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Peoples' Democratic Party's Commission On Election Affairs

[PART I- OBJECTION PROCESS TO THE VOTER LISTS 2](#_Toc4674668)

[INTRODUCTION 2](#_Toc4674669)

[FOR A FAIR ELECTION 3](#_Toc4674670)

[a)Indepence of Judiciary: 3](#_Toc4674671)

[b)Usage in Fair of Public Sources: 3](#_Toc4674672)

[c)Freedom of Press: 3](#_Toc4674673)

[d)The intervention of the Ministers and in particular of the Ministry of Interior in Elections 3](#_Toc4674674)

[e)The 10% Election Threshold: 4](#_Toc4674675)

[f)Extension of YSK members' term of office: 4](#_Toc4674676)

[WHAT DOES THE HDP DO IN THE PROCESS OF OBJECTION TO THE VOTER LIST? 5](#_Toc4674677)

[OBJECTIONS TO THE SUPREME ELECTION COUNCIL 5](#_Toc4674678)

[CONCLUSION 6](#_Toc4674679)

[PART II- THE REPLACED AND MERGED POLLING STATIONS 8](#_Toc4674680)

[JUSTIFICATIONS FOR REPLACING OR MERGING ACTS BY SEC 9](#_Toc4674681)

[a) Groundless Claims 9](#_Toc4674682)

[b) Events That Happened In The Past 9](#_Toc4674683)

[CONCLUSION 9](#_Toc4674684)

[PART III- THE RISKS OF MOBILITY OF LAW ENFORCEMENT FORCES DURING THE ELECTION 10](#_Toc4674685)

[THE POLLING STATIONS LIST THAT HAS UNUSUAL NUMBER OF SECURITY FORCES MOBILITY 11](#_Toc4674686)

# PART I- OBJECTION PROCESS TO THE VOTER LISTS

# INTRODUCTION

Turkey has entered a period, faced with limitation of rights a bit more day by day. After the removing, the immunities of the parliamentarians, Co-chairs of HDP, deputies, party members and executives have been arrested. 95 municipalities including 3 metropolitan municipalities and 8 city municipalities that co-chaired by Democratic Regions Party’s (DBP) co-mayors which is the major component party of HDP have been seized the control by the Government. 94 elected co-mayors from DBP were arrested. As of today, 38 co-mayors have arrested or sentenced in Turkish prisons.

In the meanwhile, it is claiming that the current government has been ruling the country by the fair and democratic elections in Turkey. However, it is an argument in order to misleading public opinion and the international community.

The elections and election safety in Turkey is always mentioned as a problematic issue. However, the latest experiences from the General Elections on June 24th of 2018, the election safety are fully disappeared due to the Turkish Government’s interventions. The rules of the elections have designed directly by the government and President Erdogan. Electoral irregularities and gerrymanders, which found out by the opposition parties, could not prevent despite all efforts.

The election safety is not means only the Election Day.  It means the providing fair competition and fair conditions for all the political parties. In this respect, similar to previous elections, in these upcoming elections all opportunities and chances are being used in advance of power-holder blocks, bans and restrictions against the opposition parties. An election can only be called a fair election, if its procedures from beginning to end are fair. There are many essential components to conducting a free election such as: campaigning opportunities to usage of media, neutrality of state institutions and freedom of jurisdiction. Organizing ballots, collecting election results and the declaration of those results, follow these essentials.

# FOR A FAIR ELECTION

a) Indepence of Judiciary: Particularly, unfair detentions and arrests of our party members, HDP and long drawn out court cases, along with HDP members being in prison and punishment of all social opposition by the judiciary will also have an effect on the elections.

According to the Constitution of the Republic of Turkey, the High Election Board (YSK) is responsible to ensure that elections are conducted on equal and safe terms.

