



Office for Democratic Institutions and Human Rights

# REPUBLIC OF BULGARIA

## EARLY PARLIAMENTARY ELECTIONS 11 JULY 2021

### ODIHR Limited Election Observation Mission Final Report



Warsaw  
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**REPUBLIC OF BULGARIA**  
**EARLY PARLIAMENTARY ELECTIONS**  
**11 July 2021**

**ODIHR Limited Election Observation Mission Final Report<sup>1</sup>**

**I. EXECUTIVE SUMMARY**

Following an invitation from the government of the Republic of Bulgaria, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed a Limited Election Observation Mission (LEOM) for the 11 July 2021 early parliamentary elections. For election day, the ODIHR LEOM was joined by delegations of the OSCE Parliamentary Assembly and the Parliamentary Assembly of the Council of Europe, to form an International Election Observation Mission (IEOM). The IEOM assessed the compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections, and national legislation.

On 12 May, following an unsuccessful attempt to form a government after the 4 April parliamentary elections, the president dissolved the parliament, appointed a provisional government and called early parliamentary elections for 11 July.

The Statement of Preliminary Findings and Conclusions issued by the IEOM on 12 July concluded that “the 11 July early parliamentary elections were competitive with fundamental freedoms generally respected. The campaign environment was dominated by mutual accusations of corruption between the former ruling party and the provisional government, and underpinned by law-enforcement’s actions to curb vote-buying. The elections were conducted under an adequate legal framework overall, which was substantially revised shortly before elections, straining electoral preparations and affecting legal certainty. The technical aspects of the elections were managed efficiently, despite the compressed timeframe, COVID-19 pandemic and late adoption of some important procedural regulations. The transparency and accountability of campaign finance were reduced by the deficiencies in oversight and limited reporting requirements. Media offered scant editorial and news coverage of the campaign, impacting voters’ ability to make an informed choice. In the polling stations observed, the voting process was transparent with procedures largely followed. The implementation of machine voting as the only voting method for most voters was generally efficient, with minor malfunctions reported”.

Overall, the legal framework provides an adequate basis for the conduct of democratic elections. Longstanding ODIHR and the Council of Europe’s Venice Commission recommendations pertaining to key aspects of the electoral process, including those related to active and passive suffrage, campaign and campaign finance remain unaddressed. The May 2021 amendments introduced significant changes, including instituting electronic voting for most voters, establishing a new Central Election Commission (CEC) and adjusting its composition, removing limitations and changing the criteria for establishing polling stations abroad, and altering the method of nominating all levels of election commissions. While welcomed as an improvement by most political parties, the amendments were introduced shortly before the elections, limiting the time for informing voters and affecting legal certainty, contrary to international good practice.

The election administration carried out its duties adequately and complied with most legal deadlines, despite the compressed timeframe. Some ODIHR LEOM interlocutors noted that the CEC’s partisan composition and insufficient institutional capacity affected its decision-making on contentious issues

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<sup>1</sup> The English version of this report is the only official document. An unofficial translation is available in Bulgarian.

and complaints, straining electoral preparations. The CEC held regular sessions with substantive discussions broadcast online. However, the late adoption of some CEC decisions jeopardised the timely provision of voter education, training for Precinct Election Commission (PEC) members and certification of voting machines. ODIHR LEOM observers generally assessed the work of District Election Commissions (DECs) as transparent and efficient. However, numerous (PEC) members did not undergo sufficient training due to late replacements, negatively impacting their understanding and application of prescribed procedures.

Voters in regular polling stations with at least 300 registered voters could only use machines to cast their ballots. While many ODIHR LEOM interlocutors underlined that the use of voting machines reduced possibilities for electoral malfeasance, representatives of the Citizens for European Development of Bulgaria (GERB) stated that the machines were manipulated, without providing evidence to support such claims. Overall, electronic voting led to a considerable reduction in the total number of invalid ballots and increased the efficiency and reliability of the vote-count and tabulation. While machine-printed result sheets served as official results, the law foresees no mechanism to verify the machine tallies, affecting the transparency of the results. The voting machines did not include sufficient accessibility features, contrary to the law and international good practice.

The final voter lists contained 6,668,540 registered voters. Certain categories of voters, including citizens abroad, could register on election day at polling stations, contrary to international good practice. While most ODIHR LEOM interlocutors expressed confidence in the accuracy of voter lists, numerous stakeholders noted that some citizens, especially among Roma, remain without identification documents due to a lack of permanent address and are disenfranchised.

Women remain underrepresented in elected and appointed office. The representation of women in the newly elected parliament is 25 per cent. While women accounted for 40 per cent of ministers in the GERB-led government, only 2 of the 18 ministers of the provisional government were women. The law does not contain any special measures to promote women's participation and most political parties did not have internal policies for the promotion of women. Women were well represented at all levels of the election administration, including in leadership positions and 7 out of 15 CEC members were women, including its chairperson.

In a generally inclusive process, the election administration registered some 5,079 candidates to run on 696 candidate lists of 23 parties and coalitions; 29 per cent of candidates were women. Citizens holding dual citizenship were not eligible to stand, contrary to international standards. The law does not foresee a mechanism for rectifying registration documents if problems are identified after the deadline for registration, at odds with international good practice. Citizens could sign in support of only one contestant, contrary to a previous ODIHR recommendation and at odds with international good practice.

Fundamental freedoms were generally respected and contestants were able to campaign without hindrance, despite restrictions due to the COVID-19 pandemic, which were considered proportionate by most of the contestants. Public discourse was dominated by mutual accusations between officials of the provisional government and GERB as well as some party leaders. In May and June, the provisional government replaced most heads of regional police and governors claiming that the conduct of some police officers in previous elections was conducive to electoral malfeasance. Most ODIHR LEOM interlocutors welcomed a proactive approach by police to prevent vote-buying but many stated that such actions are ineffective unless suspected offences are followed by the prosecution.

In April 2021, the Constitutional Court reversed the recently introduced possibility of legal entities to donate to campaign funds. Most prior ODIHR and the Council of Europe's Group of States against Corruption (GRECO) recommendations on campaign finance remain unaddressed. The law requires only weekly reporting on donations but not on expenditures during the campaign, limiting transparency, and many ODIHR LEOM interlocutors voiced concerns about significant discrepancies between actual and reported spending. The National Audit Office, mandated with campaign finance oversight, is not required to identify unreported spending and ensure compliance, and there are no expedited deadlines to address campaign finance violations. Overall, legislative shortcomings and limited control mechanisms detracted from the transparency and accountability of campaign finance.

The high concentration of media ownership, subject to political influence, had a negative effect on editorial policies and on media pluralism. The campaign news coverage was dominated by extensive coverage of the activities of the provisional government and of GERB. The lack of full investigation of attacks against journalists coupled with criminalization of defamation contribute to self-censorship. Many IEOM interlocutors noted improved access of journalists to public information provided by the provisional government and its increased transparency. While broadcast and online media provided contestants and government representatives with free and paid platforms to present their views, the campaign media coverage was limited. The lack of comprehensive journalistic reporting limited voters' ability to make an informed choice, at odds with international standards.

The Constitution does not define national minorities but guarantees the right to self-identification. Formation of political parties on an "ethnic, racial or religious" basis is prohibited. The law allows campaigning only in Bulgarian, contrary to long-standing ODIHR and Venice Commission recommendations and international standards, but, in practice, some contestants campaigned in Turkish language. Voter information produced by the CEC and other election stakeholders was provided only in Bulgarian. Most contestants did not include policies for Roma integration in their electoral platforms and the campaign activities in Roma communities were limited. Roma voters remain subject to pressure and attempted vote-buying, due to social exclusion and financial marginalization. Turnout among Roma was significantly lower than the national average.

Contestants, political parties and observers may file complaints against administrative acts and decisions, which are to be considered in an expedited manner, in line with international good practice. These can only be filed with proof of a direct legal interest. The law does not explicitly prescribe the right to challenge results at all levels and contestants and observers can only challenge results indirectly, contrary to previous ODIHR and Venice Commission recommendations. By election day, the CEC received some 40 complaints, including 23 appeals against DEC decisions which were considered and published in a timely manner, three complaints were considered after election day and dismissed. The SAC dismissed as inadmissible three received appeals against CEC decisions on the distribution of mandates and the election of candidates. Shortcomings in the legal framework limited access to effective legal redress, contrary to OSCE commitments and other international standards.

The IEOM did not observe election day proceedings in a systematic or comprehensive manner. Election day took place in a calm and orderly manner, and generally in line with prescribed procedures. Polling stations generally opened on time, but some PECs experienced difficulties starting the voting machines, causing up to 30-minute delays at the opening. The design and setup of visited polling stations, including those designated for wheelchair users, were often not suitable for use by persons with disabilities. The voting machines and election material were not adapted for independent use for voters with hearing, vision or cognitive impairments. The process was generally transparent, but IEOM observers noted a few instances where secrecy of the vote was compromised. The vote-count observed was efficient and in line with procedures. Both the machine-generated and

scanned PEC results protocols were published promptly, adding to transparency of the official results. The CEC published the final voter turnout at 42.19 per cent.

This report offers a number of recommendations to support efforts to bring elections in the Republic of Bulgaria closer in line with OSCE commitments and other international obligations and standards for democratic elections. Priority recommendations relate to a need for a comprehensive electoral reform following public consultations, comprehensive PEC trainings including on machine voting, adding a meaningful verification of machine vote-count, reviewing the possibility to register at the polling station on election day, removing the prohibition on dual citizenship in order to stand, disclosing the sources of donations to the party funds as well as campaign expenditure prior to election day, enhancing the independence of the public broadcasters by basing their funding on clear and objective legal criteria, and allowing for a possibility to directly contest election results. ODIHR stands ready to assist the authorities to address the recommendations contained in this and previous reports.

## II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the authorities of the Republic of Bulgaria and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (LEOM) on 9 June to observe the 11 July 2021 early parliamentary elections.<sup>2</sup> The ODIHR LEOM consisted of an 13-member core team based in Sofia and 14 long-term observers (LTOs) deployed on 16 June to six locations across the country. Mission members were drawn from 18 OSCE participating States and 54 per cent of mission members were women, including the head of mission. The ODIHR LEOM members remained in country until 21 July to follow post-election day developments.

On election day, an International Election Observation Mission (IEOM) was formed as a common endeavor of the ODIHR LEOM and delegations of the OSCE Parliamentary Assembly (OSCE PA), and the Council of Europe Parliamentary Assembly (PACE). Mr. Artur Gerasymov (Ukraine) was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and leader of the short-term OSCE observer mission. The OSCE PA delegation was led by Ms. Elona Hoxha Gjerbrea (Albania), and the PACE delegation was led by Mr. Alfred Heer (Switzerland). Ms. Tana de Zulueta (Italy) was the Head of the ODIHR LEOM, deployed from 9 June. All institutions involved in this IEOM have endorsed the 2005 Declaration of Principles for International Election Observation.

The ODIHR LEOM assessed the compliance of the election process with OSCE commitments, other international obligations and standards for democratic elections, as well as with national legislation. The IEOM did not carry out systematic or comprehensive observation of the voting, counting and tabulation proceedings on election day, in line with ODIHR's methodology for LEOMs. Mission

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<sup>2</sup> Previously, for the 4 April parliamentary elections ODIHR recommended the deployment of an Election Observation Mission (EOM), that would include, in addition to a core team of analysts, 14 long-term observers to follow the process countrywide, as well as 200 short-term observers (STOs) for the observation of election day procedures. However, the deployment of STOs was not possible due to a significant shortfall in the number of observers seconded by the OSCE participating States. However, recognizing the importance of an impartial assessment of the electoral process, ODIHR took the decision to change the format of the observation activity from an Election Observation Mission (EOM) to a Limited Election Observation Mission (LEOM). In line with ODIHR's methodology for LEOMs, the Mission will not engage in systematic observation of voting, counting or tabulation of results on election day, but will instead visit a limited number of polling stations.

members did, however, visit a limited number of polling stations on election day.<sup>3</sup> This final report follows a Statement of Preliminary Findings and Conclusions released on 12 July 2021.<sup>4</sup>

The LEOM wishes to thank the authorities of the Republic of Bulgaria for their invitation to observe the elections, and the Central Election Commission (CEC) and the Ministry of Foreign Affairs for the assistance. It also expresses appreciation to other state institutions, the judiciary, political parties, media, civil society organizations, international community representatives, and other interlocutors for their co-operation and for sharing their views.

