the dismissals and imprisonments of elected officials.



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Data and Information on Kayyım Appointments

In the 2014 municipal elections, the HDP (Peoples' Democratic Party) secured a significant number of municipalities, totaling 102. These included 11 provinces, 68 districts, and 23 towns, with major cities like Diyarbakır, Mardin, and Van among the victories. However, despite this success, 95 of these municipalities were placed under trusteeship with the appointment of administrators (kayyım).

Name of the Municipality	Percentage of votes	Name of the Municipality	Percentage of votes
Ağrı Merkez	%45.92	Diyarbakır-Eğil	%51.97
Ağrı-Doğubayazıt	%61.90	Elazığ- Karakoçan	%51.70
Ağrı-Diyadin	%48.43	Erzurum-Karaçoban	%59.20
Ağrı-Tutak	%38.50	Erzurum-Hınıs	%39.08
Batman Merkez	%55.89	Erzurum-Tekman	%60.30
Batman- Beşiri	%50.45	Erzurum-Karayazı	%62.10
Batman- Gercüş	%52.43	Hakkari Merkez	%66.83
Batman-İkiköprü	%56.22	Hakkari-Çukurca	%54.20
Bitlis Merkez	%43.90	Hakkari-Yüksekova	%86.60
Bitlis-Mutki	%46.10	Hakkari-Şemdinli	%49.64
Bitlis-Hizan	%29.70	Hakkari-Esendere	%94.43
Bitlis-Ovakışla	%37.46	Iğdır-Hoşhaber	%61.75
Bitlis-Güroymak	%48.10	Iğdır-Tuzluca	%51.67
Bitlis-Yolalan	%41.60	Kars-Digor	%51.90
Diyarbakır Büyükşehir	%55.10	Mardin Büyükşehir	%52.20
Diyarbakır-Bismil	%68.10	Mardin-Artuklu	%35.70
Diyarbakır-Dicle	%49.7	Mardin-Dargeçit	%60.16
Diyarbakır-Hani	%45.80	Mardin-Derik	%64.40
Diyarbakır-Kayapınar	%54.60	Mardin-Kızıltepe	%62.50
Diyarbakır-Kocaköy	%55.10	Mardin-Mazıdağı	%61.71
Diyarbakır-Kulp	%55.10	Mardin-Nusaybin	%78.78
Diyarbakır-Lice	%89.40	Mardin-Ömerli	%41.52
Diyarbakır-Silvan	%69.55	Mardin-Savur	%53.03



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Name of the Municipality	Percentage of votes	Name of the Municipality	Percentage of votes
Diyarbakır-Sur	%54.41	Mersin-Akdeniz	%29.80
Diyarbakır-Yenişehir	%50.10	Muş-Bulanık	%45.84
Muş-Malazgirt	%39.19	Şırnak-Uludere	%78.50
Muş-Varto	%63.40	Şırnak-Fındık	%51.40
Muş-Erentepe	%63.02	Şırnak-Görömlü	%51.1
Muş-Rüstemgedik	%53.70	Şırnak-Kumçatı	%45.59
Muş- Konakkuran	%42.33	Şırnak-Sırtköy	%61.10
Muş-Uzgörür	%96.16	Şırnak-Başverimli	%62.26
Siirt Merkez	%49.40	Şırnak-Balveren	%61.21
Siirt-Baykan	%55.60	Dersim Merkez	%42.40
Siirt-Veyssel Karani	%39.40	Dersim-Akpazar	%54.64
Siirt-Eruh	%52.37	Van Büyükşehir	%53.10
Siirt-Gökçebağ	%41.30	Van-Baskele	%90.89
Siirt-Atabağı	%56.40	Van-Edremit	%50.91
Siirt-Kayabağlar	%68.76	Van-Muradiye	%50.90
Siirt-Begendik	%62.33	Van-Özalp	%71.62
Şanlıurfa-Bozova	%45.80	Van-Çatak	%67.70
Şanlıurfa-Halfeti	%58.40	Van-İpekyolu	%48.32
Şanlıurfa-Suruç	%52.58	Van-Erciş	%49.43
Şanlıurfa-Viranşehir	%48.20	Van-Gürpınar	%55.00
Şırnak Merkez	%71.10	Van-Bahçesaray	%53.90
Şırnak-Beytüşşebap	%67.42	Van-Çaldıran	%58.60
Şırnak-Cizre	%81.61	Van-Saray	%65.90
Şırnak-İdil	%78.90	Van-Kömür	%50.96
Şırnak-Silopi	%78.19		



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In the 2019 local elections, the HDP won 65 municipalities, including 3 major cities, 5 provinces, 45 districts, and 12 towns. However, the appointment certificates for 6 elected mayors were withheld due to their status as individuals dismissed by decree-law (KHK). This decision reduced the total number of municipalities governed by the HDP to 59.

Additionally, following a decision by the Ministry of the Interior, administrators (kayyım) were appointed to 48 municipalities controlled by the HDP, which included 3 major cities, 5 provincial municipalities, 34 districts, and 7 towns.

