



Office for Democratic Institutions and Human Rights

# REPUBLIC OF BULGARIA

## EARLY PARLIAMENTARY ELECTIONS

2 October 2022

ODIHR Election Observation Mission

Final Report



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**REPUBLIC OF BULGARIA**  
**EARLY PARLIAMENTARY ELECTIONS**  
**2 October 2022**

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

**I. EXECUTIVE SUMMARY**

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) deployed an Election Observation Mission (EOM) for the 2 October 2022 early parliamentary elections. For election day, the ODIHR EOM was joined by delegation of the Parliamentary Assembly of the Council of Europe to form an International Election Observation Mission (IEOM). The electoral process was assessed for compliance with OSCE commitments, other international standards for democratic elections, and with national legislation.

The Statement of Preliminary Findings and Conclusions issued on 3 October 2022 concluded that: “The 2 October early parliamentary elections were competitive and fundamental freedoms were generally respected. Allegations of vote-buying and pressure on voters, and concerns over misuse of administrative resources negatively affected parts of the process. Despite late preparations, and limited technical and administrative capacity of election administration, elections were conducted adequately. The accuracy of voter lists was diminished by the exclusion of undocumented residents, Roma in particular. Transparency of campaign finance was reduced by limited reporting and oversight. Contestants received substantial exposure in the mainstream media but inadequate journalistic scrutiny of their policies and records in office limited voters’ access to comprehensive information. The underrepresentation of women as candidates and in the campaign remains of concern. Polling proceeded smoothly and procedures were generally followed by election commissions, however, important steps were often omitted during the counting process, underlining the need for further training of election commissions’ members.”

These elections were held under the same legal framework as the last two early parliamentary elections in November and July 2021. Most recent substantive changes to the Election Code were introduced in May 2021. The legal framework provides an overall adequate basis for the conduct of democratic elections. However, it contains some provisions that are inconsistent with international standards, and related longstanding recommendations by ODIHR remain unaddressed, including with regard to the blanket disenfranchisement of prisoners and persons under guardianship, the lack of measures to promote the participation of women and persons belonging to national minorities, and limited redress against election results. Shortcomings in the implementation of the law adversely affected several aspects of the electoral process, including election administration, campaign, and media coverage of the elections.

These elections were administered by the Central Election Commission (CEC), as well as district and precinct election commissions. Members of all election commissions are appointed upon nominations by parliamentary political parties and coalitions. The CEC had limited administrative and technical capacities, which left it short of exercising full control over the election process and often lacking information, such as in relation to the implementation of the machine voting, candidate registration and processing of results. The CEC held regular sessions, open to observers and live-streamed online, which contributed to transparency. However, substantive discussions were often streamed without sound or

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

held during closed working meetings. The election administration managed the preparations adequately and complied with most legal deadlines, although some activities and decisions of the CEC came relatively late in the process, especially in relation to the preparation of the voting machines. Women were well-represented in election commissions, including in leadership positions.

The Election Code requires the use of touchscreen voting machines in all polling stations with at least 300 registered voters, in the country and abroad. Overall, machine voting was well implemented and increased the efficiency and reliability of the vote count. However, despite steps taken since the last elections, the CEC's capacities to independently manage machine voting remained limited, and the previous vendor, *Ciela Norma*, was contracted for the implementation. The required certification of the voting machines was undertaken transparently, albeit with a delay, and the CEC carried out an extensive voter information campaign. Unlike with machine voting, little public information concerning the results management system was provided, and no independent certification of the system took place, contrary to international good practice.

Citizens over the age of 18 have the right to vote. Voter lists are compiled by the municipal administrations prior to each election, based on data extracted from the population register. The preliminary voter lists were made available for public scrutiny online as well as in hard copies at polling stations. However, only total numbers of voters registered per polling station were published at the national level, which limited opportunities for verification. Certain categories of voters could be added to the list on election day, but they remained included in the voter lists of their permanent registration, without sufficient safeguards against multiple voting. While most ODIHR EOM interlocutors expressed confidence in the accuracy of the voter lists, some voiced concerns that the lists contain outdated and multiple records, and their accuracy was diminished by the exclusion of undocumented residents, Roma in particular.

Citizens of at least 21 years of age and eligible to vote have the right to stand as candidates. To support their candidacies, political parties, coalitions and independent candidates had to submit supporting signatures from voters and make an electoral deposit. Party and candidate registration process was generally inclusive, although restrictions remain on candidacy by dual citizens and on voters signing in support of more than one candidate, previously criticized by ODIHR. The elections were contested by 5,333 candidates, on 867 registered candidate lists, including two independent candidates. Some 30 per cent of candidates were women, and 208 of them (24 per cent) led the candidate lists.

The campaign was competitive, with a wide range of contestants representing different views, and fundamental freedoms of assembly and expression were largely respected. The main topics centered around energy policies, inflation, growing socio-economic concerns, corruption, and the war in Ukraine and its security implications for Bulgaria. The legal framework does not address campaigning by high-level public officials who are not candidates, and their involvement in the campaign raised concerns over the use of public offices for partisan advantage and led to complaints. Cases of pressure on public and private sector employees in economically vulnerable communities raised concerns about the ability of these voters to cast their vote free of fear of retribution, at odds with OSCE commitments and international standards. The law does not contain any special measures to promote participation of women and persons belonging to national minorities, and related issues rarely featured in the campaign.

Election campaigns may be financed by the contestants' own funds, including from public subsidies, as well as monetary and in-kind donations from private individuals. There are no limits on campaign donations, while expenditures are capped at BGN 3 million for parties and coalitions and BGN 200,000 for independent candidates. Contestants are required to report donations during the campaign and provide information on the contracts concluded with media and public relations agencies. Media service providers had to publish contracts with contestants online. These disclosure obligations contributed to

transparency of campaign finance. However, advertising on online platforms does not have to be disclosed. The National Audit Office does not have the mandate and resources to investigate unreported transactions and sources of campaign funding. Overall, transparency and accountability of campaign finance were adversely affected by the legislative shortcomings and limited oversight.