### III. BACKGROUND AND POLITICAL CONTEXT

On 12 May 2021, following one unsuccessful attempt to form a government and two mandates returned after the 4 April parliamentary elections, and in line with the Constitution, the president dissolved the parliament, appointed a provisional government and set early parliamentary elections for 11 July. The 4 April elections brought significant changes to political scene marked by the dominance of two major parties for the past 15 years. The ruling party Citizens for European Development of Bulgaria (GERB) and the opposition Bulgarian Socialist Party (BSP) each received significantly fewer mandates than in previous elections. A new political party, There Is Such A People (ITN), and two new coalitions, Democratic Bulgaria (DB) and Rise Up! Thugs Out! (ISMV), entered the parliament and initiated several key amendments to the election legislation adopted shortly before the dissolution of the parliament.<sup>5</sup>

The elections took place amid a persistent mistrust in the political establishment and the provisional government's claims of prevalent corruption at the highest level of the previous government. The provisional government replaced several high-level officials of key public institutions.<sup>6</sup> Prolonged public protests, including by members of the judiciary, demanding the dismissal of the Prosecutor General have taken place since July 2020 and continued during the election period.<sup>7</sup>

On 2 June, the United States government imposed sanctions on six prominent Bulgarian public officials and business persons for acts of significant corruption, also targeting associated legal entities.<sup>8</sup> In response to this action, the provisional government issued a decision to form an interagency working group to establish a list of persons and legal entities that fall under the scope of these sanctions, and to terminate any relation of state institutions with these persons and entities.<sup>9</sup> An extended list of these was published on 15 June.

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<sup>3</sup> On election day, 64 observers were deployed, including 31 observers deployed by ODIHR, as well as a 17-member delegation from the OSCE PA, and 16-member delegation from PACE. Observers were drawn from 27 OSCE participating States. Thirty-nine per cent of observers were women.

<sup>4</sup> See previous ODIHR election [reports](#) on Bulgaria.

<sup>5</sup> GERB obtained 75 and BSP 43 seats, respectively 20 and 37 less than previously; Movement for Rights and Freedoms (DPS) won 30 mandates; ITN, DB and ISMV obtained 51, 27 and 14 seats, respectively. The United Patriots, *Volya* and *Ataka*, previously represented in the parliament, did not win any seats.

<sup>6</sup> Including the management of regional police, National Revenue and Customs Agencies, Registry Agency, Bulgarian Development Bank, Road Infrastructure Agency, and some public healthcare institutions invoking lack of transparency in the institutions' work or involvement in dubious or illegal practices.

<sup>7</sup> The 2020 protests also targeted the former prime minister. On 23 June 2021, the Union of Judges called on the Supreme Judicial Council to resign stating that its current composition lost legitimacy.

<sup>8</sup> See the U.S. Department of the Treasury [press release](#).

<sup>9</sup> The newly established Citizens' Platform Bulgarian Summer (GPBL) party's bank account was frozen on 8 June, in response to a government decision.

Women are generally underrepresented in elected and appointed office. In the previous elections, 56 women were elected to parliament, representing less than a quarter of the deputies. While women accounted for 40 per cent of ministers in the GERB-led government, only 2 of the 18 ministers of the provisional government were women. The law does not contain any special measures to promote women's participation and most political parties did not have steady internal policies in this respect.<sup>10</sup> Many ODIHR LEOM interlocutors stated that the patriarchal attitudes continued to limit women's political participation.

#### IV. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The National Assembly comprises 240 members elected for four-year terms, under a proportional representation system in 31 multi-member constituencies (MMCs). The number of mandates in each MMC is based on the last census, but, by law, must comprise at least four mandates.<sup>11</sup> By law, 26 MMCs correspond to the administrative districts and the remaining five MMCs, in Sofia and Plovdiv, are delineated by the president before each parliamentary election.<sup>12</sup> While the delineation of constituencies and seat allocation close to elections is contrary to international good practice, the constituency delineation did not have a negative impact on the equality of the vote for these elections.<sup>13</sup>

*The constituency delineation process should guarantee the equality of the vote, be based on clear and objective criteria prescribed by the law and conducted in line with international standards and good practice.*

Parties and coalitions that obtain at least four per cent of all valid votes are eligible for seat allocation.<sup>14</sup> Within each MMC, the seats are allocated to the eligible lists under a largest remainder method of proportional representation. The candidates are elected from open lists; voters may mark a single preference option after choosing a candidate list. If the voter does not indicate a preference, the vote goes to the list carrier. To win a preferential seat, candidates need to pass a threshold of seven per cent of all votes cast for a given list; otherwise, the seats are allocated based on the initial list order.<sup>15</sup> Independent candidates must surpass a constituency electoral quota to be elected.

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<sup>10</sup> In 2020 Concluding observations on the eighth periodic [report](#) of Bulgaria, the UN Committee on the Elimination of Discrimination against Women “noted with concern that women, in particular women with disabilities and Roma women, continue to be underrepresented in decision-making positions” and “recommended to take temporary special measures, such as statutory quotas and a gender parity system, to increase the representation of women in the parliament, ministerial position..., provide capacity-building on campaigning and political leadership skills as well as awareness raising efforts among political leaders and the public”.

<sup>11</sup> According to the population census conducted in 2011, the population of Kardzhali was 152,808, Razgrad 125,190, and Shumen 180,528 while the number of registered voters for the July 2021 early parliamentary election was 255,977, 133,280, and 183,849, respectively. A new census planned for early 2021 was postponed due to the COVID-19 pandemic.

<sup>12</sup> For these elections, the delineation of constituencies was defined by the Presidential decree of 12 May 2021. For the past five elections, delineation of the constituencies remained largely unchanged.

<sup>13</sup> Paragraph I.2.2.v of the 2002 Venice Commission's Code of Good Practice in Electoral Matters ([Code of Good Practice](#)) recommends redistribution of seats at least every ten years “preferably outside election periods”.

<sup>14</sup> Votes cast abroad are added to the nationwide tally of votes for political parties and coalitions.

<sup>15</sup> To get a preferential seat, a candidate must receive at least seven per cent of the votes obtained by their party list in a given MMC. The constituency electoral quota equals to the number of valid votes cast divided by the number of seats in a given MMC.



Bulgaria is party to major international and regional instruments related to the holding of democratic elections.<sup>16</sup> Elections are primarily governed by the 1991 Constitution, the 2014 Election Code and the 2005 Political Parties Act, which are supplemented by provisions of other acts and regulated by decisions of the CEC.<sup>17</sup> The Election Code has undergone numerous amendments since its adoption in 2014, most recently in May 2021. The recent amendments introduced mandatory electronic voting for polling stations with at least 300 voters and numerous adjustments to voting, counting and tabulation procedures, reduced the CEC composition from 20 to 15 members, changed the criteria and removed limitations of a total number of polling stations that can be formed abroad, and altered the method of nomination for all levels of election commissions.<sup>18</sup> Additionally, these amendments permit video streaming and recording by observers in PECs and DECes during the counting and tabulation, as well as clarified the method of appealing certain CEC decisions.<sup>19</sup> On 5 May, GERB challenged the constitutionality of most of the recent amendments in the Constitutional Court. The case was admitted for consideration and the 2 July court ruling found that the challenged provisions were in line with the Constitution.<sup>20</sup>

The legal framework overall provides a sound basis for the conduct of democratic elections. While many ODIHR LEOM interlocutors welcomed recent amendments as offering a level of improvement and noted general satisfaction with the legal framework, some noted that the hasty process of their adoption lacked sufficient public consultations affect legal certainty, contrary to international good practice.<sup>21</sup> Moreover, the legislation contains inconsistencies and ambiguous provisions.<sup>22</sup>

A number of longstanding ODIHR and the Council of Europe's Commission for Democracy through Law (Venice Commission) recommendations pertaining to key aspects of the electoral process remain to be addressed. These mainly relate to candidate nomination, campaigning in languages other than Bulgarian, campaign finance, measures to promote participation of women and minorities, voting by prisoners, sanctions for electoral violations and mechanisms to dispute the election results.

*To ensure a coherent and stable electoral framework, the legislation should be reviewed to bring it further in line with the OSCE commitments, international standards and good practices. This should be done well in advance of the next election period as a result of an inclusive and transparent consultation process.*

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<sup>16</sup> Including the [1966 International Covenant on Civil and Political Rights](#), [1979 Convention on the Elimination of All Forms of Discrimination Against Women](#), [1965 International Convention on the Elimination of All Forms of Racial Discrimination](#), [2003 Convention against Corruption](#), [2006 Convention on the Rights of Persons with Disabilities](#), and the [1950 European Convention on Human Rights](#).

<sup>17</sup> Provisions of the 1968 Criminal Code, the 1969 Administrative Violations and Sanctions Act, the 2006 Administrative Procedure Code, the 1990 Assemblies, Rallies and Demonstrations Act are also applicable, as well as the 2020 Act on the Measures and Actions during the State of Emergency and relevant regulations from the Ministry of Health.

<sup>18</sup> Political parties and coalitions represented in the European Parliament but not in the National Assembly lost the right to nominate members in any of the election commissions.

<sup>19</sup> A number of other amendments notably related to the 32<sup>nd</sup> constituency for the out-of-country voting and the powers of the CEC will only take effect after the official announcement of the results of the 2021 census.

<sup>20</sup> The Court found as unconstitutional only one provision according to which the proportional electoral system was to be applied only until the next regular parliamentary elections.

<sup>21</sup> Paragraph II.2.b of the Venice Commission's [Code of Good Practice](#) stipulates that the fundamental elements of electoral law should in principle not be amended less than a year before elections.

<sup>22</sup> Article 42(1) of the Constitution provides that "electing central and local government authorities" is a right, while article 3 of the Election Code defines it as a civil duty and prescribes mandatory voting. In 2016, disenfranchisement of voters for repeated abstention from voting was declared unconstitutional by the Constitutional Court. Provisions on dispute resolution are scattered in various sections of the Election Code often supplemented by procedural rules under other Acts. Definition of important terms is often general or even absent from the Election Code allowing for liberal and often different interpretations.

## V. ELECTION ADMINISTRATION

The elections administration is three-tiered, comprised of the CEC, 31 District Election Commissions (DECs) and 13,005 Precinct Election Commissions (PECs), including 782 PECs abroad.<sup>23</sup>

Members of election commissions at all levels were nominated by political parties in proportion to their representation in the parliament. By law, no party or coalition may have a majority in any commission; the chairperson, the deputy chairperson and the secretary may not be from the same party or coalition. The election commissions were assisted in the technical preparations for the elections and the results management by the state-level and local authorities and other entities. The election administration carried out its duties adequately, within the legal deadlines, despite the compressed timeframe. Women were well-represented in the election commissions, including in leadership positions.<sup>24</sup>

The CEC is a permanent body; it is mandated to oversee the electoral preparations. Its current composition with 15 members was appointed in May 2021. Overall, the CEC adequately fulfilled its decision-making and supervisory role. It held regular sessions with substantive discussions, open for observers; however, in some cases, its partisan composition combined with the insufficient institutional and technical capacity jeopardised the efficient and timely decision-making, especially on contentious issues and when handling complaints.<sup>25</sup> Some CEC decisions were adopted late, negatively affecting the timely conduct of voter education and training of PEC members.<sup>26</sup>

*To ensure the stability and professionalism of the election administration, the CEC should be granted sufficient administrative and technical capacity.*

While the work of the CEC was overall transparent, the live stream of its sessions was often muted for several minutes without reason announced, and the session minutes were sometimes not made public within 24 hours, contrary to the law.<sup>27</sup> This negatively impacted the public nature of CEC's activities and made it challenging for the election stakeholders to get acquainted with the 'protocol decisions' of the CEC, which were only published as part of the session minutes and not as separate decisions.

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<sup>23</sup> The May 2021 amendments lifted the limitation of a maximum of 35 polling stations in countries outside of the European Union, which led to an increase in the number of polling stations in Turkey, the United Kingdom and the United States to 112, 135 and 58, respectively. In addition, 115 PECs were set up to conduct voting in healthcare institutions, 15 in pre-trial detention centres, one on a vessel sailing under the Bulgarian flag, 326 PECs conducted mobile voting for persons with disabilities and voters in quarantine due to the COVID-19 pandemic.

<sup>24</sup> Seven of the 15 CEC members, including the chairperson, were women. A total of 269 of the 439 DEC members and 19 of the 31 DEC chairpersons were women. The CEC and DECs did not compile any gender-disaggregated data on PEC members.

<sup>25</sup> All election commissions make decisions by a two-thirds majority, provided that more than half of the members are present. Decisions that do not meet the required majority are considered to be rejected. Some CEC decisions were adopted after heavily politicised discussions. For example, on the CEC session of 14 July, the withdrawal request of an MP candidate was first adopted, then rejected and finally adopted again, due to CEC members requesting revotes and voting along partisan lines.

<sup>26</sup> The CEC provided a limited number of machines for training and voter education purposes to DECs only 13 days before election day. The CEC clarified certain aspects of the election day procedures three days before election day. On election day, it issued a new instruction for those PECs that would need to revert to voting with paper ballots in case of machine malfunctions.

<sup>27</sup> While the Election Code prescribes that the sessions must be live-streamed, the CEC Rules of Procedure allow for muting following a prior announcement of justification. According to the CEC, the sessions were muted due to practical and operational reasons or to prevent disclosure of personal or sensitive information.