Any objection to the decisions of the YSK does not mean necessarily that all decisions made by it shall be final, and this in turn makes it difficult for the YSK to decide in favor of the opposition.

b) Usage in Fair of Public Sources: In the election race, where all parties enter, the ruling party is preparing for elections for an unfair competition both in terms of budget and in opposition to other parties. The tools and budget of the presidency, the budgets and instruments of all the ministries and all the facilities in the municipalities assigned to the trustees were mobilized for elections. Whereas the opposition parties only have a state / government mechanism equipped with opportunities in the elections they enter with the help of only the budget.

c) Freedom of Press: Especially what needs to be mentioned is the state of emergency (OHAL) laws which ensure closed opposition media outlets, as well as journalists arrested therefore press freedom in Turkey is not possible. Because of social media sharing, many people are detained and arrested. On the other hand, TRT, which is the channel of the state and the channels of the state, broadcast every day for the opposition in favor of the government and disseminates state propaganda. Our party HDP, unlike other opposition parties, is widely and completely blocked in the national media. All of the news about it is made without any exception for the purpose of counter propaganda; it is the receiver of heavy insults and threats every day. In the June 24 elections, the ruling party had made propaganda for 181 hours in TRT and our party was only able to take part in the news in half an hour. For the local elections on March 31st, there has not been an HDP executive on television channels or on widespread print media.

d) The intervention of the Ministers and in particular of the Ministry of Interior in Elections**:** The AKP, the ruling party, has made a continuous statement on electoral security. Specifically, the statements made by the Ministry of the Interior on the population directorates and on the police forces to be appointed put pressure on the elections and damages the impartiality of the elections. The government party and its ministers are also elected as other parties and elected by the people. The duty of the Ministry of Interior is to ensure the security of elections. However, the explanations show that our party was targeted in elections, discrimination was made to some provinces and public facilities were used and used in favor of the government.

The Constitution was amended by a referendum on 16 April 2017; The rule of the appointment of the ministers of Interior, Justice and Transport as neutral persons was abolished. Clearly, a minister who blames everyone who acts as a party's militant and who blames everyone who is not on their side as terrorists cannot be trusted with respect to elections. Therefore, the Ministry of Interior, which is responsible for securing the election, is in fact the most important actor threatening electoral security. The duty of the Ministry of Interior is to ensure the security of elections. However, the statements made indicate that a party is targeted at elections, some are discriminated against, and public facilities are used and used in favor of the party that holds the majority of parliamentary elections in the elections.

 As illustrated in the section on the objections of our Party, the Ministry of Interior has made law enforcement forces the party of direct elections in places where our party is strong, organizing them both as a means of pressure on the electorate and as voters who will vote for themselves in ballot boxes. This step was carried out consciously and strategically during voter lists.

e) The 10% Election Threshold: Although the abolition of the electoral threshold in Turkey has been discussed for many years, it continues to be utilized in local elections. Although the HDP's passing the threshold is not a problem, it will lack deficiencies in the monitoring of municipalities where regionally weak (??).

f) Extension of YSK members' term of office: Especially during the June 24 elections, YSK members, caused an intense debate on election irregularities, they have lost the confidence of the public due to their pro-ruling party attitudes and decisions. The Economic and democratically developed countries in terms of public participation in elections is realized with high participation rates as well as in Turkey, or even an issue in both the public press are not election fraud. In the event of such a rumor, it has become a tradition for the officials to resign or to be dismissed from their duties.

# WHAT DOES THE HDP DO IN THE PROCESS OF OBJECTION TO THE VOTER LIST?

According to the election calendar announced by the Supreme Election Council, between January 4-17th 2019, the official neighborhood voter lists were published for updating. Between January 23-24th2019, the list of voters including amendments related to the ballot box voter lists was published.

As a party, our observation on voter mobility by considering these two mentioned voter lists; it’s observed that parallel mobility by vote difference numbers in many provinces and district centers number of voters where our party is ahead with vote differences and a systematic vote-shifting study was performed against our party. For example; Central, Beytussebap, Guclukonak and Uludere districts of Sirnak, Cukurca district of Hakkari and the Central district of Siirt etc.

 This vote shifting process;

* Accumulation of law enforcement officers from other provinces to these provincial and district centers,
* The law enforcement officers whose working in these provincial and district centers shifting them as voter to that provincial and district centers (As known; in local elections, voters who reside in the village do not vote for mayoralty in district centers.)
* Transferring the voter records of people who are presumed to be voters of other parties from other provinces and districts have done by these methods.

Objections were made to the District Election Committees against the unlawful voter records and suspicious collective registrations determined by our provincial and district organizations between 4-17 January 2019 and 23-24 January 2019.

## OBJECTIONS TO THE SUPREME ELECTION COUNCIL

As a result of the objections made to the provincial and district election committees, our Headquarters made objections to the SEC (Supreme Election Council) between 4-29 January 2019.