The media landscape is vibrant, with television and internet-based outlets being the prime sources of news, followed by social networks. National laws are aligned with key international standards for protection of media freedom, however, in practice, concentration of media ownership reduces pluralism while precedents of protracted litigation against investigative media prompt self-censorship. While numerous debates introduced more than 200 candidates to voters, no prime-ministerial debate took place in media. Overall, parties received plenty of promotional exposure, yet there was little journalistic scrutiny of their candidates or policies. Investigative media upheld a pluralistic, issue-based debate, despite bogus websites spreading manipulative information about the credibility of traditional media, socio-economic situation, and some electoral contestants.

The Constitution guarantees the right of self-identification but does not refer to national minorities, and there are no legal provisions fostering the participation of minorities in elections. According to various election stakeholders, several parties and coalitions fielded Roma and other minority candidates, generally placed lower on candidate lists, and mostly men; issues related to minorities rarely featured in the campaign and most political parties did not include policies for persons belonging to minorities or for Roma integration in their electoral platforms.

Contestants, political parties and observers may file complaints against administrative acts or decisions and alerts on any other violation. While complaints are admissible only if the complainant has a legal interest, alerts can be submitted by anyone. The online registers of complaints and appeals maintained by the CEC and district election commissions (DECs) and the public sessions held enhanced the transparency of the dispute resolution process. Before election day, the CEC decided on 17 complaints and the Supreme Administrative Court reviewed 21 appeals, mostly related to CEC decisions on DEC formation, within the established deadlines. Contestants cannot challenge election results directly, contrary to international standards.

Election day was generally calm and polling proceeded smoothly in the polling stations observed by the IEOM. The voting process was orderly and assessed positively in the overwhelming majority of polling stations observed. Machine voting functioned well, with few technical issues reported during the day. The counting process was mostly well-organized but important steps were often omitted and many precinct commissions had difficulties with filling results protocols, often attributed to inadequate training of their members. Tabulation of results was efficient in all DECs observed. The CEC started posting initial voting results some three hours after the closing of the polls, contributing to transparency of the process.

Final results and distribution of mandates were published on 5 October and elected candidates were officially announced on 7 October. Compiled results disaggregated by the PEC were not published by the CEC in any easily accessible format facilitating analysis, thus detracting from transparency. Six previously represented political parties and one new party gained parliamentary representation. All contestants accepted the outcome of the elections. A number of prospective MPs withdrew after the announcement of results, in a process not clearly regulated by law.

This report offers a number of recommendations to further align elections in Bulgaria with OSCE commitments and other international obligations and standards for democratic elections. Priority recommendations relate to providing the CEC with the requisite resources to fulfil its mandate, improving voter registration, addressing instances of intimidation and coercion of voters, introducing

measures to promote women's representation, decriminalizing defamation and addressing misuse of civil litigation against media, broadening the legal standing to lodge complaints and appeals, and improving transparency of the tabulation process. ODIHR stands ready to assist the authorities to improve the electoral process and to address the recommendations contained in this and previous reports.

## II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the Bulgarian authorities to observe the 2 October 2022 early parliamentary elections, and in accordance with its mandate, ODIHR deployed an Election Observation Mission (EOM) on 29 August. The EOM, headed by Nina Suomalainen, included 11 experts based in Sofia and 12 long-term observers who were deployed throughout the country from 7 September. The Mission remained in Bulgaria until 12 October to follow post-election developments.

For election day, the ODIHR EOM was joined by the delegation of the Parliamentary Assembly of the Council of Europe (PACE) to form an International Election Observation Mission (IEOM). Alfred Heer (Switzerland) headed the PACE delegation. Both institutions involved in the IEOM have endorsed the 2005 Declaration of Principles for International Election Observation. On election day, 177 observers from 31 countries were deployed, including 154 long-term and short-term observers deployed by ODIHR and a 23-member delegation from the PACE. Opening was observed in 69 polling stations and voting was observed in 652 polling stations across the country. Counting was observed in 61 polling stations, and the tabulation of votes in 27 DECes.

The ODIHR EOM assessed the compliance with OSCE commitments, other international obligations and standards for democratic elections, and with national legislation. This Final Report follows the Statement of Preliminary Findings and Conclusions, which was released at a press conference in Sofia on 3 October.<sup>2</sup>

The ODIHR EOM wishes to thank the Ministry of Foreign Affairs for the invitation to observe the elections and to the Central Election Commission for its assistance. The ODIHR EOM also expresses its appreciation to other institutions, candidates, political parties, media, civil society organizations, and the resident international community for their co-operation and for sharing their views.

## III. BACKGROUND

On 2 August, following the no-confidence vote in parliament and three returned mandates to form a new government, in line with the Constitution, President Rumen Radev dissolved the parliament, appointed a provisional government, and set early parliamentary elections for 2 October. These elections took place amid widespread disillusionment with the political establishment and voter fatigue from three consecutive parliamentary elections since April 2021. The pre-election environment was characterized by a fragmented political landscape, growing socio-economic concerns, and polarized discourse around the energy policies and the war caused by the Russian Federation's invasion of Ukraine. For nine of the 17 months preceding the elections, Bulgaria has been governed by appointed provisional governments.

Following the November 2021 early parliamentary elections, seven political parties and coalitions gained representation: a new coalition We Continue the Change (PP), founded some two months before the November 2021 elections by two ministers of the May 2021 provisional government; coalition of

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<sup>2</sup> See also previous ODIHR election [reports](#) on Bulgaria.

Citizens for the European Development of Bulgaria and Union of Democratic Forces (GERB-SDS), Movement for Rights and Freedoms (DPS), BSP for Bulgaria (BSP), There is Such a People (ITN), Democratic Bulgaria (DB), and *Vazrazhdane* (Revival).<sup>3</sup> After obtaining the highest number of seats, PP formed a government led by Prime Minister Kiril Petkov with the BSP, ITN, and DB. Subsequently, tensions emerged within the governing coalition, most notably related to sending arms to Ukraine and appointments of high-level public officials.

Women are generally underrepresented in elected and appointed offices. In the outgoing parliament after the November 2021 elections, 57 out of 240 MPs (23.8 per cent) were women. Only three out of 21 ministers of the August 2022 provisional government were women. Following 2 October elections, representation of women did not substantially increase, with 58 women elected. Positively, women were well-represented among the election administration members, including in leadership positions and at the level of Central Election Commission (CEC).

#### IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

Bulgaria is party to major international and regional instruments related to the holding of democratic elections.<sup>4</sup> Parliamentary elections are primarily regulated by the 1991 Constitution, the 2014 Election Code and the 2005 Political Parties Act, supplemented by provisions of other relevant acts and by decisions of the CEC.<sup>5</sup> These elections were held under the same legal framework as the last two early parliamentary elections. The Election Code has undergone numerous amendments since its adoption, with most recent substantive changes introduced in May 2021, including the reduced size of the CEC (from 20 to 15 members), mandatory machine voting for polling stations with at least 300 voters, adjustments to voting, counting and tabulation procedures, and removal of the limit on the number of polling stations abroad.<sup>6</sup> Several amendments, notably related to the establishment of a new out-of-country voting constituency and the powers of the CEC, were due to take effect after the official announcement of the results of the 2021 census.<sup>7</sup>

The legal framework provides an overall adequate basis for the conduct of democratic elections. However, it contains provisions pertaining to key aspects of the electoral process that are inconsistent with a number of international standards, and related longstanding recommendations by ODIHR and the Council of Europe's Commission for Democracy through Law (Venice Commission) remain to be addressed. These refer to the blanket disenfranchisement of prisoners and persons under guardianship, restrictions on the right to stand for those holding a dual citizenship, prohibition on campaigning in a language other than Bulgarian, the lack of measures to promote the participation of women and

<sup>3</sup> PP obtained 67 seats, followed by GERB-SDS with 59, and DPS with 34 mandates, BSP obtained 26 seats, while ITN, DB and Revival received 25, 16 and 13 mandates, respectively.

<sup>4</sup> Including the [1966 International Covenant on Civil and Political Rights](#), the [1979 Convention on the Elimination of All Forms of Discrimination Against Women](#), the [1965 International Convention on the Elimination of All Forms of Racial Discrimination](#), the [2003 Convention against Corruption](#), the [2006 Convention on the Rights of Persons with Disabilities](#), and the [1950 European Convention on Human Rights](#).

<sup>5</sup> Provisions of the 1990 Assemblies, Rallies and Manifestations Act, the 1969 Administrative Violations and Penalties Act, the 2006 Code of Administrative Procedure, the 1968 Criminal Code are also applicable.

<sup>6</sup> In 2022, BSP, GERB and Revival proposed a number of amendments, including reverting to mixed system of paper ballot or machine voting, video surveillance during the counting of votes, obligatory counting of the control receipts printed by voting machines, and changes to the composition of election administration. However, no legislative proposals reached the parliament.

<sup>7</sup> The census scheduled to take place in early 2021 was postponed due to the COVID-19 and held between 7 September and 10 October 2021. The National Statistics Institute began publishing final census data from 3 October 2022.

minorities, and limited redress against election results.<sup>8</sup> Furthermore, the legislation contains inconsistencies and ambiguous provisions, and shortcomings in its implementation adversely affected several aspects of the electoral process, including election administration, campaign, and media coverage of the elections.<sup>9</sup>

*The Election Code should be reviewed to remove inconsistencies and address the shortcomings identified in this and previous ODIHR reports. Amendments to electoral legislation should be developed through an inclusive and consultative process well in advance of the next elections.*

The 240 members of the National Assembly are elected for four-year terms, under a proportional representation system in 31 multi-member constituencies (MMCs).<sup>10</sup> Twenty six MMCs correspond to the administrative districts and the remaining MMCs in Sofia (three) and Plovdiv (two)<sup>11</sup> are to be delineated by the president of Bulgaria before each parliamentary elections, however, without any legally established criteria.<sup>12</sup> The number of mandates in each MMC is based on the last census, but must comprise at least four mandates. The seat allocation for these elections remained unchanged and was based on the results of the 2011 census, as the 2021 census final data had not been published prior to election day. While delineation of constituencies and seat allocation did not have a negative impact on the equality of the vote in these elections, delineation of constituencies and seat allocation close to elections is at odds with international good practice.<sup>13</sup>

*The constituency delineation process should be undertaken well before the next election, be based on clear and objective criteria prescribed by law, and uphold equal suffrage in the distribution of seats among the constituencies.*

Parties and coalitions are eligible for seat allocation if they obtain at least four per cent of the valid votes cast nationwide, while independent candidates must surpass the constituency quota.<sup>14</sup> The candidates are elected from open lists with a single preference option; where no preference is indicated, the vote goes to the list carrier.<sup>15</sup>

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<sup>8</sup> See [2017 ODIHR and Venice Commission Joint Opinion on Amendments to the Election Code](#).

<sup>9</sup> For example, the Election Code prohibits the use of campaign materials “contrary to good morals”, without defining the term; does not adequately address misuse of office during the campaign; contains inconsistencies with deadlines on deciding complaints. In its annual [report](#) of 2 June 2022, the CEC underlined inconsistencies within the Election Code and with other legislative acts, as well as unregulated aspects of machine voting.

<sup>10</sup> The May 2021 amendments foresaw the replacement of the proportional representation system with a different electoral system after the July 2021 elections, however, without specifying the system to be used. In July 2021, the Constitutional Court declared this provision unconstitutional due to its lack of clarity.

<sup>11</sup> Article 249 of the Election Code provides for a 32<sup>nd</sup> constituency for out-of-country voting to be established after the announcement of the 2021 census results.

<sup>12</sup> By law the names, boundaries and numbering of the constituencies are determined by the president not later than 56 days before election day. The delineation of constituencies for these elections was determined by presidential decree of 5 August 2022. Guideline 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>13</sup> Paragraph II.2.b of the Code of Good Practice states that “the fundamental elements of electoral law, in particular [...] the drawing of constituency boundaries, should not be open to amendment less than one year before an election”.

<sup>14</sup> The quota is defined as the number of valid votes cast divided by the number of seats in a given MMC.

<sup>15</sup> To get a preferential seat, a candidate must receive at least seven per cent of the party list votes in an MMC.