*To further increase its transparency and accountability, the CEC should publish its session minutes and protocol decisions in a timely manner. The practice of muting the broadcast of CEC sessions should be limited to specific circumstances based on justified reasons.*

DECs had 13 or 17 members, depending on the number of seats in the respective constituency; most PECs had 5 to 9 members, depending on the number of registered voters. DECs and PECs were appointed by the upper-level commissions within the legal deadlines, following consultations between the local branches of political parties. As provided by law, the district governors and municipal mayors facilitated consultations among the political parties for the purpose of allocating membership to DECs and PECs. Most eligible parties nominated members to all DECs and PECs. However, the consensus during these consultations was reached in 26 per cent of the DECs and in some 88 per cent of the PECs, mainly because of disagreements about the distribution of leading positions. Due to their limited outreach, parties and coalitions nominated members to 31 per cent of out-of-country PEC membership positions.<sup>28</sup>

PECs were trained by the DECs. While most training sessions were comprehensive, the lack of a fully standardised curriculum and limited interaction with the trainees reduced their effectiveness. The CEC did not provide any training for PECs abroad. Nominating parties and coalitions are by law permitted to replace PEC members at any time by election day. Due to a high number of late replacements, many PEC members did not undergo sufficient training, which negatively impacted the quality of their work on election day in terms of efficiently applying the prescribed procedures.<sup>29</sup>

*To ensure a consistent application of election procedures, a comprehensive and standardized training should be provided for all PEC members, including on recently adopted measures, such as the use of new voting technologies. To enhance stability of the election administration, the tenure of the PEC members could be better protected against arbitrary replacement during a reasonable time prior to election day.*

The CEC launched a voter education campaign on social networks, television, and radio two weeks before the elections. Educational materials, available only in Bulgarian, covered preferential and electronic voting, voting for citizens in quarantine, and access for voters with disabilities. The video spots were provided with subtitles and sign language interpretation to facilitate access for persons with hearing impairments. According to some ODIHR LEOM interlocutors, the lack of timely and comprehensive voter education related to machine voting might have had a dissuasive effect on the participation of elderly voters and those with limited computer literacy.<sup>30</sup>

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<sup>28</sup> In case of no consensus, PECs and DECs were appointed by upper-level election commissions based on the existing proposals submitted by the parties and coalitions. Rise Up, Thugs Out! and Democratic Bulgaria did not nominate members in some municipalities. By law, if a party did not nominate sufficient members, its quota was redistributed among the other eligible parties. The Ministry of Foreign Affairs nominated members to complete PECs abroad.

<sup>29</sup> Between the end of the training and election day, some 24 per cent of the PEC members were replaced in Sofia's MMC 25, 15 per cent in the MMC Blagoevgrad and 12 per cent in Sofia's MMC 23. Nominating parties and coalitions often justified the need for excessive number of replacements with either personal issues of these members or operational reasons, including low remuneration.

<sup>30</sup> Paragraph 32 of the 2017 [Council of Europe Recommendations on standards for e-voting](#) states that the public, in particular voters, shall be informed, well in advance of the start of voting, in clear and simple language, about any steps a voter may have to take in order to participate and vote; the correct use and functioning of an e-voting system; the e-voting timetable, including all stages". Section VI. 32. C of the [Guidelines on the implementation of the provisions of CM/Rec\(2017\)5](#) states that "to promote understanding and confidence in any e-voting system, opportunities to practice using it should be provided before and separately from the moment of casting an electronic vote. Special attention should be paid to categories of voters liable to have greater difficulties and their specific needs".

## VI. VOTING TECHNOLOGIES

Voters in polling stations with at least 300 registered voters in country and abroad could only use machines to cast their ballots.<sup>31</sup> Following the May 2021 amendments, paper ballots remained in use only in smaller and special polling stations and as a contingency in case of machine malfunction.<sup>32</sup> While many ODIHR LEOM interlocutors underlined that the extended use of electronic voting reduced opportunities for electoral malfeasance, including vote-buying, GERB representatives stated that the machines were manipulated, without offering any evidence to support such claims.<sup>33</sup> Overall, electronic voting led to a considerable reduction in the total number of invalid ballots and increased the efficiency and reliability of the vote count and tabulation (see *Tabulation and Announcement of Results*).

Following the May amendments, the results sheet produced by the voting machine served as part of the official PEC results protocol, however, there is no legally-prescribed mechanism to verify whether the electronic voting results are accurately tallied. After a vote is cast, the machine prints a control receipt that can be verified by the voter and allows for a manual vote-count. The CEC issued a decision to verify the electronic vote count in every seventh polling station according to its ordinal number, by manually counting the control receipts (see *Tabulation and Announcement of Results*). However, the polling stations chosen for verification were not selected randomly, undermining the basic principles of a statistics-based verification process. Overall, the legal framework and the implementation of the partial verification did not provide sufficient evidence that the results were accurately counted and reported, contrary to international good practice.<sup>34</sup>

*To ensure the accountability of electronic voting, the law should provide clear rules and deadlines to carry out a count of the control receipts produced by the voting machines in a statistically significant number of randomly selected polling stations, before the final election results are established.*

By law, the compliance of voting machines with the legal requirements is established through a certification process jointly conducted by the State Agency for Electronic Government, the Bulgarian Institute for Standardization, and the Bulgarian Institute for Metrology. The law does not clearly stipulate if machines already certified for previous elections should undergo re-certification. On 8 July, a partial re-certification took place in the presence of observers, limited to checking whether the

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<sup>31</sup> While the use of electronic voting was piloted in all types of elections since 2014, there was no widespread use of electronic voting in elections prior to 2021. In the 4 April 2021 elections, in polling stations where a voting machine was available, voters had a choice between electronic and traditional paper-based voting. In polling stations where such a choice existed, an average of 26.9 per cent of the voters opted for the electronic vote.

<sup>32</sup> A total of 10,937 machines were used in 9,674 polling stations or 74 per cent of all polling stations.

<sup>33</sup> In the run up to elections, the GERB party leader made a series of widely reported claims that the machines would subtract three out of five votes from GERB. Other GERB officials stated that the machines are programmed to secure the victory of those parties who introduced the exclusive use of electronic voting.

<sup>34</sup> Paragraph 17 of the 2017 [CoE Recommendations on E-voting](#) stipulates that “The e-voting system shall provide sound evidence that each authentic vote is accurately included in the respective election results. The evidence should be verifiable by means that are independent from the e-voting system.” The [Guidelines on the implementation of the provisions of Recommendation CM/Rec\(2017\)5 on standards for e-voting](#), states that: “[t]he validity of this second medium is to be assessed by national regulations that will also decide what to do in case of discrepancies between electronic results and those produced by the second medium. [...] A mandatory count of votes in the second medium in a statistically significant number of randomly selected polling stations should be carried out.”

software installed on a specimen of the newly purchased hardware matched the software installed on previously used machines.<sup>35</sup>

On 18 June, three weeks before election day, the CEC renewed its contract with *Ciela Norma* to provide the software, IT support, logistics and relevant training for election commissions. The outsourcing of most tasks to external vendor raised concerns among some ODIHR LEOM interlocutors about whether the CEC retained effective supervision of the electronic voting, as required by the law and international standards.<sup>36</sup> In an effort to avoid queuing, the CEC decided to allocate two voting machines in polling stations where at least 425 voters voted in the last elections. To meet this requirement and provide machines for voting abroad, the CEC purchased additional 1,637 machines. The list of polling stations with additional voting machines was finalized as late as two weeks prior to election day. The compressed timeframe for implementing electronic voting reduced the time for the preparation and delivery of voting devices, especially abroad, and delayed the training of election officials and voter education.

The CEC published a general technical specification of the voting machines, but this document omitted numerous critical details about the functionality of the system, including those related to the use of cryptographic keys and their role in the underlying cryptographic protocol. The lack of relevant technical details about the electronic voting system was at odds with international good practice and detracted from the overall transparency of the process.<sup>37</sup>

*To allow for independent evaluation of the electronic voting system, the election authorities should publish detailed technical documentation or make it accessible for inspection to observers and independent auditors.*

## VII. VOTER REGISTRATION

The right to vote is granted to all citizens who have reached 18 years of age by election day. Prisoners, irrespective of the gravity of the crime, and those deprived of legal capacity by a court decision are disenfranchised, contrary to international standards and a previous ODIHR and Venice Commission recommendation.<sup>38</sup>

*The loss of voting rights for prisoners should be proportionate to the crime committed. Restrictions of voting rights for persons with mental disabilities should be removed.*

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<sup>35</sup> Only five devices were checked. During this process, the certification agencies accepted the claim of the vendor that the hardware used in new devices was not revised compared to the previous version.

<sup>36</sup> Paragraph 29 of the 2017 [CoE Recommendations on E-voting](#) stipulates that “[t]he relevant legislation shall regulate the responsibilities for the functioning of e-voting systems and ensure that the electoral management body has control over them”. The [Explanatory Memorandum](#) to the 2017 CoE Recommendations on E-voting states that statutory duties of the body responsible for the conduct of elections must never be outsourced, since this body is in charge of the election.

<sup>37</sup> Paragraph 33 of the 2017 [CoE Recommendations on E-voting](#) states: “The components of the e-voting system shall be disclosed for verification and certification purposes.” Paragraph 95 of the [Explanatory Memorandum](#) to the 2017 CoE Recommendations on E-voting further states that to achieve independent evaluation of the system as a whole or of its components the election authorities should disclose information on critical system elements including the system design and detailed documentation.

<sup>38</sup> See articles 2, 12 and 29 of the [2006 UN Convention on the Rights of Persons with Disabilities \(CRPD\)](#). See also Paragraph 9.4 of the 2013 CRPD Committee’s [Communication No. 4/2011](#), which states that “[...] an exclusion of the right to vote on the basis of a perceived or actual psychosocial or intellectual disability, including a restriction pursuant to an individualized assessment, constitutes discrimination on the basis of disability, within the meaning of article 2 of the Convention”.

Voter registration is passive. Voters with permanent residence are automatically included in voter lists. The lists are compiled prior to each election by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works (GRAO), based on data from the permanent National Population Register (NPR). While most ODIHR LEOM interlocutors expressed confidence in the accuracy of the voter lists, many civil society organizations and some state institutions and diplomatic community representatives consistently informed the ODIHR LEOM that a certain number of Bulgarian citizens, especially Roma, remain without identification documents due to a lack of permanent address.<sup>39</sup> As a result, these citizens were unable to vote, which is at odds with international standards.<sup>40</sup> The Ministry of Regional Development and Public Works informed the ODIHR LEOM that all citizens are responsible for ensuring they do not reside in dwellings which are not legalized and for requesting their identification documents. However, OSCE commitments require that participating states adopt a proactive approach to ensure that all Roma citizens obtain identification documents.<sup>41</sup>

*To guarantee universal suffrage, the state authorities should implement a strategy for scaling the issue of citizens without a permanent address and conducting a nationwide campaign to issue identification documents to voters belonging to vulnerable groups.*

By law, municipalities display the voter lists for public scrutiny 40 days prior to election day.<sup>42</sup> Voters could also verify their entries online and request corrections until seven days prior to election day. In this period, the lists were updated by the municipalities and other state institutions.<sup>43</sup> According to the CEC, the number of voters on the final voter lists was 6,668,540.

Electoral contestants, CEC and DEC members and observers could request absentee voting certificates to vote at any polling station of their choice. Specific categories of voters, including citizens abroad, could register to cast a ballot on election day at the polling station, at odds with international good practice.<sup>44</sup> A total of 205,244 voters were added to the voter lists on election day, including 129,280 voters abroad. The law mandates the GRAO to examine all voter lists after election

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<sup>39</sup> In March 2020, the Ministry of Regional Development and Public Works informed the Bulgarian Helsinki Committee upon their request that 75,406 Bulgarian citizens were included in the NPR without a permanent address. According to the law, the permanent address is a prerequisite for obtaining an identification document.

<sup>40</sup> Article 25(b) of the [ICCPR](#) states that “every citizen shall have the right and the opportunity...to vote and to be elected...”. See also article 21 of the [Universal Declaration of Human Rights](#).

<sup>41</sup> Paragraph 7.3 of the [1990 OSCE Copenhagen Document](#) requires from participating States to provide universal and equal suffrage. The Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, adopted by the 2003 [Maastricht Ministerial Council Decision](#) states that “Participating States must be proactive in ensuring that Roma and Sinti people...have all the necessary documents, including birth certificates, identity documents and health insurance certificates. In resolving problems related to the lack of basic documents, participating States are strongly advised to work in partnership with Roma civil organizations”.

<sup>42</sup> According to the reports from municipalities to ODIHR LEOM observers, the voter lists were not always publicly displayed in more than half of the districts. Citizen observers or party proxies do not have access to the voter register as a whole.

<sup>43</sup> Special voter lists were compiled for health care facilities, detention centres, social institutions, and a vessel sailing under the Bulgarian flag, based on information provided by the heads of the respective facilities.