Within all of these published period, following decisions of the district election committees, the appeals were filed by our Headquarters to Supreme Election Council. As a result of our objection for Igdir Central District, the illegally registered 774 security guards’s records were frozen. Again with the objection made for Siirt Eruh District, illegally registered 103, with the objection made for Van Ercis District, illegally registered 76 security guards, a total of 953 registered unlawful voters were registered in their former residence and the voter registration of 9 people was activated.

As a result of the objections made by both the provincial-district level and also our Headquarters, the decisions of the provincial / district election committees 1349 people, and the Supreme Election Council resolutions 962 people, in total 2311 people had a changed in the voter registration.

# CONCLUSION

Article 122 of Law No. 298 is ; “The headquarters officials in relation to all voter registers may file complaints and objections on the mukhtar neighbourhood voter lists to the Supreme Election Council and citizens who are qualified as voters may file complaints and objections to the presidents of district election committees.” and also Article 124 is; “The headquarters officials of the political parties and the General Manager of the Voter Registers may request that the final decisions on the complaints and objections set out in Articles 122 and 123, be examined and resolved once in the Supreme Election Council.”

As known, the voting of the security forces in the elections depends on the procedure of issuing 142 documents. Accordingly, these people’s voter registrations shall be frozen in accordance with the general provisions of the Electoral Law if they do not reside in the settlements declared in the mukhtar neighbourhood voter lists of 4-17 January and also they will not be able to vote in the previous settlements if they not change their registration in real settlements during the published period.

If we look at the numbers given in Table 7 in the appendix; At the 184 addresses, there are 19,700 registered voters for the March 31 election. But at these addresses, there are only 5,406 voter records in the June 24 election. Therefore, it was determined that 14.294 voter registration was made to influence the distribution of votes in the 31 March local election.

The responses of the District Election Committees about the objections and written warrants to the authorities such as the General Directorate of Security and the Gendarmerie Command in their answers about these objections are generally outline said that “These law enforcement forces, who had been enlisted collective as a voter, had been assigned to take necessary security measures in the district center in the 31 March 2019 local election.” However, only the election day assignment does not make a person a voter. If the residence address of these people is not the election constituency, they cannot be voted in the elections there on March 31. Even for the assignment purpose, these people may only vote for the provincial council general assembly; may not vote for provincial or district mayoralty. These law enforcement officers whose “temporary officer” can only vote for the provincial council general assembly, on condition that they are registered to the voter list, where the election is made and by giving the “Sample 142 document”

In addition to all these; these aforementioned voters were not only registered in “places to residence”, but also registered in abandoned, unused, under construction buildings and even in animal shelters, that have been photographed and documented by our deputies and provincial and district organizations.

Our Headquarters has applied to the Supreme Election Council within its legal period upon the rejection of the objections by the relevant Election Committees on the grounds that “these law enforcement officers were assigned to take necessary security measures to safe of community in the district center in the March 31st, 2019 local election”. Therewith the Supreme Election Council has removed the decisions of Iğdır Central District, Van Ercis District and Siirt Eruh District Election Committee in accordance with our demand, on the grounds that about these persons, there are concrete evidences that they are employed in those regions on 31 March.

In respect of the subject, the Interior Minister Soylu made a statement that 6.680 law enforcement officers were tasked on election day in risky 11-12 districts at “Election Security Regional Meeting” on January 19, 2019 in Mardin. Minister Soylu followed in his statement that “Our policemen, soldiers who are currently serving as advisory forces in Afrin, Jarablus, will ensure the safety of the region, then they will not vote in Hatay. No way. These guys will protect the honor of the country but300 - 500 votes will become a matter of debate” so he confessed that 6680 law enforcement officers’s voter registrations are illegal by mentioned they will be on duty on 31 March.

First of all, the members of the security forces working in Afrin or Jarablus, on based which legislative or legal procedure they will vote in Hatay? With this statement, it is understood that the voter records of the security forces working in these region were taken illegally and collectively after 4-17 January and tried to be voted out of their residential addresses. It is a violation of electoral security itself that the transfer of voter registration of the military officers and law enforcement officers who do not reside in the vicinity of Hatay.

For all these reasons, it was understood that the related provincial and district election committee responded to the objections made by our Party Headquarters without conducting adequate investigation and examination. So, our Party Headquarters made an application again to the Supreme Election Council for the removal of the decision of 3 district election committee and for the purpose of questioning the consequence of the voter records of 6680 law enforcement officers that alleged to have been tasked in risky 11-12 districts, which the Interior Minister Soylu mentioned at “Election Security Regional Meeting” held in Mardin.