## V. ELECTION ADMINISTRATION

The elections were administered by the CEC, 31 district election commissions (DECs), and 12,932 precinct election commissions (PECs).<sup>16</sup> Members of all election commissions, including for leadership positions, are appointed upon nominations by political entities, in proportion to their representation in the parliament. Women were well-represented among the commission members, including in leadership positions.<sup>17</sup>

Overall, the election administration managed the administrative and technical aspects of the electoral preparations adequately and complied with most legal deadlines, despite the compressed timeframe. However, some activities and decisions came late, especially in relation to the preparation of the voting machines, adversely affecting the process.<sup>18</sup> Trust in the election administration among political parties and civil society representatives was uneven, with many of them expressing concerns over the limited capacity of the CEC to duly supervise the implementation of the election preparations.

The CEC is a permanent body composed of 15 members appointed for a five-year term, with its current composition established in May 2021.<sup>19</sup> The CEC is mandated to oversee electoral preparations and implement them jointly with the government, local authorities and other actors.<sup>20</sup> However, the CEC had limited administrative and technical capacities, which affected its ability to fulfil its mandate. The current decentralized arrangement leaves the CEC short of exercising full control over the election process and often lacking information.

*To fulfil its mandate and ensure independence and efficiency, the Central Election Commission should be provided with the requisite resources corresponding to its legal and operational responsibilities.*

The CEC held regular sessions, open to observers and live-streamed online, with recordings also made publicly available. For substantive discussions, the sound of livestream was often muted without prior announcement of the reason, or such discussions were held during non-public meetings, which limited access to information of public interest and diminished transparency.<sup>21</sup>

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<sup>16</sup> These included 292 PECs for mobile voting, 121 PECs for special polling stations in hospitals and social institutions, and in 15 pre-trial detention centres, and 755 PECs for out-of-country polling stations.

<sup>17</sup> Eight out of 15 CEC members are women, including chairperson, one deputy chairperson and secretary. A total of 250 of the 439 DEC members were women, out of which 14 chaired the DECs. Women comprised some 70 per cent of the PEC members in the polling stations visited by the IEOM observers on election day. The CEC did not publish any gender-disaggregated data on the commission membership.

<sup>18</sup> The voting machines were delivered to the Ministry of E-Government by the CEC for certification with a delay and incorrect documentation. Installation of the final software version on voting machines for the in-country polling stations started less than a week before election day, without sufficient time for testing. Guidelines for election personnel were adopted only some two weeks prior to election day, allowing little time for the training. The contract for results data processing was concluded only three days before elections.

<sup>19</sup> The CEC composition reflects the political representation after the April 2021 parliamentary elections; prior to these elections, two political parties voiced dissatisfaction over their lack of representation in the CEC.

<sup>20</sup> Local authorities provided administrative and technical support for DECs and PECs and arranged for the compilation of the voter lists; Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development (GRAO) verified the signatures and partly the eligibility of individual candidates; state-owned company “Information Services” partly verified the eligibility of candidates, processed the results tabulation, and provided the CEC with other technical and IT support; *Ciela Norma*, a private company, implemented machine voting.

<sup>21</sup> Such discussions were also related to complaints as well as machine voting issues. The CEC Rules of Procedure allow for partially closed sessions only for data protection and require public announcement of the reasons. ODIHR EOM was able to observe CEC sessions in person.

The DEC and PECs are appointed for each election by the respective upper-level commissions, following consultations among the nominating parties and coalitions on their composition within the constituency or municipality.<sup>22</sup> All DEC and most PECs were appointed within the legal deadlines.<sup>23</sup> While the law sets a deadline for the replacement of PEC members abroad, nominating parties and coalitions are permitted to substitute their PEC members for in-country polling stations at any time before and on election day, contrary to prior ODIHR recommendations.<sup>24</sup> A significant number of PEC members resigned or were replaced shortly before election day, which diminished the value and impact of the training provided.<sup>25</sup> DEC and PECs were supplied with appropriate resources and logistical support from the local authorities.

*To enhance stability and performance of the election administration, replacement of precinct election commission members should not be permitted after a reasonable deadline prior to election day.*

While the law mandates the DEC to train the lower-level commissioners, DEC members did not receive any standardized training and had only brief informational sessions with the CEC late in the process.<sup>26</sup> The training programme for PEC members started one week before election day with in-person and online sessions, complemented by online training on the operation of voting devices delivered by *Ciela Norma*, the machine voting service provider. Most training sessions observed by the ODIHR EOM were well-organized, interactive, and informative, encompassing essential aspects of election day, including filling of the results protocols. However, in some instances, voting machines were not available for participants to practice their operation and little training time was devoted to the paper-based election procedures.

*To ensure consistent application of election procedures, the CEC should arrange timely, comprehensive and standardized training for all DEC and PEC members.*

Voter information campaign was extensive, carried out mostly in broadcast media and online, with sign language interpretation, enhancing access for people with hearing impairments. The CEC campaign primarily focused on the use of voting machines, in addition to the demonstration campaign carried out by regional and municipal administrations across the country. Other issues included the out-of-country

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<sup>22</sup> DEC have either 13 or 17 members, depending on the number of parliamentary mandates in the constituency; PECs have 5 to 9 members, depending on the number of registered voters. DEC were appointed by 12 August. Appointment deadlines for PECs vary according to the type of the polling station, with most PECs appointed by 6 September.

<sup>23</sup> Consensus among local political representatives on the commission composition was not reached for 26 of the 31 DEC and a number of PECs in 11 constituencies. The respective commissions were therefore appointed directly by the upper-level election administration bodies. Thirteen CEC decisions on DEC appointment were appealed by the political party PP, asserting that the distribution of the leadership positions had not respected the required ratio. All appeals were dismissed by the Supreme Administrative Court.

<sup>24</sup> For out-of-country PECs, the entitled parties and coalitions nominated only 1,838 from some 4,200 PEC members; the remaining members were appointed by the Ministry of Foreign Affairs from among its employees and, with the assistance of diaspora associations and Bulgarian citizens residing in the respective countries.

<sup>25</sup> For example, within the last three days before election day, as many as 25.7 per cent of PEC members were replaced in Sofia's district No. 24 and 20.6 per cent in Sofia's district No. 25, with further replacements on election day. Most DEC contacted by the ODIHR EOM could not explain the reasons; while some attributed such last-minute replacements to PEC members being nominated by multiple political parties or to multiple precinct commissions as a result of difficulties in finding sufficient numbers of nominees. See Guideline II.3.1.f and para 77 of the Explanatory Report of the [Code of Good Practice](#), recommending that "bodies that appoint members to electoral commissions should not be free to recall them, as it casts doubt on their independence".