<sup>44</sup> PEC members, technicians and security personnel could vote at the polling station of their duty, students in the municipality where they study, persons with disabilities in any adapted polling station of their choice without submitting a prior request. Voters not found on the voter list of their permanent address may be added to the voter list on election day, provided they can present residency documentation.” Paragraph 1.2.iv of the 2002 [Code of Good Practice](#) recommends that “registration should not take place at the polling station on election day.”

day for multiple voting, but such verification takes place only after the finalization of the election process.<sup>45</sup>

*In line with the international good practice, the possibility to register at the polling station on election day could be reconsidered.*

## VIII. CANDIDATE REGISTRATION

Voters over the age of 21 years may stand for elections. Citizens holding dual citizenship are ineligible to stand, which is at odds with the jurisprudence of the European Court of Human Rights (ECtHR).<sup>46</sup> Individuals prohibited by law to be members of a political party may stand only as independent candidates after taking a leave of absence.<sup>47</sup>

*Bulgarian citizens that hold dual citizenship should not be prevented from standing for office.*

Party and candidate registration is a two-step procedure. The CEC registers political parties and coalitions as electoral contestants and the DEC registers committees of citizens that may nominate independent candidates. Political parties and coalitions are required to submit a minimum of 2,500 support signatures and a deposit of BGN 2,500.<sup>48</sup> Independent candidates needed support from one per cent of registered voters in a given constituency, or 1,000 signatures, whichever was lower.<sup>49</sup> Citizens could sign in support of only one contestant, contrary to a previous ODIHR recommendation.<sup>50</sup>

Candidate and party registration process was generally inclusive. The CEC received applications from 19 political parties and 9 coalitions and initially registered all of them by the deadline of 26 May. The law does not foresee a mechanism for rectifying registration documents if problems are identified after the deadline, at odds with international good practice.<sup>51</sup> On 27 and 28 May, the GRAO informed the CEC that the number of support signatures of four political parties fell short of the quota, and the CEC deregistered them.<sup>52</sup> Two parties appealed to the Supreme Administrative Court (SAC), which upheld the respective CEC decisions. In total, the election administration registered 5,079 candidates to run on 696 candidate lists of the 23 parties and coalitions contesting elections; 29 per cent of candidates were women.

<sup>45</sup> According to the report from GRAO, the verification of the voter lists following the 4 April 2021 parliamentary elections established that 37 voters voted twice and 80 persons not eligible to vote were added to the voter lists on election day (including those without legal capacity to vote, under-aged, or non-citizens).

<sup>46</sup> In *Tănase v. Moldova*, the ECtHR recognized the restrictions on dual citizens' suffrage rights as a disproportionate measure and, thus, contrary to Article 3 of Protocol 1 of the [European Convention on Human Rights](#). Bulgaria reserved the right not to apply Article 17 of the [1997 European Convention on Nationality](#), which guarantees equal rights to nationals with dual citizenship.

<sup>47</sup> These include military personnel, citizens in diplomatic, national intelligence or national security service, police officers, judges, prosecutors and investigators.

<sup>48</sup> 1 EUR is 1,96 Bulgarian Lev (BGN).

<sup>49</sup> The May 2021 amendments introduced the possibility for citizens to submit a support declaration provided with a qualified electronic signature. This possibility was used by 499 voters, all supporting Democratic Bulgaria.

<sup>50</sup> Paragraph 96 of the [2020 ODIHR and Venice Commission Guidelines on Political Party Regulation](#) recommends that "it should be possible to support the registration of more than one party, and legislation should not limit a citizen or other individual to signing a supporting list for only one party".

<sup>51</sup> The [2020 ODIHR and Venice Commission Guidelines on Political Party Regulation](#) state that "in case of technical omissions or minor infringements of registration requirements, the political party should be given reasonable time in which to rectify the failure".

<sup>52</sup> Signatures were declared invalid if the signatory was not a registered voter, if the voter's data was incomplete or if the voter supported multiple lists.

*Deadlines for party and candidate registration could be adjusted to provide all contestants a clear framework and equal opportunities to rectify their applications.*

## IX. ELECTORAL CAMPAIGN

The official campaign started on 11 June and ended 24 hours prior to election day. The fundamental freedoms were generally respected and contestants were able to campaign without hindrance. Some limitations on in-person events, introduced by the government on 15 June in relation to the ongoing COVID-19 pandemic, were considered by all ODIHR LEOM interlocutors as proportionate and did not negatively affect the possibility to campaign.<sup>53</sup> The law has limited regulations aimed at preventing the misuse of administrative resources or office during the campaign.<sup>54</sup> The ODIHR LEOM interlocutors reported limited concerns in this regard but the ODIHR LEOM observed some instances where announcements of local infrastructure projects created a favourable perception for GERB.<sup>55</sup>

Political parties used diverse means to engage in a competitive but low-key campaign, which intensified closer to election day. Contestants mostly met with small groups of voters and used campaign stands in public spaces, with larger rallies organized mainly at the start and end of the campaign.<sup>56</sup> In the 27 campaign events observed by the ODIHR LEOM, women were well represented in the audience but to a lesser extent among speakers. Billboards and posters of numerous contestants were displayed across the country. In addition, contestants actively campaigned on social networks, and to a lesser extent on traditional media. Most campaign materials were not produced in formats designed for persons with disabilities.

At the national level, the campaign predominantly focused on fighting corruption, post-pandemic economic recovery, judicial reform and unemployment. The ODIHR LEOM observers noted some instances of intolerant rhetoric, including against the LGBTI community and denying the Holocaust.<sup>57</sup> The Commission for Protection Against Discrimination, a specialized state body

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<sup>53</sup> The Ministry of Health issued specific campaign instructions requiring that both indoor and outdoor events be organized with the compulsory use of face masks and respecting the distance of 1.5m between participants. Venues used for indoor campaign events could be filled up to a maximum 50 per cent of the seating capacity.

<sup>54</sup> The law prohibits the use of state and municipality-owned public transportation, campaigning in state and municipal agencies and institutions, as well as in companies with more than 50 per cent state or municipal ownership. The Political Parties Act prohibits parties to use state and municipal resources free of charge.

<sup>55</sup> As part of the campaign, Mayors of Vratsa and Sofia and several incumbent MPs in Plovdiv and Sofia regions advertised multiple municipal projects financed by the local or European Union funds as party achievements on GERB Facebook accounts. The ODIHR LEOM also observed a significant amount of GERB campaign materials in the mayor's office in Kostinbrod. Guideline II.B.1.3 of the 2016 OSCE/ODIHR and Venice Commission Joint [Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#) states that "to prevent the misuse of administrative resources to imbalance the level playing field during electoral competitions, the legal framework should state that no major announcements linked to or aimed at creating a favourable perception towards a given party or candidate should occur during campaigns."

<sup>56</sup> Several contestants, including ITN, Rise Up! Thugs Out!, BSP, Democratic Bulgaria, and GPBL, organized unconventional small scale campaign events such as yoga classes, cycling tours or presentation of the books.

<sup>57</sup> The beginning of the campaign coincided with holding of the Sofia Pride parade, organized on 12 June. On 15 June, the Facebook profile of Internal Macedonian Revolutionary Organization featured a campaign video with anti-LGBTI rhetoric and negative references to the parade. The TV campaign advertisement of the Bulgarian Patriots featured anti-LGBTI symbols. In Ruse district, a candidate from *Svoboda* party widely advertised his grandfather's involvement in mass murders committed during the Second World War. Another candidate from the Bulgarian National Union during an interview praised Nazism and denied the Holocaust, which was ascertained by the CEC as a violation and sent to the relevant governor to fine the candidate.



responsible for the prevention of discrimination, the police and the representatives of the Prosecutor General informed the ODIHR LEOM that they did not receive any complaints in this respect and did not take any measures on their own initiative. Thus, contrary to OSCE commitments and international good practice, these instances remained unaddressed.<sup>58</sup>

*While freedom of expression should be respected, the law enforcement agencies and responsible state institutions should review potential cases of discrimination and intolerant rhetoric during election campaigns and, where appropriate, apply sanctions in a timely manner.*

The campaign was pluralistic and the contestants offered voters a variety of election platforms but had limited opportunities to discuss and distinguish their views. Public discourse during the official campaign period was dominated by mutual accusations over corruption and wrongdoings between provisional government officials and GERB representatives.<sup>59</sup> On 18 June, GERB submitted a complaint to the CEC against the provisional government, claiming that the government's actions negatively influenced GERB's campaign; the complaint was dismissed. Personal attacks with offensive comments exchanged between some party leaders also featured in the campaign. These aspects limited voters' access to meaningful information regarding political party programmes.

In May and June, the provisional government replaced the heads of regional police and governors in many districts, claiming that the conduct of some police officers in previous elections was conducive to vote-buying and the intimidation of voters.<sup>60</sup> The police took a proactive approach to prevent vote-

buying and the Minister of Interior provided public updates on the cases under investigation.<sup>61</sup> Most ODIHR LEOM interlocutors welcomed these measures, perceived as a deterrent to electoral malfeasance. However, many stated that these actions cannot be fully effective if the police investigations are not followed by prompt prosecution, given that in most cases prosecution was warranted.<sup>62</sup> As a result, numerous concerns over vote-buying and pressure on voters persisted among election stakeholders throughout the campaign.<sup>63</sup>

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<sup>58</sup> Paragraph 40 of the [1990 OSCE Copenhagen Document](#) states that “the participating States clearly and unequivocally condemn totalitarianism, racial and ethnic hatred, anti-Semitism, xenophobia and discrimination against anyone...they declare their firm intention to intensify the efforts to combat these phenomena in all their forms.” Principle 2 of the [Council of Europe, Committee of Ministers, Recommendation No. R \(97\) 20 1997](#) states that “governments should examine ways and means to develop a coordinated prosecution policy based on national guidelines...”

<sup>59</sup> On 18 and 25 June, the Minister of Interior stated that several corruption cases that directly involve the former prime minister Mr. Borisov, needed to be thoroughly investigated. On 19 June, Mr. Borisov stated that the actions of the provisional government targeted him personally.

<sup>60</sup> Both vote-buying and -selling are criminal offences, punishable with imprisonment and fines, and all campaign materials must include this information.

<sup>61</sup> The police established a hotline for the reporting of electoral crimes and issued some 7,000 warning protocols to individuals suspected by the police for their past involvement in vote-buying schemes. Another 4,700 warning protocols were issued during the campaign silence period. According to the Ministry of Interior, over 500 alerts related to vote-buying were received during the campaign; investigations were initiated in 72 cases and 24 individuals were arrested. Some political party representatives alleged that police actions during the campaign were at times excessive.

<sup>62</sup> Numerous interlocutors stated that the prosecution has in the past ignored cases of vote-buying or intimidation of voters.

<sup>63</sup> The Minister of Interior reported a case from Haskovo region involving some 28,000 individuals and other cases where tens of thousands BGN intended for vote-buying were seized. In Smolyan region, the ODIHR LEOM observers received consistent and credible reports that the Executive Forest Agency's representatives pressured citizens to vote for GERB in exchange of receiving permits to cut wood for heating.

## X. CAMPAIGN FINANCE

Campaign finance is regulated by the Election Code and the Political Parties Act. Most prior ODIHR and the Council of Europe's Group of States against Corruption (GRECO) recommendations on campaign finance remain unaddressed, including those related to reporting on expenditures before election day, introducing shorter deadlines for submission and publication of financial reports.<sup>64</sup>

Political parties and coalitions that received at least one and four per cent of valid votes nationwide in the previous elections, respectively, are entitled to annual public funding.<sup>65</sup> Parties and coalitions not entitled to public funding received BGN 40,000 for media coverage as contestants during the campaign, and independent candidates BGN 5,000.

Campaign may be financed by the party's or candidate's own funds and monetary and in-kind donations. The possibility for legal entities to donate to election campaigns, introduced in 2019, was declared unconstitutional by the Constitutional Court in April 2021.<sup>66</sup> The law does not provide a ceiling for donations but prohibits donations from non-residents, religious institutions, anonymous and foreign sources. Parties' and coalitions' expenditures are capped at BGN 3,000,000 and independent candidates' at BGN 200,000.

The law does not require contestants to issue interim reports on expenditures. Transactions over BGN 1,000 had to be done via a bank transfer. Donations or contestants' own funds exceeding one minimum monthly salary (BGN 650) had to be supported by a declaration on the funds' origin. Sources of party funds were exempt from disclosure, allowing contestants to use them without revealing the donors and the amount allocated to the campaign from their own funds.<sup>67</sup> Overall, the legislative shortcomings and limited control mechanism detracted from the transparency and accountability of campaign finance.

*To enhance transparency of campaign finance, consideration could be given to disclosing the sources of donations to the party funds and campaign expenditures prior to election day.*

Most parties disclosed that they received limited donations while others stated that they either relied on state subsidies or party funds for campaigning.<sup>68</sup> Political parties and coalitions only publish information on the number of signed agreements and do not reveal any contractual terms or details.<sup>69</sup>

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<sup>64</sup> See the 2012 GRECO Third Evaluation Round Compliance [Report](#) on Bulgaria. The 2019 OSCE/ODIHR [Opinion](#) on the Act on Amendment of the Law on the 2019 State Budget of the Republic of Bulgaria criticised the changes for placing political parties without substantial budgetary savings in disadvantaged position prior to elections due to abrupt adoption of the bill.

<sup>65</sup> The amount of the state subsidy in 2021 for each vote received in previous elections was BGN 8. The subsidy is paid in four instalments during a calendar year.