Appointment of kayyım administrators

1. Grande municipalité de Van
2. Grande municipalité de Mardin
3. Grande municipalité de Diyarbakır
4. Municipalité provinciale de Hakkari
5. Municipalité provinciale de Batman
6. Municipalité provinciale de Siirt
7. Municipalité provinciale de Iğdır
8. Municipalité provinciale de Kars
9. Municipalité de Kulp (Diyarbakır)
10. Municipalité de Kayapınar (Diyarbakır)
11. Municipalité de Bismil (Diyarbakır)
12. Municipalité de Kocaköy (Diyarbakır)
13. Municipalité de Yenişehir (Diyarbakır)
14. Municipalité de Hazro (Diyarbakır)
15. Municipalité de Sur (Diyarbakır)
16. Municipalité de Eğil (Diyarbakır)
17. Municipalité d'Ergani (Diyarbakır)
18. Municipalité de Lice (Diyarbakır)
19. Municipalité de Silvan (Diyarbakır)
20. Municipalité d'Erciş (Van)
21. Municipalité de Saray (Van)
22. Municipalité d'İpekyolu (Van)
23. Municipalité de Muradiye (Van)
24. Municipalité d'Özalp (Van)
25. Municipalité de Başkale (Van)

26. Municipalité de Cizre (Şırnak)
27. Municipalité d'İdil (Şırnak)
28. Municipalité de Kızıltepe (Mardin)
29. Municipalité de Mazıdağı (Mardin)
30. Municipalité de Derik (Mardin)
31. Municipalité de Nusaybin (Mardin)
32. Municipalité de Savur (Mardin)
33. Municipalité de Suruç (Şanlıurfa)
34. Municipalité de Varto (Muş)
35. Municipalité de Bulanık (Muş)
36. Municipalité de Güroymak (Bitlis)
37. Municipalité de Baykan (Siirt)
38. Municipalité de Kurtalan (Siirt)
39. Municipalité de Diyadin (Ağrı)
40. Municipalité de Karayazı (Erzurum)
41. Municipalité de Karaçoban (Erzurum)
42. Municipalité de Yüksekova (Hakkari)
43. Municipalité du bourg d'Akpazar (Tunceli)
44. Municipalité du bourg d'İkiköprü (Batman)
45. Municipalité du bourg d'Erentepe (Muş)
46. Municipalité du bourg d'Altınova (Muş)
47. Municipalité du bourg de Gökçebağ (Siirt)
48. Municipalité du bourg de Sarıcan (Elazığ)
49. Municipalité du bourg de Halfeli (Iğdır)



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Despite winning, the following municipalities did not receive their election certificates due to a ruling by the Supreme Election Board (YSK):

- Co-mayor of Bağlar (Diyarbakır): Zeyyat Ceylan
- Co-mayor of Çaldıran (Van): Leyla Atsak
- Co-mayor of Edremit (Van): Gülcan Kaçmaz Sağyiğit
- Co-mayor of Tuşba (Van): Yılmaz Berki
- Co-mayor of the town of Dağpınar (Digor, Kars): Abubekir Erkmen

Since the co-mayor system is not legally recognized, eight other co-mayors, although listed on the ballots, did not receive their certificates:

- Co-mayor of the Greater Municipality of Diyarbakır: Hülya Alökmen Uyanık
- Co-mayor of Yenişehir (Diyarbakır): İbrahim Çiçek
- Co-mayor of Kayapınar (Diyarbakır): Necati Pirinçcioğlu
- Co-mayor of Hakkari: Seher Kadiroğlu
- Co-mayor of Kızıltepe (Mardin): Salih Kудay
- Co-mayor of Savur (Mardin): Mehmet Yasin Kalkan
- Co-mayor of Siirt: Resul Kaçar
- Co-mayor of Erciş (Van): Mahmut Pala

In the most recent 2024 local elections, the DEM Party, successor to the HDP, won 75 municipalities, including 3 major cities (Diyarbakır, Van, and Mardin), 7 provinces, 58 districts, and 7 towns. Despite this success, 3 of these municipalities were placed under trusteeship. Additionally, the municipality of Hakkari was recently placed under the administration of an appointed administrator (kayyım) following a decision by the Ministry of the Interior, despite the fact that the elected mayor in 2019, Mehmet Siddık Akış, had won the elections.

The municipalities now under kayyım administration are:

- Greater Municipality of Mardin
- Provincial Municipality of Batman
- District of Halfeti (Şanlıurfa)

The evolution of municipalities led by the HDP and DEM reveals a dynamic of tension between the electoral successes of these parties and state interventions through appointed administrators. Successive elections show that while these parties have managed to maintain significant local representation, their control remains severely undermined by government decisions. This situation highlights the challenges of local governance under a political system that restricts the autonomy of municipalities, with implications for democratic aspirations and the rights of elected officials and voters.



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1. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=2750&Lang=en
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