<sup>26</sup> Paragraph 84 of the [Code of Good Practice](#) (Explanatory Report) states that "members of electoral commissions have to receive standardized training at all levels of the election administration. Such training should also be made available to the members of commissions appointed by political parties".

voting, voter registration options, and accessibility of polls for voters with disabilities.<sup>27</sup> Voter education materials were available only in Bulgarian, missing the opportunity to make information more accessible to voters belonging to minorities.

While by law several polling stations within each constituency should be accessible for voters with visual impairments and reduced mobility, some ODIHR EOM interlocutors pointed to the longstanding difficulties with physical access, limited number of these polling stations and insufficient information about the locations. Most voter education and election material, including ballot papers and voting machines, were not adapted for voters with visual or cognitive impairments, at odds with international standards and good practice.<sup>28</sup> While the law requires the system for machine voting to ensure easy and understandable access, the voting machines were not equipped with accessibility functions to enable voters with certain disabilities to vote secretly and independently.<sup>29</sup>

*Relevant state and local authorities should undertake further measures to ensure independent access of persons with various disabilities to the entire election process.*

## VI. VOTING TECHNOLOGIES

The Election Code requires the use of touchscreen voting machines in all polling stations with at least 300 registered voters, in country and abroad.<sup>30</sup> Many ODIHR EOM interlocutors expressed trust in the machine voting system, as an effective measure to increase accuracy of the vote count, and reduce invalid votes as well as opportunities for malfeasance. Yet some were concerned about potential vulnerability of the system and insufficient institutional control. Overall, machine voting was well implemented and increased the efficiency of the vote count. At the same time, the legal framework remained primarily tailored to the paper-based voting, especially in terms of the deadlines and election-day procedures, which hindered effective and timely election preparations.<sup>31</sup>

The CEC is mandated by law to supervise machine voting arrangements. Although after the last elections the CEC took steps to gain the full ownership over the machine voting process, its administrative and technical capacities to independently manage it remained

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<sup>27</sup> The CEC did not use free voter information products offered by Facebook parent company Meta, but the latter proactively informed Bulgarian citizens of the elections on its platforms, directing them to the CEC website.

<sup>28</sup> See Articles 9 and 29 of the 2006 [UN Convention of the Rights of Persons with Disabilities](#) (CRPD). Paragraph I.2 of the 2017 Council of Europe [Recommendation on standards for e-voting](#) stipulates 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>29</sup> One week before election day, the Ombudsperson sent a letter to the CEC with recommendations to facilitate accessibility for voters with disabilities, including when using voting machines. The CEC acknowledged the obstacles faced by these voters and agreed to look into potential adjustments for the future elections.

<sup>30</sup> The voting machines were planned to be used in 9,371 polling stations in the country and 289 polling stations abroad. In 1,105 polling stations in the country and 233 polling stations abroad, two voting machines were available. Paper ballots were in use only in polling stations with fewer than 300 registered voters, in special polling stations and in case of machine malfunction.

<sup>31</sup> For example, within the time following candidate registration (up until 27 calendar days prior to election day) and compilation of the final candidate lists for the ballot, the election administration must ensure parametrization, installation and testing of the voting software and voting machines. However, the Election Code also envisages 20 working days within this period for the certification of the voting machines, which should be performed on the devices with the final software installed and prior to distribution of the devices to the polling stations, including abroad, the latter requiring even longer delivery time due to customs procedures.

limited.<sup>32</sup> The CEC used the voting machines purchased for previous elections and the previous vendor, *Ciela Norma*, was contracted to provide the software, IT support, logistics and training for the election personnel. In this respect, several ODIHR EOM interlocutors voiced concerns over the CEC's insufficient capacity to control the organization of machine voting, as required by law and international good practice.<sup>33</sup> In September, the CEC decided to establish a specialized unit for voting technologies for the future elections.

Due to late preparation and delivery of the voting machines and documentation by the CEC, the certification process for six randomly selected voting machines, performed jointly by the Ministry of E-Government (MEG), the Institute of Standardization, and the Institute of Metrology, started only some two weeks before election day. This process was carried out in accordance with the updated methodology adopted one month prior to the elections, following consultations with experts, representatives of political parties, and civil society organizations. To enhance transparency and public scrutiny of the process, the MEG broadcast several phases of the process online, mainly targeted to the expert audience. The final certification report, establishing full compliance of the devices with the required technical specifications, was published on 29 September, allowing little time for the assessment of its findings prior to election day.

While the law allows all party representatives, domestic observers and experts from the Academy of Sciences access the certification process, including the trusted software build, the CEC set additional professional and educational requirements for access.<sup>34</sup> For the first time, the MEG arranged the opportunity for registered party representatives and observers to review the source code of the voting machine software, as required by law; however, only four days before election day. Only one of the registered party representatives used this opportunity.

As part of the CEC's awareness campaign to strengthen public confidence in the voting technologies, some 400 voting machines with a demo version of the software were dispatched to the regional and municipal administrations, to allow voters to familiarize themselves with this voting method. Additional machines were also provided to the election contestants for the same purpose. These increased voter education efforts were positively assessed by the ODIHR EOM, although some interlocutors expressed reservations about the potential dissuasive effect of voting machines on those who distrust the technology.<sup>35</sup>

The law stipulates that the results counted by the voting machines are official but does not provide a mechanism to verify the accuracy of the vote count. The CEC instructed all PECs to conduct a control manual count of receipts printed by the voting machines. Records of the count were uploaded on the CEC website. However, neither the law nor any CEC regulation address possible instances of

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<sup>32</sup> In early 2022, the CEC contracted external experts to participate in the transfer of knowledge from the producer of the voting machines, *Smartmatic*, to the CEC. The expert group provided the CEC with reports, and an action plan was developed. However, due to the lack of internal technical capacities and personnel with the required expertise within the CEC secretariat, the process has not resulted in an effective transfer of knowledge.