<sup>66</sup> The Court underlined the need to ensure political pluralism and equal opportunities for contestants.

<sup>67</sup> See paragraphs 198, 199 and 200 of the 2010 ODIHR and Venice Commission [Guidelines on Political Party Regulation](#) which note that parties and candidates should maintain and publish records of all contributions received prior to elections.

<sup>68</sup> Parties and coalitions declared a total of some BGN 418,000 from donations, both monetary and in-kind, with the largest amount declared by ITN, followed by BSP, Democratic Bulgaria, and the Coalition Left Union for a Bright Republic.

<sup>69</sup> GERB declared the largest number of contracts concluded with advertising and public relations agencies (311), followed by Bulgarian Patriots (185) and Democratic Bulgaria (143).

According to representatives of the media, significant amounts of money were spent on media and advertisement contracts.<sup>70</sup>

Contestants must submit a report on campaign income and expenditures within 30 working days after the elections. The reports are to be published within 15 days, and audited by the National Audit Office (NAO) within six months. The NAO is required to audit compliance of the reported funds against the contracts published by the media or other providers of advertisements, correspondence of the donation amounts to the transferred funds and other financial data. The NAO may identify impermissible donations but is not required to identify any unreported transactions.<sup>71</sup> According to a number of ODIHR LEOM interlocutors, many candidates used their own funds, which are often not included in the party or coalition financial reports, while others voiced concerns about significant discrepancies between actual and reported spending.<sup>72</sup> Given the limited mandate of the NAO to establish violations and impose relevant fines in a timely manner, these sanctions are not deemed dissuasive by most election stakeholders.<sup>73</sup> The lack of expedited deadlines for the NAO to address campaign finance infringements further weakened the effectiveness of the oversight process.

*To ensure effective oversight of campaign finances, the NAO should have the mandate and be equipped with sufficient financial and human resources to pro-actively monitor campaign finance activities of electoral contestants, identify unreported income and expenditure and impose dissuasive sanctions.*

The Election Code extends the media related regulations to the profiles and pages of the media in the social networks, while other pages, including the official pages of political parties and candidates, are treated as private accounts, and as such do not fall under the rules of campaign regulation. Based on the ODIHR LEOM analysis of the data published by Facebook Ad Library, during the campaign period, the contestants spent over EUR 350,000 on advertisements on *Facebook*, of which some EUR 250,000 were spent by the Democratic Bulgaria. The contestants continued to advertise during the silence period, spending an additional EUR 65,000, including on election day. The ODIHR LEOM identified a number of *Facebook* pages which were not formally affiliated with any contestants, but were running paid advertisements in support of GERB or against ITN, Democratic Bulgaria or the provisional government.<sup>74</sup>

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<sup>70</sup> The sample includes 14 TVs, 19 radios, 9 newspapers and 59 websites and a total of over BGN 3,000,000 was reportedly spent, with the largest amounts spent by GERB, Democratic Bulgaria, and Bulgarian Patriots, each over BGN 500,000.

<sup>71</sup> By law, the NAO is entitled to request information from the databases of the National Revenue Agency and other competent bodies.

<sup>72</sup> The GPBL claimed that due to the freezing of the party's bank account following the U.S.-imposed sanctions, the party experienced obstacles in conducting its campaign, especially on social networks, where paid ads can only be purchased through a bank account. Subsequently, ads were purchased by individual candidates from GPBL lists. The party reported using cash payments to finance its activities, specifically print materials and billboards.

<sup>73</sup> The NAO may impose fines of up to BGN 15,000 for a breach of campaign finance regulations, such as exceeding the spending limit or failing to comply with the disclosure and reporting requirements.

<sup>74</sup> *Facebook* groups "[Is there such a party](#)", "[Slavi's Diary](#)" and "[Newspaper of tomorrow](#)", some of which were deleted shortly after election day, spent over EUR 11,000 on boosting posts that contained negative images or videos targeting ITN and the leader of the party. Groups "[Chitanka](#)", "[Pobeditel](#)" and "[Zeitgeist Bulgaria](#)" spent during the campaign over EUR 10,500 on promoting GERB and DPS, while negatively portraying ITN, Democratic Bulgaria and the provisional government. The group "[Bulgaria supports Sofia](#)" spent over EUR 8,000 for promoting GERB.

## XI. MEDIA

### A. MEDIA ENVIRONMENT

The high concentration of media ownership and political influence over editorial policies significantly limit the development of media pluralism. Television remains the main source of information; the print media lost their influence after the largest private distribution network *Lafka* closed in 2020.<sup>75</sup> The media market is dominated by two television networks, *Nova* and *bTV*.<sup>76</sup> Their ultimate ownership changed in the past year, followed by a number of senior editors and journalists being fired from or departing both networks, citing pressure from the new management. The two networks are owned by prominent telecommunication companies, *United Group* and *PPF*, which also control major radio, online and print media outlets as well as cable and mobile operators. At least four national television stations are officially owned by political parties or their leaders.<sup>77</sup> Most ODIHR LEOM interlocutors noted that media adjust their editorial policies to accommodate the interests of advertisers, including political parties.

*In order to stimulate the development of media pluralism and diversity, measures to limit media concentration should be considered, including by enforcing existing legislation against media monopolies and dominant market positions.*

The public Bulgarian National Television (*BNT*) is the third most popular television network. Both *BNT* and Bulgarian National Radio (*BNR*) are funded from the state budget, with broad discretion of the government over their funding. Shortly after the 4 April 2021 elections, the outgoing government allotted *BNT* an additional BGN 20 million to cover accumulated debts for electronic communication services, while *BNR*, which was perceived as critical towards the previous government, and had similar types of debts, did not receive such allotment. A number of ODIHR LEOM interlocutors perceived this allotment as a reward for favourable editorial policy. The government's direct funding of public media, and its ability to allocate or cut their budgets, compromise their editorial independence, at odds with international standards.<sup>78</sup>

*The impartiality of the public broadcasters should be strengthened by providing funding, based on a clear and objective criteria.*

Many ODIHR LEOM interlocutors noted improved access to public information and openness of the provisional government to the media. However, they pointed to several cases of intimidation and physical assaults against journalists in recent years, including by police officers, which were not fully

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<sup>75</sup> According to the [research](#) conducted by the Exacta Research Group between 30 June and 6 July, some 75 per cent of the interviewed voters received their information about the campaign through Television, 38 per cent through online media, 36 per cent through social networks and 25 per cent through radio.

<sup>76</sup> According to the Nielsen Admosphere TV audience [measurements](#), in May 2021 channels of *bTV* and *Nova* networks had a combined viewership of 63.6 per cent. A TV advertisement revenue analysis [conducted](#) in January-June 2021 estimated that the *bTV* and *Nova* media groups received 92 per cent of the whole television advertisement revenue.

<sup>77</sup> According to publicly available [data](#), the owner of *Alfa* Television is Volen Siderov, the leader of the Ataka Party. *Skat* Television is owned by Valeri Simeonov, the leader of NFSB. The leader of ITN, Slavi Trifonov, owns the TV 7/8. The *BSTV* is owned by Duma foundation, affiliated with the BSP.

<sup>78</sup> Paragraph 16 of the [General Comment 34](#) to the ICCPR stipulates that the states should “guarantee independence and editorial freedom” of public broadcasters and “provide funding in a manner that does not undermine their independence”. See also the PACE [Recommendation 1878](#).

investigated and contributed to an atmosphere of impunity for perpetrators and self-censorship among some journalists.<sup>79</sup>

*The law-enforcement authorities should ensure that cases on intimidation and harassment of the journalists are swiftly investigated and perpetrators prosecuted.*

## B. LEGAL FRAMEWORK

The Constitution protects the freedom of speech and of the press. Although imprisonment for defamation was lifted in 1999, it remains a criminal offence, contrary to international standards and previous ODIHR recommendations.<sup>80</sup> Most ODIHR LEOM interlocutors noted that the active application of this provision and the related financial sanctions continues to foster self-censorship.<sup>81</sup>

*To enhance freedom of expression defamation and libel should be fully decriminalized.*

Activities by broadcasting media outside of the electoral period are mainly regulated by the Radio and Television Act, while print and online media are mostly self-regulated. The Election Code requires only the public *BNT* and *BNR* to provide objective and fair campaign coverage to ensure equal participation of contestants. The law also requires the public media to agree in advance on all types and timing of coverage with all electoral contestants, and prohibits broadcasting campaign activities outside of the agreed time slots.<sup>82</sup> In the absence of clarity whether the news content could be considered as falling under election campaigning, both *BNT* and *BNR* had restrictively interpreted these legal requirements and self-introduced a blanket prohibition on covering the campaign in the news and other analytical programmes. This approach resulted in undermining their role as public media.<sup>83</sup>

*In order to fulfill their mandate as public service providers, the law should require the public broadcasters to actively cover the election processes and the campaign in a fair, balanced and impartial manner.*

Although the law requires the *BNT* to provide contestants with only up to 40 seconds of free time on the first and on the last day of the campaign, the *BNT* decided to grant each contestant additional 10 minutes in format of a live interview during prime time. In line with the law, *BNT* organized 10

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<sup>79</sup> On 15 February 2021, the OSCE RFoM [noted](#) the refusal of the prosecutor-general to fully investigate the reported beating of a freelance journalist by the police that occurred on 2 September 2020. The journalist appealed the lack of the prosecution activity with the ECtHR. Paragraph 23 of the [2011 General Comment 34 to the ICCPR](#) calls all attacks on the journalists to be “vigorously investigated in a timely fashion and the perpetrators prosecuted”. See also the 31 March 2020 [report](#) of the Council of Europe’s Commissioner for Human Rights.

<sup>80</sup> Paragraph 47 of the [2011 CCPR General Comment No. 34 to the ICCPR](#) calls the states to “consider the decriminalization of defamation and, in any case, the application of the criminal law should only be countenanced in the most serious of cases”.

<sup>81</sup> In February 2021 three criminal defamation cases were initiated against the editor of *Capital* weekly Nikolai Stoyanov, of which two were initiated by a former GERB MP. In 2019 Rosen Bosev, another journalist from *Capital*, was criminally convicted for defamation and is appealing the verdict with the ECtHR.

<sup>82</sup> The *BNT* has signed agreements with 21 out of 23 parties and coalitions contesting elections, while the *BNR* signed agreements with 16 of them.

<sup>83</sup> Paragraph (3).6 of the Article 6 of the Radio and Television Act requires the *BNT* and *BNR* to “reflect different ideas and opinions of the public through pluralism of expression of the views in every news and current affairs programmes”. Paragraph II.1 of the CoE [Recommendation CM/Rec\(2007\)15](#) prescribes that the “regulatory frameworks should also provide for the obligation to cover election campaigns in a fair, balanced and impartial manner in the overall programme services of broadcasters. Such an obligation should apply to both public service media and private broadcasters in their relevant transmission areas.”

debates, each 45 minutes long; however, these were scheduled outside of prime-time, at 16:00 hrs. Some contestants pointed to the unsatisfactory format of these debates, with limited time for answers and frequent exchange of personal attacks.<sup>84</sup> In addition, *BNT* organized three prime-time debates, including one for representatives of the parliamentary parties. The monitored private broadcasters organized a number of debates, inviting only the most popular contestants, as ranked according to opinion polls.

The law requires all paid media content to be clearly labeled as such, and the prices to be equal for all contestants and published in advance, and that they do not exceed the average prices for commercial advertisements in the last six months. However, despite a previous ODIHR recommendation, media were obliged to provide only general information on signed contracts, which limited the opportunities for verifying the compliance with the legal requirement. While national broadcasters had largely reported on the contracts signed with the contestants, many online media outlets did not do so and also did not clearly identify paid advertisements.

The Council for Electronic Media (CEM) is the regulatory body for broadcast media. It is composed of five members appointed for six-year period on rotational basis; three are appointed by the parliament and two by the president. The appointment mechanism was criticized by many ODIHR LEOM interlocutors, as leading to the dependency of CEM to the ruling party.<sup>85</sup> On 28 June, the sole CEM member appointed by the incumbent president resigned, citing pressure from other members and insufficient institutional activity.<sup>86</sup>

Although the CEM is legally obliged to monitor media during the campaign, it has no sanctioning powers and is required to notify the CEC or the relevant DEC of possible media violations. During the campaign, the CEM monitored 15 television and 15 radio stations and only the video content posted on six websites. Of the eight cases referred by the CEM to the CEC during the campaign, the CEC voted against one, and dismissed another due to lack of required majority. While the law foresees sanctions for the violations identified in four other cases, the CEC only sent a formal letter reminding respective media of their legal obligations. The remaining cases submitted by the CEM were not formally reviewed by the CEC. Overall, despite the active media monitoring by the CEM, the CEC did not ensure an effective remedy for identified media violations.