# PART II- THE REPLACED AND MERGED POLLING STATIONS

As known, many democratic rights have been limited on “security” ground past few years, including the right to vote, specifically at Kurdish populated territories. State authorities have started to replace or merge the polling stations since 2018 elections that directly cause amajor group of voters facing unequal conditions to use this right.

Despite the electoral laws of Turkey, and SEC (The Supreme Council of Elections)that clearly states the polling stations must be accessible to all voters, the measures that were taken by government authorities make the process very hard for the voters to reach polling stations.

There are two major conditions which must be considered by the authorities while replacing or merging polling stations; distance criteria and security criteria. According to the electoral law in Turkey, a voter must not be transferred to a station where has more than 5 kilometers of distance from the voter`s permanent resident, and security must be provided by the local authorities. In the current cases for 31th March election, almost all merged and replaced polling stations violate these two criteria.

SEC`s dijucation about merged and replaced polling stations, the number of people who are affected by this decision and the cities are:

|  |  |  |
| --- | --- | --- |
| CITIES | POLL STATIONS | NUMBER OF VOTERS |
| Ağrı | 28 | 3242 |
| Batman | 22 | 1540 |
| Bingöl | 67 | 4452 |
| Bitlis | 65 | 3769 |
| Diyarbakır | 92 | 15685 |
| Hakkari | 66 | 12857 |
| Mardin | 26 | 2127 |
| Muş | 104 | 11200 |
| Kars | 1 | 141 |
| Tunceli | 293 | 16310 |
| Şırnak | 37 | 3273 |
| Siirt | 80 | 6257 |
| Urfa | 20 | 3915 |
| Van | 72 | 11763 |
| TOTAL | 973 | 96,531 |

Decision about only 247 polling stations is based on physical inadequacy of the election areas.

691 polling station have been merged or replaced because of “security” reasons.

27 of 691 areas where the polling stations were decided to be merged or replaced, are even marked as secure zones by the government and they have official records as “There is no terrorist or dangerous activities in the region”.

# JUSTIFICATIONS FOR REPLACING OR MERGING ACTS BY SEC

## Groundless Claims

* Animosity among families in certain electoral areas.
* Activities such as panels, conferences, festivals are considered as “terrorist” activities.
* Violations against shack (pasture) laws by residents.
* Criminal activities such as robbery, extortion…etc
* Demonstrations, meetings and marches
* Government – Mukhtar\* relations (\*headman-local authority in villages)
* Social media users in those areas and their opposite position while posting online
* Claims about existence of “terrorist” organizations members in those areas and their possibly oppression on public.

## Events That Happened In The Past

Some decisions that SEC has made, based on past events, even decades ago. For instance in Agri Province, the polling station number 1238 has been replaced because of 9 terror/criminal activities recorded in 1994.

# CONCLUSION

As shown in previous parts of this report, replacing and merging decisions for the polling stations are undoubtedly based on subjective criteria. Despite elections have to be accomplished in a very peaceful and democratic environment, the voters will already have been facing enormous difficulties for the 31st of March 2019 election. The principles of equality and freeness -which is essential for elections in democratic countries- are threatened in Turkey. The HDP calls all democratic institutions, comrades, and international community to involve observing the elections.

# PART III- THE RISKS OF MOBILITY OF LAW ENFORCEMENT FORCES DURING THE ELECTION

According to data that is provided by the SEC, the number of security personnel in the electoral areas where the HDP traditionally gets higher number of votes, is 220 times more than rest of Turkey. Although few of those official security personnel are permanent residents of the areas, most of them have been transferred to the Kurdish populated polling stations while voter registration period. Because the law enforcement forces will have used their vote in the polling stations where they are appointed, they can affect the results in some electoral areas by minor number of votes.

Approximately one law enforcement force has been appointed to three polling stations in Turkey, while 85 security personnel will have been working at only one of the polling station in Silvan/Diyarbakir, the 70 personnel at one of the polling station in Hazro/Diyarbakir, and the 59 personnel at only one of the polling station in Dargecit/Mardin. As a clear explanation; 543 security personnel have been appointed to the polling stations in Istanbul where 15 million people live , similarly 1418 personnel in Ankara that has 5,5 million population, on the other hand with just one million population, in Van City, 3847 personnel have been appointed.3841 law enforcement forces have been appointed in Diyarbakir where 1,7 millions live.