<sup>33</sup> Paragraph 29 of the 2017 [Council of Europe Recommendation on standards for 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”. Its [Explanatory Memorandum](#) adds that statutory duties of the body responsible for the conduct of elections should never be outsourced.

<sup>34</sup> In order to be registered, such representatives must have a degree in information and communication technology and at least three years of experience in the field. Three party representatives from PP, GERB-SDS, and DB registered for participation.

<sup>35</sup> The effect of machine voting on different age groups could be better ascertained by the age-disaggregated turnout data, which are not available.

discrepancies between the machine and manual count, despite prior ODIHR recommendations and at odds with international good practice.<sup>36</sup>

As specified by law, processing of voting results was assigned to the state company “Information Services” (IS).<sup>37</sup> Two weeks prior to election day, a brief demonstration of functionalities of the results management system was conducted at the CEC, in the presence of several party representatives. However, the process of results management lacked transparency. Little public information concerning the results management system was provided, nor does the law foresee an independent verification and certification of the system, contrary to international good practice.<sup>38</sup> Protracted negotiations resulted in late signing of the contract between the CEC and the IS some three days before election day. Within the CEC, concerns were raised over its limited possibilities to examine the tabulation software and the processed results data.

*To further strengthen confidence in the use of election technologies, an independent verification of the voting and the results management systems should be considered. The authorities should document all modifications and tests performed in conformity with the established rules and procedures, and make all relevant information publicly available.*

## VII. VOTER REGISTRATION

Citizens over the age of 18 have the right to vote. Contrary to international standards and previous ODIHR and Venice Commission recommendations, the law retains excessive restrictions on suffrage rights for those deprived of legal capacity by a final court decision, including on the basis of intellectual or psychosocial disability, or serving a prison sentence, irrespective of the gravity of the crime.<sup>39</sup> The Constitutional Court pointed to the need to amend the Constitution in order to achieve compliance with international obligations.<sup>40</sup>

*Restrictions on voting rights on the basis of intellectual or psychosocial disability, as well as blanket disenfranchisement of prisoners should be removed.*

The voter registration system is passive and decentralized. All eligible voters with a permanent address in Bulgaria are automatically included in the voter list of the respective precinct. Voter lists are compiled by the municipal administrations prior to each election, based on data extracted from the population register maintained by the Directorate General of Civil Registration and Administrative Services (GRAO) of the Ministry of Regional Development and Public Works. Only total numbers of voters

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<sup>36</sup> The Council of Europe [Guidelines on the implementation of Recommendation CM/Rec\(2017\)5 on standards for e-voting](#) advise for the national regulations to provide “what to do in case of discrepancies between electronic results and those produced by the second medium” and to conduct “a mandatory count of votes in the second medium in a statistically significant number of randomly selected polling stations”.

<sup>37</sup> This process included data entry, adjusting and scanning the results protocols, downloading results data from USB drives, correcting any errors, as well as managing publication of the results.

<sup>38</sup> See paragraphs 4, 7 and 8 of the 2022 Council of Europe [Guidelines on the use of information and communication technology \(ICT\) in the electoral processes](#) which require transparency and evaluation of the ICT systems.

<sup>39</sup> See Articles 12 and 29 of the [CRPD](#). See also European Court of Human Rights (ECtHR) judgements in [Kulinski and Sabev v. Bulgaria](#), [Marinov v. Bulgaria](#) and [Dimov and others v. Bulgaria](#).

<sup>40</sup> Responding to the government’s request for interpretation of Article 42(1) of the Constitution, the Court held on 18 October 2022 that the implementation of ECtHR judgments regarding voting rights of prisoners and persons with mental disabilities requires constitutional amendments.

registered per polling station are published at the national level, which limits opportunities for cross-checking the entries and following any changes made to registration data.<sup>41</sup>

Voters were given ample opportunities to verify their data on the voter lists and request corrections. The preliminary voter lists were made available for public scrutiny online as well as in hard copies at polling stations no later than 40 days prior to election day. The municipalities were also required to publish lists of all citizens removed from the voter lists, indicating the reason. The ODIHR EOM observed that preliminary voter lists were posted for public scrutiny at polling stations visited. Corrections and amendments to the voter lists could be requested by voters until seven days prior to election day. Voters were also able to check their data online, via websites of the municipality administrations or GRAO webpage. Prior to election day, the CEC announced the number of eligible voters at 6,602,990.

Certain categories of voters could be added to the lists on election day, without submitting a prior request.<sup>42</sup> However, these voters remain included in the voter lists of their permanent registration, without sufficient safeguards against multiple voting.<sup>43</sup> Voters abroad may register in advance for their chosen polling station or vote without prior registration.<sup>44</sup> While most ODIHR EOM interlocutors expressed confidence in the accuracy of the voter lists, some voiced concerns that the lists contain outdated and multiple records. The lists submitted to PECs included 6,620,820 voters.<sup>45</sup>

*Consideration should be given to creating a centralized voter register in order to facilitate cross-checks of voter lists against multiple or erroneous entries, control modifications made in the voter lists, safeguard against multiple voting, and provide for permanent registration of voters abroad.*

Until 14 days prior to election day, voters were entitled to request inclusion in the voter lists at the place of their current registered residence, while certain categories of voters could apply for absentee voting certificates to vote at any polling station of their choice.<sup>46</sup> Special voter lists were compiled for voters who requested mobile voting and voters in healthcare and social-service institutions and in pre-trial detention.<sup>47</sup> On 22 September, the CEC extended the mobile voting to voters in quarantine due to COVID-19, with the possibility to request this option before and on election day.

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<sup>41</sup> While the Election Code stipulates that the CEC shall keep a public register of voters which would allow a search based on personal data, this opportunity is only provided by the GRAO.

<sup>42</sup> PEC members and security officers are allowed to vote at the polling station of their duty; students are entitled to vote in the municipality where they study; and persons with disabilities may vote in any suitable polling station of their choice without submitting a prior request. Voters not found on the voter list of their registered address may be added to the voter list on election day, provided they can present residency documentation issued by the respective municipality.

<sup>43</sup> Such voters are required to sign a declaration that they have not voted nor will vote at another polling station. The law mandates the GRAO to examine all voter lists after election day for multiple voting.