*In order to provide for an effective system of remedy, the CEM could be vested with the authority to review media related complaints and to respond to the violations identified through internal media monitoring either by imposing fines, that could be appealable to the court or bringing the violations to the court.*



## C. MEDIA MONITORING FINDINGS

[Click Here to Read Media Monitoring Results](#)

The ODIHR LEOM Media monitoring concluded that although the broadcast and online media mostly provided contestants and government representatives with free and paid platforms to present their views, the journalistic coverage of the campaign was limited. In particular, the three main national televisions focused mainly on entertainment content without engaging in comprehensive analytical or investigative reporting and organized only a few debates, which significantly limited

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<sup>84</sup> The ITN refused to take part in any public televised debates., although used other free opportunities provided by the public media.

<sup>85</sup> Article 30 of the European [Audiovisual Media Services Directive](#) requires the EU states to ensure that the media regulator is “functionally independent of their respective governments and of any other public or private body”.

<sup>86</sup> The CEM maintained that this was not the case, and Ms. Dimitrova was not subject to pressure.

voters' opportunity to make an informed choice.<sup>87</sup> In addition, during the campaign, *BNT-1* and *Nova* further limited their editorial programming in order to provide extensive coverage of the European Football Championship, while the *bTV* limited political coverage to its morning programmes.<sup>88</sup>

The public television largely refrained from covering the contestants in the news. It allotted GERB five per cent of the coverage, while all remaining contestants combined received about two per cent of such coverage. The provisional government's regular activities were covered extensively, receiving some 73 per cent of the coverage. The extensive coverage and the exchange of accusations over corruption and wrongdoing between the provisional government officials and GERB representatives, dominated the news coverage of all monitored private broadcast media. As a result, GERB received between 13 and 19 per cent of coverage, while all other contestants combined received between 8 and 14 per cent, in the news of private televisions. In all monitored broadcast media outlets, the coverage of government was mainly neutral in tone, while the coverage of GERB was mainly positive and neutral. The current affairs programmes in the prime-time and morning blocks of all private broadcasters provided a platform to eight parties ranking highest in opinion polls, although GERB received more coverage compared to all other contestants.

Among the monitored online media, *24 chasa*, *Blitz*, *dir.bg* and *Vesti.bg* were visibly supportive to GERB. *Dnevnik* was largely critical of GERB, and covered the government in a mainly neutral tone. *Offnews* supported the six parties that purchased paid content on its website, as well as BSP and Democratic Bulgaria. The public and private media offered extensive options for paid coverage programmes, including paid interviews and reports presented as editorial content, often authored by journalists of the respective media. The biased news coverage and lack of distinction between paid and editorial content compromised the editorial integrity of the media.

The ODIHR LEOM media monitoring noted that, in the different broadcast media, between 78 and 85 per cent of covered contestants were men, despite the fact that some 29 per cent of the candidates were women. Similar trend was observed in most online media outlets, where 75 and 91 per cent of covered contestants were men. The only exception was the website *Vesti*, which published a number of paid interviews and reports, which were focused on the BSP leader Korneliya Ninova. In some cases, the coverage of candidates among women was focused more on highlighting their physical appearance, rather than on their professional background and policies.

The Election Code required that media, when publishing the results of public opinion polls, indicate who commissioned, financed, and conducted the poll. The ODIHR LEOM monitoring found that in 90 per cent of the cases such information was published by the media. Despite previous ODIHR recommendations, the Electoral Code had no requirement to describe the polling methodology, including information on the sample size, margin of error and the polling period.<sup>89</sup> The ODIHR LEOM monitoring found that the margin of error was not published in 85 per cent of the published opinion polls, while 10 per cent of publications lacked the size of the sample of the poll. Although the Election Code prohibits the publications of the opinion polls and exit polls related to projected

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<sup>87</sup> During the official campaign period, the ODIHR LEOM monitored morning and evening prime-time programming on *BNT-1*, *bTV* and *Nova* and the evening prime-time of *Nova News*. The mission also monitored political coverage in six online media outlets: *24 Chasa*, *Blitz.bg*, *dir.bg*, *Dnevnik*, *OffNews* and *Vesti.bg*.

<sup>88</sup> According to the *BNT*, this reduction is the result of the joint broadcasting contract requirement signed by the *BNT* and *Nova Television* before the announcement of elections.

<sup>89</sup> The paragraph I.8 of the CoE [Recommendation CM/Rec\(2007\)15](#) requires states to ensure that media when presenting results of a public opinion poll should also provide the public with sufficient information to make a judgement of the value of the poll, including methodology, sample, margin of error and polling period.

election results, the ODIHR LEOM identified 9 media outlets publishing the disguised results of election polls during the election day.<sup>90</sup>

## XII. PARTICIPATION OF MINORITIES

The Constitution does not define national minorities but guarantees the right for self-identification.<sup>91</sup> Bulgaria has a diverse population of which minorities represent some 15 per cent according to official data.<sup>92</sup> While the law prohibits discrimination on ethnic or religious grounds, several ODIHR LEOM interlocutors noted persisting discrimination, hostility and segregation targeting some citizens, especially Roma, despite the government efforts for their integration.<sup>93</sup> The Constitution does not allow the formation of political parties on an “ethnic, racial or religious” basis.<sup>94</sup>

By law, the election campaign may be conducted only in Bulgarian, contrary to long-standing ODIHR and Venice Commission recommendations and international standards.<sup>95</sup> This effectively limits minorities’ access to political information and remains a significant concern among numerous political and minority representatives.<sup>96</sup> Voter information produced by the CEC and other election stakeholders was also provided only in Bulgarian.

*Citizens belonging to minorities should be allowed to use their mother tongue during the election campaign and promote its use in civil and political affairs. Consideration should also be given to providing voters with information and other election material in minority languages.*

While the DPS party leadership informed the ODIHR LEOM that they consider themselves a mainstream party, they are widely perceived to represent the interests of the Turkish and Muslim

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<sup>90</sup> Election poll results were presented in a form of weather forecasts, car or zebra races, pollution levels, reports on the car traffic or researches on most popular types of desserts. The CEC has initiated sanctions against *24 Chasa*, *Blitz*, *Club-Z*, *Dnevnik*, *dir.bg* and *PIK* for publishing the results of exit-polls during election day.

<sup>91</sup> Article 54.1 of the Constitution stipulates “Everyone shall have the right to avail himself of the national and universal human cultural values and to develop his own culture in accordance with his ethnic self-identification, which shall be recognized and guaranteed by the law.”

<sup>92</sup> According to the 2011 census, ethnic Turks are the largest minority group with 8.8 per cent of the population, followed by Roma with 4.9 per cent; other minorities include Armenians, Jews, Karakachani, Macedonians, Romanians, Russians, Vlach (Aromani), Ukrainians and others, all together below one per cent of the population.

<sup>93</sup> The May 2020 Council of Europe’s Advisory Committee on the Framework Convention for the Protection of National Minorities in its [Fourth Opinion on Bulgaria](#) states that the protection against discrimination is “hampered by a lack of awareness of the rights and remedies, weak political support for and insufficient investigation and prosecution efforts”. The Opinion further concludes that the state “authorities often fail to respond to xenophobic, anti-Gypsy, Islamophobic and antisemitic statements”.

<sup>94</sup> According to an opinion of the Constitutional Court from 1998, this provision aims to prevent the establishment of monoethnic parties open solely to individuals who bear the same ethnic, racial or religious characteristics. In its May 2020 [Fourth Opinion on Bulgaria](#), the Council of Europe’s Advisory Committee underlined that these restrictions could potentially raise problems of compatibility with the freedoms of assembly, association and expression, guaranteed by the Framework Convention. In June 2021, the Council of Europe Committee of Ministers [stated](#) that issues with the registration of associations persist.

<sup>95</sup> According to the law, campaigning in other languages than Bulgarian is subject to a fine between 200 and 2,000 BGN. The [1995 Council of Europe’s Framework Convention for the Protection of National Minorities](#) stipulates that “the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities”. According to the the Constitutional Judgement 2/1998 international conventions do not have to be implemented if they contradict the Constitution.

<sup>96</sup> An [application](#) by a former DPS chairman is currently pending at the European Court of Human Rights whereby the applicant challenges the restriction of his freedom of speech and the discrimination based on the language during one of the previous campaigns.



communities.<sup>97</sup> As in previous elections, the party nominated numerous candidates representing these minorities. According to various election stakeholders, many other parties and coalitions also fielded some Roma, Turkish and other minorities candidates, generally placed lower on the candidate lists.<sup>98</sup>

Most contestants did not include policies for Roma integration in their electoral platforms. The civil society and Roma representatives stated that campaign activities among Roma communities were organized infrequently. The CEC did not organize voter education targeting specifically the Roma minority, which is not in line with the OSCE commitments.<sup>99</sup> Multiple ODIHR LEOM interlocutors stated that, due to social exclusion and financial marginalization, Roma voters remain subject to pressure and vote-buying. Some political party representatives noted that, due to fear of hostility, Roma candidates on their lists refrain from campaigning in Roma communities if their political affiliation differs from the interest of community leaders. Several ODIHR LEOM interlocutors reported that many Roma were dissuaded from voting due to the lack of a meaningful political information, reluctance to use voting machines due to literacy issues, and some could have also felt intimidated by the robust police efforts to prevent vote-buying. These factors may have contributed to a significantly lower election participation of Roma compared to all other voters.<sup>100</sup>

*The CEC and other relevant authorities should conduct longer-term election-awareness campaigns among Roma communities in order to encourage their meaningful and inclusive political participation. Political parties could consider adopting internal policies for promotion of minority representatives within party leadership and as candidates and include the minority interests in their campaign programmes and activities.*

### **XIII. COMPLAINTS AND APPEALS**

Contestants, political parties and observers may file complaints against administrative acts and decisions as well as alerts against any other violation. Complaints and alerts may be filed with the CEC and DEC; DEC decisions can be appealed to the CEC. The DEC and CEC decisions may be appealed to local administrative courts and to the SAC as the final instance, depending on the nature of the complaint. In line with good electoral practice, the law provides for an expedited procedure for election related complaints, with deadlines varying from three days to one hour on election day. Complaints submitted by persons that cannot substantiate their legal interest into the matter are left without consideration, which may lead to lack of effective remedy. Alerts can be submitted by anyone.

For most election stakeholders, the law does not prescribe the right to file complaints against result protocols at all levels, and contestants and observers can challenge the election results only indirectly,

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<sup>97</sup> According to exit polls by [Gallup International](#) and [Trend](#), Bulgarian Turks represent close to three quarters of the DPS electorate and the party also attracts close to one third of the Roma community vote.

<sup>98</sup> No state or non-governmental organization collects statistical information on participation of minorities as candidates. According to their statements, GERB, ITN, BSP, DPS, Democratic Bulgaria or Rise Up! Thugs Out! have included both Turkish and Roma candidates.

<sup>99</sup> Articles 91-93 of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, adopted by the 2003 [Maastricht Ministerial Council Decision](#) state that participating states should “Facilitate interaction between political leaders at the local and national levels and diverse Roma groups; Organize election-awareness campaigns so as to increase participation of the Roma electorate in elections; Ensure that Roma voters can make free and informed choices in elections”.

<sup>100</sup> Official turnout specifically for the Roma minority is not available. However, based on the turnout data per polling station published by the CEC, the ODIHR LEOM estimates that the turnout in Roma communities was some 10-15 percentage points lower than the national average of 42.19 per cent. The exit polls produced by Gallup International and Trend indicated a similar trend.

contrary to a previous ODIHR and Venice Commission recommendations and the European jurisprudence.<sup>101</sup> The lack of possibility to directly challenge election results limits the access to effective legal redress, contrary to OSCE commitments and other international standards.<sup>102</sup>

*The electoral dispute resolution framework should be reviewed to broaden legal standing to ensure that citizens whose electoral rights are violated are entitled to lodge a complaint. All election stakeholders should have a possibility to directly challenge election results at all levels.*

While the public database maintained by the CEC enhanced the transparency of the complaint resolution process, some alerts were addressed by issuing ‘protocol decisions’, which were accessible only as part of the published minutes of the CEC sessions. The CEC requalified some complaints into alerts and vice-versa, depriving the process of consistency.<sup>103</sup> During the pre-electoral period, the CEC published decisions on 41 complaints, including 23 appeals against DEC decisions, and 75 alerts mostly related to candidate registration, PEC formation, DEC activities and campaign rules violations.<sup>104</sup> The CEC dismissed 17 complaints on the merits and denied admissibility to six on the grounds that the complainants did not have a legal interest or for lack of authorisation to submit the complaint on behalf of the complainant, upheld most DEC decisions, and granted three in favour of the complainant. During the campaign period, the decisions on complaints and appeals were published on the CEC website in a timely manner. However, a significant number of alerts related to the campaign period was published only after the election day.

The Election Code provides for administrative offences and penalties for electoral violations within the competence of the election commissions; sanctions may reach BNG 5,000 upon ascertainment of the breaches. Only one violation was ascertained by the CEC during the campaign and some six violations by media outlets on election day. Five alerts, including for vote-buying, were referred to the Prosecutor General’s Office and the Ministry of Interior.