Another essential topic we want to underline is that there are other authorized officers who hold a special permit -called document 142- that allows holders voting wherever they want. That document must be returned to the polling stations after voting, otherwise it can be used by the holder for multiple voting. Multiple voting by security personnel was observed during the previous election on 24th June 2018. The information about document holders have not been shared with participant parties.

We strongly believe that security personnel should be able to vote just like other citizens however the SEC has to share all necessary information –such as their name, number of the holders, where they are allow to vote, what type of the election they allow to vote- of document 142 holders with all political parties for a transparent election process.

# THE POLLING STATIONS LIST THAT HAS UNUSUAL NUMBER OF SECURITY FORCES MOBILITY

|  |  |  |  |
| --- | --- | --- | --- |
| **CITY** | **TOWN** | **BULLET BOX NUMBERS** | **NUMBERS OF AUTHORIZED SECURITY FORCES** |
| DİYARBAKIR | SİLVAN | 1039 | 85 |
| DİYARBAKIR | HAZRO | 1004 | 70 |
| MARDİN | DARGEÇİT | 1059 | 59 |
| GAZİANTEP | ŞAHİNBEY | 3328 | 55 |
| VAN | GEVAŞ | 1005 | 55 |
| MARDİN | DARGEÇİT | 1055 | 53 |
| VAN | ERCİŞ | 1243 | 53 |
| DİYARBAKIR | HANİ | 1066 | 50 |
| GAZİANTEP | ŞAHİNBEY | 3447 | 50 |
| HAKKARİ | YÜKSEKOVA | 1058 | 50 |
| GAZİANTEP | ŞAHİNBEY | 3097 | 49 |
| HAKKARİ | YÜKSEKOVA | 1041 | 48 |
| MARDİN | DARGEÇİT | 1004 | 46 |
| DİYARBAKIR | DİCLE | 1097 | 44 |
| HAKKARİ | YÜKSEKOVA | 1021 | 44 |
| HAKKARİ | YÜKSEKOVA | 1124 | 42 |
| ŞANLIURFA | AKÇAKALE | 1055 | 42 |
| ŞANLIURFA | SURUÇ | 1017 | 42 |
| DİYARBAKIR | DİCLE | 1031 | 41 |
| HAKKARİ | HAKKARİ MERKEZ | 1042 | 41 |
| VAN | ÇATAK | 1034 | 41 |
| MARDİN | NUSAYBİN | 1084 | 40 |
| HAKKARİ | YÜKSEKOVA | 1012 | 39 |
| VAN | ÇATAK | 1050 | 39 |
| VAN | EDREMİT | 1137 | 38 |
| HAKKARİ | YÜKSEKOVA | 1079 | 37 |
| MARDİN | ARTUKLU | 1017 | 37 |
| BİNGÖL | BİNGÖL MERKEZ | 1298 | 34 |
| DİYARBAKIR | HANİ | 1051 | 34 |
| GAZİANTEP | ŞAHİNBEY | 3162 | 34 |
| GAZİANTEP | ŞEHİTKAMİL | 2185 | 34 |
| BİNGÖL | KİĞI | 1028 | 33 |
| BİNGÖL | KİĞI | 1030 | 33 |
| VAN | GÜRPINAR | 1082 | 33 |
| DİYARBAKIR | SİLVAN | 1047 | 32 |
| VAN | BAŞKALE | 1106 | 32 |
| GAZİANTEP | ŞEHİTKAMİL | 2197 | 31 |
| VAN | SARAY | 1022 | 31 |
| BİNGÖL | KİĞI | 1032 | 30 |
| GAZİANTEP | ŞAHİNBEY | 3079 | 30 |
| MARDİN | NUSAYBİN | 1083 | 30 |