<sup>44</sup> Before election day, 50,900 citizens registered to vote abroad. According to the CEC, 178,079 citizens voted in the polling stations abroad.

<sup>45</sup> This number, announced by the CEC only after election day, reportedly included the citizens who acquired voting rights between 22 September and 1 October, after the initial data submission by the GRAO to the CEC. The final CEC results protocol indicates that 230,149 voters were registered in the supplementary voter lists at polling stations on election day.

<sup>46</sup> The latter option is given to registered candidates, CEC and DEC members, and accredited observers. According to the CEC, 88,456 voters requested to vote in the precinct of their current residence, and 343 requested absentee voting certificates.

<sup>47</sup> Mobile polling stations are created for homebound voters upon submission of justifying documents. The CEC informed the ODIHR EOM that 12,252 voters used the mobile voting option, including 236 voters in quarantine due to COVID-19.

While a permanent residence is not a prerequisite for the right to vote in law, inclusion in the voter lists is in practice based on voters' domicile in the country and such residence is required by law for obtaining a national identification document. Significant obstacles faced by vulnerable groups, particularly Roma, in obtaining a registered address and identity documents effectively lead to their exclusion from voter lists, contrary to previous ODIHR recommendations to guarantee equal suffrage and at odds with international standards and prior ODIHR recommendations.<sup>48</sup>

## VIII. CANDIDATE REGISTRATION

Eligible voters of at least 21 years of age have the right to stand as candidates, provided they do not hold another citizenship. The latter restriction is at odds with the jurisprudence of the European Court of Human Rights (ECtHR).<sup>49</sup> Candidates may be nominated on the lists of registered political parties or coalitions, or run independently in a constituency, supported by nomination committees.<sup>50</sup> Individuals prohibited from joining a political party may contest the elections as independent candidates.<sup>51</sup>

Registration of election contestants takes place in two stages. In the first stage, by 17 August, the CEC received requests to register political parties and coalitions. By 22 August, DEC's registered the nomination committees. To register, political parties and coalitions had to submit a minimum of 2,500 supporting signatures from voters and a deposit of BGN 2,500.<sup>52</sup> Nomination committees for independent candidates were required to hand in supporting signatures of at least one per cent of registered voters in the constituency, but not more than 1,000 signatures, and a deposit of BGN 100.

In the second stage, candidate lists were registered with the DEC's until 30 August. Voters could sign in support of only one contestant in the elections, contrary to a previous ODIHR recommendation and international good practice.<sup>53</sup> By law, voters are provided the opportunity to check on the CEC website whether their signatures appeared in any of the lists of supporting signatures. The CEC received a number of citizens' alerts on the matter; all were referred to the Commission for the Protection of Personal Data for further investigation regarding potential misuse of personal data.

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<sup>48</sup> According to a 2022 ROMACT [report](#), as of March 2021, 244,822 persons did not hold a valid identity document, out of which 121,073 persons have never held one (these data include persons aged over 14). The Ministry of Interior informed the ODIHR EOM that as of May 2022, the number of Bulgarian citizens without a valid identity document and a registered address was 44,670, out of which 30,694 had their current residence registered abroad. See paragraph 11 of the [1996 UN Human Rights Committee \(HRC\) General Comment No. 25](#): "Where registration of voters is required, it should be facilitated and obstacles to such registration should not be imposed. If residence requirements apply to registration, they must be reasonable, and should not be imposed in such a way as to exclude the homeless from the right to vote". 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".

<sup>49</sup> See ECtHR judgment in [Tănase v. Moldova](#). 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>50</sup> A nomination committee is established by three to seven eligible voters in order to nominate an independent candidate in a respective constituency.

<sup>51</sup> These include military, intelligence service and police personnel, diplomats, judges and prosecutors.

<sup>52</sup> 1 EUR is approximately 1.95 Bulgarian Lev (BGN). Deposits are refunded to political parties and coalitions which obtained at least one per cent of valid votes, and to independent candidates who obtained valid votes of at least one quarter of the constituency electoral quota.

<sup>53</sup> Paragraph 196 of the 2020 [ODIHR and Venice Commission Guidelines on Political Party Regulation](#) recommends that "a requirement that a citizen be allowed to sign in support of only one party should be avoided, as such a regulation would affect his/her right to freedom of association and could easily disqualify parties".

The registration documents and candidate lists were verified by the respective election commissions and the GRAO after the registration. While the law provides for the possibility to remedy any deficiencies identified in the nomination documents or replacement of candidates found not meeting the requirements, corrections are not allowed after the deadline for candidate registration, at odds with international good practice. Several candidates were de-registered for not meeting the legal criteria.<sup>54</sup>

*Consideration should be given to adjusting the deadlines for the submission of registration documents, their verification, and the registration of parties and coalitions, to allow contestants to rectify minor deficiencies.*

Candidate registration process was generally inclusive. Initially, the CEC registered all 24 political parties and 7 coalitions which applied. After verification of the nomination documents, one coalition was de-registered for insufficient number of supporting signatures. Further, one political party withdrew and one failed to submit candidate lists in any of the constituencies, but remained officially registered. The elections were contested by 5,333 candidates, on 867 registered candidate lists, including two independent candidates. Candidates could be nominated in up to two constituencies, and 1,927 candidates stood on two candidate lists. Some 30 per cent of candidates were women, and 208 (24 per cent) of them led the candidate lists.<sup>55</sup>

## IX. ELECTION CAMPAIGN

The official campaign started on 2 September and ended 24 hours prior to election day. Silence period applies the day before and on election day, and covers the publication of opinion polls related to election results. Contestants were able to conduct their campaigns freely and without hindrance, and fundamental freedoms of assembly and expression were largely respected. The legal framework contains some regulations aiming to prevent the misuse of administrative resources during the campaign, but does not address campaigning by high-level public officials who are not candidates.<sup>56</sup> Campaigning by mayors on behalf of candidates representing their parties was frequently observed,<sup>57</sup> raising questions over use

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<sup>54</sup> Seven candidates were de-registered due to holding another citizenship and two for not complying with the age requirement. In nine cases, candidates were nominated in more than two constituencies, hence their registration was cancelled in the constituencies following the second registration.