By election day, the SAC has received and ruled on 15 appeals, 13 of which were against CEC decisions, referring to registration and deregistration of political parties, formation of polling stations abroad and other.<sup>105</sup> Six appeals were either inadmissible due to lack of legal interest of the complainants or late filing, and one was referred to a lower-level administrative court. In the cases

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<sup>101</sup> The Election Code stipulates that within 15 days of the announcement of the election results, the legitimacy of the elections can be challenged to the Constitutional Court by one-fifth of the MPs, the President, the Council of Ministers, the Supreme Court of Cassation, the Supreme Administrative Court, and the Prosecutor General, upon request or on their initiative. In 2017, the Prosecutor General declined to initiate a constitutional petition against the election results based on a political party’s request. In the April 2021 elections, the Plenary of the SAC unanimously decided not to refer to the Constitutional Court the complaints against election results received by VMRO-Bulgarian National Movement, Bulgarian National Union, Bulgarian Union for New Democracy and Bulgarian Socialist Party and some individuals, including two MPs from Sofia and Varna. In 2009, in the case of [Petkov and others v. Bulgaria](#) the ECtHR found that remedies must be accessible for the person concerned. The ECtHR considered that the possibility to challenge results indirectly is ineffective within the meaning of Article 13 of the European Convention on Human Rights. See also Paragraph 79 of the 2017 ODIHR and Venice Commission [Joint Opinion on Amendments to the Election Code](#).

<sup>102</sup> Paragraph 5.10 of the [1990 OSCE Copenhagen Document](#) states “everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity.” Article 8 of the [Universal Declaration of Human Rights](#) states that “everybody has the right to an effective remedy...”

<sup>103</sup> The DPS appealed a DEC Shumen decision on the formation of the PECs in Veliki Preslav to the CEC. The complaint was treated by the CEC as an alert and a decision was issued, which was further appealed with the SAC.

<sup>104</sup> A complaint on misuse of office by government officials was filed by GERB against statements delivered by the provisional government prime minister and two ministers; the complaint claimed breach of election campaign rules for calling voters to vote for particular political parties, was dismissed by the CEC.

<sup>105</sup> In addition, one appeal was referred to a lower court, and another was dismissed as no administrative case was established.

reviewed on merits, the SAC upheld seven CEC decisions and dismissed one.<sup>106</sup> The appeals were considered within the legal deadlines and the decisions were published online in a timely manner.

In total, 1,124 alerts alleging criminal offences, including vote buying, were reported by the Ministry of Interior.<sup>107</sup> According to the Prosecutor General's Office, some 1,245 case-files were opened from the beginning of the campaign.<sup>108</sup> During the campaign period, a lack of co-operation and tense relations between the Prosecutor General's Office and the Ministry of Interior were acknowledged by both institutions.<sup>109</sup> Many ODIHR LEOM interlocutors expressed concerns that cases are not promptly investigated, that only few cases finally reach the courts and expressed a general distrust in the criminal justice system.

#### XIV. CITIZEN AND INTERNATIONAL OBSERVERS

The Election Code provides for observation by citizen and international observers as well as agents and proxies of contestants and grants them access to all stages of the electoral process. Individual candidates on candidate lists may observe the opening of polling stations and the vote count. Following the May 2021 amendments, candidates may also observe the results tabulation at the district level. A CEC decision restricted the right to monitor the voting machine certification process to observers with educational and professional qualifications related to informatics or computer science.

By law, the CEC accepted applications from observers until the day before election day. The process was overall inclusive.<sup>110</sup> Civil society organizations registered as holding objectives related to the protection of political rights could nominate observers; the CEC rejected the application of one organization for not satisfying this requirement. The CEC accredited a total of 1,943 observers from 29 civil society organizations and 102 international observers from 6 organizations.

#### XV. ELECTION DAY

In accordance with the ODIHR standard methodology, the IEOM did not observe election day proceedings in a systematic or comprehensive manner. Mission members visited a limited number of polling stations in 13 of the 31 MMCs and observed the results tabulation in eight of the 31 MMCs.

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<sup>106</sup> The SAC dismissed an appeal of the CEC decision on the formation of polling stations in Turkey filed by Bulgarian Patriots. Another appeal by Democratic Bulgaria on the formation of polling stations in the United Kingdom was dismissed as outdated. The SAC upheld an appeal of the CEC decision filed by There is Such a People and Democratic Bulgaria, and ruled that the CEC had no power to requalify an outdated complaint into an alert. GERB's appeal of the CEC Decision on the methodological guidelines for the PECs on electronic voting was dismissed by the SAC.

<sup>107</sup> As of 16 July, out of 104 investigations initiated, 92 were on vote-buying and 12 on other election-related offences.  
<sup>108</sup> Of these, 1,031 case-files were closed due to lack of data, 88 pre-trial proceedings were initiated, 14 persons were accused, 3 persons under arrest, and 3 acts of indictment and 2 plea bargains were filed with the courts.

<sup>109</sup> Pursuant to the Prosecutor General's Guidelines, an election duty unit is established comprising members coming from the Prosecutor General's Office, the State Agency for National Security and the Ministry of Interior, in order to enhance co-ordination amongst the institutions, provide support to the regional offices and ensure that fact-checking for election-related cases is conducted on an expedited basis, within 48 hours when possible. According to the Prosecutor General's Office, the Ministry of Interior did not include any representatives during these elections.

<sup>110</sup> By law, a person may participate in the elections in only one capacity: as a candidate, a proxy, an observer, or an election official. The CEC refused to accredit 129 citizens as observers for not meeting this requirement.

## A. OPENING, VOTING AND COUNTING

In most of the polling stations visited, the voting was transparent and orderly, with the procedures followed. Polling stations generally opened on time, but some PECs experienced difficulties starting the voting machines, causing delays of up to 30 minutes at the opening. Safety protocols against COVID-19 were in place but not applied consistently. At odds with international standards and OSCE commitments, the setup of polling stations visited, including those designated for wheelchair users, often did not provide independent access due to stairs at the entrance and a lack of ramps.<sup>111</sup> Voting machines and election materials were not adapted for independent use by voters with hearing, vision or cognitive impairments.<sup>112</sup>

*Authorities should undertake measures to facilitate the participation of voters with physical disabilities by ensuring that the premises and layout of polling stations are suitable for independent access. Accessibility features in voting machines for voters with visual and hearing impairments should be made available.*

In general, both paper-based and electronic voting were well implemented. According to the CEC, in 67 in-country polling stations and five abroad (some 0,6 per cent of the total), machine voting was suspended on election day due to various technical problems.<sup>113</sup> These polling stations, in line with the law, reverted to the use of paper ballots.<sup>114</sup> While the secrecy of the vote was in general respected, the voting machines were on several occasions positioned too close to PEC members or in front of reflective surfaces, which may have compromised the secrecy of the vote. A total of 14,816 voters with disabilities or in quarantine due to COVID-19 voted by mobile ballot box.<sup>115</sup> Most polling stations closed on time; PECs determined the results efficiently and quickly, although procedures were rushed and inconsistent in a few polling stations.

Out-of-country voting was administered by CEC and the Ministry of Foreign Affairs, together with civil society organisations of Bulgarians living abroad. The CEC informed that the increased number of out-of-country polling stations created difficulties in the communication between the PECs abroad and the CEC during results management.<sup>116</sup>

On election day, the CEC received 150 complaints and alerts. Alleged irregularities pertained to PEC operations, non-compliance with COVID-19 health measures, electronic voting, campaigning on election day, and publishing opinion polls. The CEC found six websites in violation of the law and ordered the removal of exit-poll results published before closing of the polls. Despite the legal requirement to consider and publish all complaints and alerts before the polling stations close, the

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<sup>111</sup> The law requires some polling stations in each constituency to be accessible for voters with physical disabilities, as determined by the DECs. Some 10 per cent of the polling stations were designated for wheelchair users countrywide.

<sup>112</sup> Article 9 of the 2006 [Convention on the Rights of People with Disabilities](#) stipulates that States take appropriate measures to ensure access to persons with disabilities “on an equal basis with others”, while the article 29 calls on ensuring that “voting procedures, facilities and materials are appropriate, accessible and easy to understand and use”. Paragraph I.2 of the 2017 [CoE Recommendations on E-voting](#) states that the e-voting system shall be designed, as far as is practicable, to enable persons with disabilities and special needs to vote independently.

<sup>113</sup> These included the devices incorrectly reporting that the printer did not contain paper, the machines did not start, the screen blacked out, and isolated issues with the software.

<sup>114</sup> By law, all PECs received a sufficient number of ballot papers as a backup. While the CEC, in a letter sent to DECs on 8 July, specified that PECs need formal approval to revert to paper ballots in case of technical problems, the CEC authorised the DECs on election day to approve such requests.

<sup>115</sup> According to the final results, at 16 mobile PECs more than 100 voters voted and at two additional PECs more than 200 voters voted. Some ODIHR interlocutors noted that certain municipalities might have loosely interpreted the disability requirement for those requesting mobile voting.

<sup>116</sup> Voters abroad voted at 782 polling stations, a 68 per cent increase compared to previous parliamentary elections.

CEC and several DECAs continued the publication after the deadline.<sup>117</sup> On election day, the police received some 294 alerts on election violations.

## **B. TABULATION AND ANNOUNCEMENT OF RESULTS**

The district-level results tabulation was jointly conducted by the DECAs and the Information Services (IS) in a generally well-organised manner.<sup>118</sup> Following the May 2021 amendments, data entry clerks manually entered the voting results if the PEC used paper ballots and downloaded the results from external storage devices if the PEC used a voting machine. Both the machine-generated results data that was uploaded to the results server and the scanned PEC protocols were published on the CEC website promptly after their processing, adding to transparency of the official results. The May 2021 amendments allowed observers to video record counting and tabulation procedures. In a few DECAs, however, ODIHR LEOM observers noted that there were some restrictions on the observation of data entry and processing.

Upon completing the district-level tabulation of results, the CEC and IS conducted a second data entry based on the PEC results protocols and compared this data with the DEC tabulation entry, thus performing a data-entry redundancy check. The CEC published a list of 1,035 inconsistencies identified on 400 PEC protocols shortly before announcing the results. The IS informed the ODIHR LEOM that the discrepancies were mainly caused by the displacement of preferential results during the line-by-line manual data entry but that these mistakes did not affect the seat distribution.

The CEC published the final voter turnout at 42.19 per cent. Some 89 per cent of voters who voted had cast their votes with voting machines. The average turnout at in-country polling stations equipped with electronic voting was 38 per cent, while at those using ballots was 55 per cent. Some ODIHR interlocutors, including several CEC members, attributed this to a possible deterring effect of the voting machines on voters. The overall percentage of invalid votes was 0.34 per cent, a significant decrease compared to previous elections.<sup>119</sup>

A CEC decision of 10 July prescribed that the electronic voting control receipts should be counted and verified at 1,343 polling stations in-country and 39 abroad.<sup>120</sup> The outcome of the verification of slips abroad was made known by the CEC on 19 July and established minor discrepancies at four polling stations.<sup>121</sup> However, the result of the in-country slip verification was not published before

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<sup>117</sup> The CEC published 81 complaints and alerts and eight respective decisions at the end of election day, while the rest were published in the following days. A total of over 100 complaints and alerts were published on the DEC websites, mainly related to electronic voting, assisted voting, campaigning on election day (including online), mobile voting, voter lists, conflict of interest of PEC members or non-compliance with the COVID-19 health measures. The highest number of complaints was filed with the DECAs in Razgrad, MMCs 23, 24 and 25 in Sofia and the DEC in Burgas.

<sup>118</sup> The IS informed the CEC that technical reasons compelled PECs to count the control slips in 111 cases. In 85 cases, the electronically stored data could not be downloaded (reasons included machine not starting, a mismatched system hash, the flash drive not handed over or technical malfunction); in 26 cases the machines did not print out the results protocol.

<sup>119</sup> It is not possible to cast an invalid vote with the voting machines. In the 2021 April parliamentary elections, where voting machines were used parallel with paper ballots, the ratio of invalid votes was 2.6 per cent; in the 2017 parliamentary elections, using paper ballots only, 4.6 per cent.

<sup>120</sup> The selected PECs established the official voting results first, and in a next step manually counted the control receipts produced by voting machines and drew a separate protocol on the count. This protocol was delivered to the CEC for verification purposes through the respective DECAs.

<sup>121</sup> The CEC announced that it received the control receipt verification protocol only from 30 of the selected 39 PECs abroad; four protocols showed a discrepancy of one vote each. The CEC did not disclose the possible reason for these discrepancies.

the announcement of the final results nor within the period stipulated by the law for challenging the election results.

## XVI. POST-ELECTION DAY DEVELOPMENTS

Between election day and the announcement of the final results, four candidates requested the CEC not to be declared as elected MPs. Withdrawal of the candidates is not prohibited by law, at any time prior to election day and even after the elections. As in prior elections, the CEC accepted withdrawal requests if submitted before the final seat allocation. On 14 July, the CEC first adopted, then rejected and finally adopted again the withdrawal request of the GERB chairperson and an ITN candidate, due to CEC members requesting revotes of the commission during heavily politicized discussions. The SAC received four appeals against the two related CEC decisions which were all dismissed as lacking legal interest of the appellants.