| ŞANLIURFA | SURUÇ | 1153 | 30 |
| BİNGÖL | GENÇ | 1122 | 29 |
| BİNGÖL | KİĞI | 1013 | 28 |
| GAZİANTEP | ŞAHİNBEY | 2244 | 28 |
| DİYARBAKIR | HANİ | 1060 | 27 |
| GAZİANTEP | ŞAHİNBEY | 2347 | 27 |
| GAZİANTEP | ŞAHİNBEY | 2564 | 27 |
| GAZİANTEP | ŞEHİTKAMİL | 3427 | 27 |
| HAKKARİ | HAKKARİ MERKEZ | 1107 | 27 |
| HAKKARİ | YÜKSEKOVA | 1029 | 27 |
| VAN | GÜRPINAR | 1107 | 27 |
| SİİRT | SİİRT MERKEZ | 1147 | 26 |
| VAN | BAHÇESARAY | 1025 | 26 |
| VAN | BAHÇESARAY | 1026 | 26 |
| DİYARBAKIR | KOCAKÖY | 1005 | 25 |
| DİYARBAKIR | SİLVAN | 1048 | 25 |
| GAZİANTEP | ŞAHİNBEY | 2109 | 25 |
| HAKKARİ | YÜKSEKOVA | 1093 | 25 |
| SİİRT | SİİRT MERKEZ | 1120 | 25 |
| VAN | BAŞKALE | 1003 | 25 |
| BİTLİS | AHLAT | 1049 | 24 |
| HAKKARİ | HAKKARİ MERKEZ | 1018 | 24 |
| HAKKARİ | HAKKARİ MERKEZ | 1089 | 24 |
| HAKKARİ | YÜKSEKOVA | 1066 | 24 |
| MARDİN | DARGEÇİT | 1032 | 24 |
| VAN | BAŞKALE | 1042 | 24 |
| VAN | ÇATAK | 1044 | 24 |
| VAN | İPEKYOLU | 1079 | 24 |
| BİNGÖL | BİNGÖL MERKEZ | 1230 | 23 |
| GAZİANTEP | KARKAMIŞ | 1016 | 23 |
| HAKKARİ | HAKKARİ MERKEZ | 1009 | 23 |
| HAKKARİ | HAKKARİ MERKEZ | 1051 | 23 |
| MARDİN | ARTUKLU | 1249 | 23 |
| MARDİN | ARTUKLU | 1250 | 23 |
| AĞRI | PATNOS | 1110 | 22 |
| GAZİANTEP | ŞEHİTKAMİL | 3393 | 22 |
| MARDİN | ARTUKLU | 1011 | 22 |
| MARDİN | DARGEÇİT | 1041 | 22 |
| SİİRT | SİİRT MERKEZ | 1129 | 22 |
| SİİRT | SİİRT MERKEZ | 1201 | 22 |
| VAN | ÇATAK | 1048 | 22 |
| VAN | GÜRPINAR | 1052 | 22 |
| VAN | GÜRPINAR | 1098 | 22 |
| BİNGÖL | BİNGÖL MERKEZ | 1244 | 21 |
| BİNGÖL | BİNGÖL MERKEZ | 1286 | 21 |
| BİNGÖL | BİNGÖL MERKEZ | 1347 | 21 |
| ELAZIĞ | KOVANCILAR | 1122 | 21 |
| GAZİANTEP | ŞAHİNBEY | 2059 | 21 |
| GAZİANTEP | ŞAHİNBEY | 3014 | 21 |
| MARDİN | ÖMERLİ | 1035 | 21 |
| SİİRT | SİİRT MERKEZ | 1025 | 21 |
| ŞANLIURFA | CEYLANPINAR | 1034 | 21 |
| ŞANLIURFA | CEYLANPINAR | 1097 | 21 |
| ŞANLIURFA | CEYLANPINAR | 1102 | 21 |
| VAN | ERCİŞ | 1327 | 21 |
| VAN | İPEKYOLU | 1070 | 21 |
| VAN | İPEKYOLU | 1091 | 21 |
| DİYARBAKIR | HANİ | 1007 | 20 |
| DİYARBAKIR | HANİ | 1068 | 20 |
| DİYARBAKIR | LİCE | 1077 | 20 |
| HAKKARİ | HAKKARİ MERKEZ | 1096 | 20 |
| HAKKARİ | HAKKARİ MERKEZ | 1114 | 20 |
| HAKKARİ | HAKKARİ MERKEZ | 1121 | 20 |
| KARS | KARS MERKEZ | 1126 | 20 |
| SİİRT | SİİRT MERKEZ | 1141 | 20 |
| ŞANLIURFA | SURUÇ | 1180 | 20 |
| VAN | BAŞKALE | 1035 | 20 |
| VAN | ÇATAK | 1053 | 20 |
| VAN | GEVAŞ | 1052 | 20 |
| VAN | MURADİYE | 1004 | 20 |
| VAN | SARAY | 1037 | 20 |