The CEC announced the final results and the list of elected members on 14 and 16 July, respectively, and determined that two parties and four coalitions entered the parliament. These are the same parties and coalitions that were represented in the previous legislature elected in April 2021.<sup>122</sup> Women's representation did not significantly change with 59 women MPs elected, or 24.6 per cent, in comparison to 22.9 per cent in the previous composition in the parliament.<sup>123</sup> A total 18 MPs were elected by the preferential vote.<sup>124</sup>

The SAC received three appeals against CEC decisions on the distribution of mandates and the election of candidates. All three were dismissed by the SAC as inadmissible on the basis that ruling on the legality of the election results falls within the competence of the Constitutional Court. Furthermore, one of these appeals included a request to the SAC as an institution that may challenge the election results directly, to submit the complaint to the Constitutional Court on behalf of the complainant.<sup>125</sup> On 29 July, the SAC in its full composition considered all three complaints but decided not to submit any of them to the Constitutional Court.<sup>126</sup>

## XVII. RECOMMENDATIONS

These recommendations as contained throughout the text are offered with a view to further enhance the conduct of elections in Bulgaria and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with past ODIHR recommendations that have not

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<sup>122</sup> ITN received the highest number of mandates (65), followed by GERB (63). BSP and Democratic Bulgaria obtained respectively 36 and 34 seats, DPS 29 and Rise Up! Thugs Out! 13 mandates.

<sup>123</sup> There are 18 women among GERB MPs (28.5 per cent), 17 for ITN (26.1 per cent), 11 for Democratic Bulgaria (32.3 per cent), BSP and Rise Up! Thugs Out! have 5 each (13.9 and 38.4 per cent respectively), and DPS 3 (10.3 per cent).

<sup>124</sup> Out of the 18 MPs elected by the preferential vote 8 were from GERB, 4 from BSP and 6 from Democratic Bulgaria. Women represented 4 of these 18 MPs (3 for Democratic Bulgaria and 1 for BSP).

<sup>125</sup> The complaint was submitted by a candidate of Rise-Up! Thugs Out! The other two complaints were submitted by a candidate of PP Freedom and by a citizen.

<sup>126</sup> This decision was made on the Plenum of the SAC and included in its session protocol, without information on deliberation on the matter.

yet been addressed. ODIHR stands ready to assist the authorities of Bulgaria to further improve the electoral process and to address the recommendations contained in this and previous reports.<sup>127</sup>

#### **A. PRIORITY RECOMMENDATIONS**

1. To ensure a coherent and stable electoral framework, the legislation should be reviewed to bring it further in line with the OSCE commitments, international standards and good practices. This should be done well in advance of the next election period as a result of an inclusive and transparent consultation process.
2. To ensure a consistent application of election procedures, a comprehensive and standardized training should be provided for all PEC members, including on recently adopted measures, such as the use of new voting technologies. To enhance stability of the election administration, the tenure of the PEC members could be better protected against arbitrary replacement during a reasonable time prior to election day.
3. To ensure the accountability of electronic voting, the law should provide clear rules and deadlines to carry out a count of the control receipts produced by voting machines in a statistically significant number of randomly selected polling stations, before the final election results are established.
4. Bulgarian citizens that hold dual citizenship should not be prevented from standing for office.
5. To enhance transparency of campaign finance, consideration could be given to disclosing the sources of donations to the party funds and campaign expenditures prior to election day.
6. The impartiality of the public broadcasters should be strengthened by providing funding, based on a clear and objective criteria.
7. The electoral dispute resolution framework should be reviewed to broaden legal standing to ensure that citizens whose electoral rights are violated are entitled to lodge a complaint. All election stakeholders should have a possibility to directly challenge election results at all levels.

#### **B. OTHER RECOMMENDATIONS**

##### **Electoral System and Legal Framework**

8. The constituency delineation process should guarantee the equality of the vote, be based on clear and objective criteria prescribed by the law and conducted in line with international standards and good practice.

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<sup>127</sup> In paragraph 25 of the [1999 OSCE Istanbul Document](#), OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations”. The follow-up of prior recommendations is assessed by the ODIHR LEOM as follows: recommendation 8 and 33 from the final report for the 2017 parliamentary elections are fully implemented. Recommendations 1, 11, 23 and 27 from the final report on the 2014 parliamentary elections and recommendations 24, 37 and 40 from the final report on 2017 parliamentary elections are mostly implemented. Recommendations 4, 5, 10, 12, 13, 15 and 21 from the 2014 final report and recommendations 12, 15, 17, 25, 27, 28, 29, 38 and 39 from the 2017 final report are partially implemented. See also the [ODIHR Electoral Recommendations Database](#).

### **Election Administration**

9. To ensure the stability and professionalism of the election administration, the Central Election Commission should be granted sufficient administrative and technical capacity.
10. To further increase its transparency and accountability, the Central Election Commission should publish its session minutes and protocol decisions in a timely manner. The practice of muting the broadcast of the Central Election Commission sessions should be limited to specific circumstances based on justified reasons.

### **Voting Technologies**

11. To allow for independent evaluation of the electronic voting system, the election authorities should publish detailed technical documentation or make it accessible for inspection to observers and independent auditors.

### **Voter Registration**

12. The loss of voting rights for prisoners should be proportionate to the crime committed. Restrictions of voting rights for persons with mental disabilities should be removed.
13. To guarantee universal suffrage, the state authorities should implement a strategy for scaling the issue of citizens without a permanent address and conducting a nationwide campaign to issue identification documents to voters belonging to vulnerable groups.
14. In line with the international good practice, the possibility to register at the polling station on election day could be reconsidered.

### **Candidate Registration**

15. Deadlines for party and candidate registration could be adjusted to provide all contestants a clear framework and equal opportunities to rectify their applications.

### **Electoral Campaign**

16. While freedom of expression should be respected, the law enforcement agencies and responsible state institutions should review potential cases of discrimination and intolerant rhetoric during election campaigns and, where appropriate, apply sanctions in a timely manner.

### **Campaign Finance**

17. To ensure effective oversight of campaign finances, the National Audit Office should have the mandate and be equipped with sufficient financial and human resources to pro-actively monitor campaign finance activities of electoral contestants, identify unreported income and expenditure and impose dissuasive sanctions.

### **Media**

18. In order to stimulate the development of media pluralism and diversity, measures to limit media concentration should be considered, including by enforcing existing legislation against media monopolies and dominant market positions.



19. The law-enforcement authorities should ensure that cases on intimidation and harassment of the journalists are swiftly investigated and perpetrators prosecuted.
20. To enhance freedom of expression defamation and libel should be fully decriminalized.
21. In order to fulfill their mandate as public service providers, the law should require the public broadcasters to actively cover the election processes and the campaign in a fair, balanced and impartial manner.
22. In order to provide for an effective system of remedy, the Council for Electronic Media could be vested with the authority to review media related complaints and to respond to the violations identified through internal media monitoring either by imposing fines, that could be appealable to the court or bringing the violations to the court.

### **Participation of Minorities**

23. Citizens belonging to minorities should be allowed to use their mother tongue during the election campaign and promote its use in civil and political affairs. Consideration should also be given to providing voters with information and other election material in minority languages.
24. The Central Election Commission and other relevant authorities should conduct longer-term election-awareness campaigns among Roma communities in order to encourage their meaningful and inclusive political participation. Political parties could consider adopting internal policies for promotion of minority representatives within party leadership and as candidates and include the minority interests in their campaign programmes and activities.

### **Election day**

25. Authorities should undertake measures to facilitate the participation of voters with physical disabilities by ensuring that the premises and layout of polling stations are suitable for independent access. Accessibility features in voting machines for voters with visual and hearing impairments should be made available.

**ANNEX I: FINAL ELECTION RESULTS<sup>128</sup>**

<b>Party/Coalition</b>	<b>Valid votes</b>	<b>Percentage of Votes</b>	<b>Seats</b>	<b>Percentage of Seats</b>
There Is Such A People (ITN)	657,829	24.08	65	27.09
GERB-SDS	642,165	23.51	63	26.25
BSP (Bulgarian Socialist Party) for Bulgaria	365,695	13.39	36	15.00
Democratic Bulgaria – Alliance (Yes, Bulgaria; Democrats for a Strong Bulgaria, Green Movement)	345,331	12.64	34	14.16
Movement for Rights and Freedoms (DPS)	292,514	10.71	29	12.09
Rise Up! Thugs Out!	136,885	5.01	13	5.41
Bulgarian Patriots (VMRO, <i>Volya</i> , NFSB)	85,795	3.14	0	0
Revival	82,147	3.01	0	0
Citizens' Platform Bulgarian Summer (GPBL)	49,833	1.82	0	0
Attack ( <i>Ataka</i> )	12,585	0.46	0	0
Left Union for a Pure and Holy Republic	10,309	0.38	0	0
Republicans for Bulgaria	8,546	0.31	0	0
National Union of the Right	7,872	0.29	0	0
Bulgarian National Unification - New Democracy	4,690	0.17	0	0
People's Voice	4,741	0.17	0	0
Freedom ( <i>Svoboda</i> )	4,304	0.16	0	0
Bulgaria for the Working and the Thinking	3,948	0.14	0	0
Movement Together for Change (Bulgarian Social Democracy – Euroleft, European Security and Integration, Patriotism 2000)	3,445	0.13	0	0
Ethics, Proactiveness and Patriotism ( <i>MIR</i> )	3,427	0.13	0	0
Party of the Greens	3,257	0.12	0	0
Direct Democracy	3,143	0.12	0	0
Brigade	2,187	0.08	0	0
Podem	862	0.03	0	0
<b>TOTAL</b>	<b>2,731,510</b>		<b>240</b>	<b>100</b>

<b>Independent candidates</b>		<b>Percentage of constituency</b>
David Leon Levy (DEC 24)	142	0.01
Against all	35,201	1.27
<b>Total valid votes cast</b>	<b>2,766,853</b>	

<sup>128</sup> Data according to the final results [published by the CEC](#).

Number of voters on the voter lists	6,668,540
Number of voters added to the lists on election day	205,244
Number of voters who voted, according to signatures	2,775,754
Number of ballots found in the ballot boxes and cast through electronic voting	2,775,755
Number of invalid votes	9,342
Number of votes cast through electronic voting	2,477,943
Number of votes found in the ballot boxes	297,812

## ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

### OSCE Parliamentary Assembly

Artur Gerasymov	Special Co-ordinator	Ukraine
Elona Gjebrea Hoxha	Head of Delegation	Albania
Aude Bono-Vandorme		France
Daria Boyarskaya		Russian Federation
Henrike Brandstotter		Austria
Massimiliano Ferrari		Italy
Hubert Fuchs		Austria
Paolo Grimoldi		Italy
Igor Janushev		North Macedonia
Francois Jolivet		France
Tim Knoblaue		Germany
Biljana Ognenovska		North Macedonia
Francesco Pagani		Italy
Mykyta Poturaiev		Ukraine
Halil Snopche		North Macedonia
Anja Stanisavljevic		Serbia
Antonela Veshi		Albania

### Parliamentary Assembly of the Council of Europe

Alfred Heer	Head of Delegation	Switzerland
Richard Barrett		Ireland
Chevamon Chahbazian		France
Damien Cottier		Switzerland
Yunus Emre		Turkey
Daniele Gastl		France
Jean-Pierre Grin		Switzerland
Andrej Konstantin Hunko	Germany	
Michael Janssen		Germany
Yevheniia Kravchuk		Ukraine
Arminas Lydeka		Lithuania
Ulrich Oehme		Germany
Aleksander Pocij		Poland
Catia Polidori		Italy
Jacek Protasiewicz		Poland
Andrezj Szejna		Poland

### Long-Term Observers

#### ODIHR LEOM Core Team

Tana de Zulueta	Head of Mission	Italy
Kyle Bowers		United States
Jane Kareski		North Macedonia

Ivana Krstić	Serbia
Valeriu Miju	Moldova
Marcell Nagy	Hungary
Goran Petrov	North Macedonia
Eirini Skozou	Greece
Gabriela Skulová	Czech Republic
Chris Taylor	United Kingdom
Egor Tilpunov	Ukraine
Yauheniya Veshtart	Belarus
Jan Villemson	Estonia

### **ODIHR LEOM Long-term Observers**

Katerina Kramesova	Czech Republic
Ngoc Pham	Czech Republic
Rodolphe Oberle	France
Benedicte Williams	France
Susanne Neymeyer	Germany
Matthias Paul Zeller	Germany
Anna Erdős-Zeichner	Hungary
Nurul Rakhimbekov	Kazakhstan
Ilgiz Kambarov	Kyrgyzstan
Maximo Juan Prades Barcelo	Sweden
Astrid Nunez	Sweden
Maja Barbara Huerlimann	Switzerland
Annina Schneider	Switzerland
Joan Brown	United States

## ABOUT ODIHR

The Office for Democratic Institutions and Human Rights (ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas, including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance and non-discrimination**, ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website ([www.osce.org/odihr](http://www.osce.org/odihr)).