<sup>55</sup> Among the parliamentary parties, four parties or coalitions had at least three women among the top ten candidates in more than half of the party lists: PP in 19, BSP in 18, and GERB and DB in 17 each out of 31 party lists.

<sup>56</sup> The Election Code prohibits the use of state and municipality-owned transport and campaigning in state and municipal 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. The Election Code requires government and local officials who stand as candidates to take leave from office until the announcement of election results.

<sup>57</sup> For instance, in a cultural event for the inauguration of a sports hall, organized by the mayors of Valchi Dol and Varna, the mayors were campaigning together with GERB candidates. The mayor of Kardzhali had campaign meetings with DPS voters during office hours, whereas the women's association of the DPS held an event in the Municipal Council's office in Devin. A municipality-built ritual hall in Zarnevo was portrayed in the GERB campaign as a party achievement.



of public offices for partisan advantage and its effect on the level-playing field.<sup>58</sup> Several complaints and alerts were submitted to DEC's on mayors' involvement in campaigning.<sup>59</sup>

*To uphold a level playing field and equality of opportunities, the legal and institutional framework should address the conduct of public officials during the campaign.*

The campaign was competitive, with a wide range of contestants representing different views.<sup>60</sup> It was often negative in tone and marked by mutual accusations of corruption or wrongdoings among the parties.<sup>61</sup> The candidates campaigned extensively around the country, using a variety of traditional means, as well as active use of social networks.<sup>62</sup> The campaign centred around energy policies, inflation, growing socio-economic concerns, corruption, and the war caused by the Russian Federation's invasion of Ukraine and its security implications for Bulgaria. The ODIHR EOM noted isolated instances of threats to party members and inflammatory rhetoric.<sup>63</sup>

The law does not contain any special measures to promote women's participation and most political parties did not include any policies for the promotion of women in their election platforms.<sup>64</sup> Campaign messages seldom addressed issues related to gender equality and women rarely appeared as speakers in the events observed by the ODIHR EOM.<sup>65</sup> Many interlocutors stated that the political process surrounding the failed ratification of the Istanbul Convention on preventing and combating violence against women and domestic violence back in 2018 was detrimental for addressing

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<sup>58</sup> See the [2016 ODIHR and Venice Commission's Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#) which states that "the legal framework should provide effective mechanisms for prohibiting public authorities from taking unfair advantages of their positions by holding official public events for electoral campaigning purposes, including charitable events, or events that favour or disfavour any political party or candidate". On 27 September, during the meeting with the National Association of Municipalities, Minister of Regional Development and Public Works announced the allocation of BGN 404 million to 265 municipalities.

<sup>59</sup> For example, DEC 13 Pazardzhik ordered to remove campaign billboards featuring the mayor of the municipality of Septemvri with one of the candidates. An alert was submitted to DEC 21 Sliven that the mayor of the municipality of Kotel used municipal property (a bus) for canvassing.

<sup>60</sup> The ODIHR EOM long-term observers attended 17 campaign events throughout the country.

<sup>61</sup> The president and the provisional government were also prominent in the pre-election campaign with critical statements towards previous government's decisions. For example, on 2 September, President Rumen Radev stated that the increase in gas price is a result of gas contracts signed in July by the previous government and on 20 September he stated that "the ineffective practice to negotiate (gas) tankers without public tenders is discontinued". On 15 September, Minister of Energy Rosen Hristov stated the gas prices agreed by the previous government were 30 per cent higher than those agreed by the provisional government.

<sup>62</sup> Larger campaign events were organized by ITN and GERB, while the latter mostly held invitation-only events that were live-streamed on Facebook. PP leaders, and to a lesser extent DB, toured the country. BSP held gatherings with several hundred attendees. DPS organized community meetings, while Revival candidates held meetings and heavily campaigned online.

<sup>63</sup> PP representative informed the ODIHR EOM that during the campaign event in Varna on 12 September the supporters of other parties were insulting the PP supporters and threatening them. During TV political debates, candidates from Bulgarian National Union - New Democracy (BND) and VMRO – Bulgarian National Movement were using inflammatory rhetoric against Roma and citizens of North Macedonia.

<sup>64</sup> Out of 29 registered contestants, only DB, PP and Rise Up Bulgaria (IB) addressed issues of violence against women and gender equality in their platforms available online.

<sup>65</sup> In [2020 Concluding observations](#) on the eighth periodic report of Bulgaria, the CEDAW Committee recommended "to take temporary special measures, such as statutory quotas and a gender parity system [...], provide capacity-building on campaigning and political leadership skills as well as awareness raising efforts among political leaders and the public".

gender-related issues in the public discourse.<sup>66</sup> One of the major parties also stated this as the reason for not bringing up messages on gender equality in the campaign. The ODIHR EOM was informed that BSP, DB and Rise Up Bulgaria had internal policies to promote women. Two of the nine political parties that obtained more than one percent of votes were led by women.

*Consideration should be given to introducing temporary special measures to promote women's representation. These could include legislative requirements to place women in electable positions, gender-based assessments, training and capacity building programmes, and incentives for media and political parties to promote and increase gender balance.*

Most of the campaign venues observed by the ODIHR EOM were accessible for persons with disabilities. Positively, majority of the parliamentary parties proposed policies for improvements for persons with disabilities in their platforms, namely on the accessibility, inclusion in the labour market, enhanced social protection and services, as well as reform of the disability certification system. However, parties rarely addressed these issues in the campaign.

Many ODIHR EOM interlocutors noted that while the use of voting machines mitigates certain risks, vote-buying remained a concern, perceived to affect particularly economically and socially vulnerable communities, including Roma.<sup>67</sup> After the election, the Minister of Interior stated that related reports were being investigated, linked to several political parties. Other potential electoral malfeasances, also related to the work of election commissions, were brought to the ODIHR EOM's attention.<sup>68</sup> Frequent reports of cases of pressure on public and private sector employees in economically vulnerable communities raised concerns about the ability of these voters to cast their vote free of fear of retribution, at odds with OSCE commitments and international standards.<sup>69</sup>

*Allegations of intimidation, coercion and vote buying should be examined promptly and effectively, and perpetrators be held accountable. Relevant authorities should educate voters on their rights and*

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<sup>66</sup> Bulgaria signed but is yet to ratify the Council of Europe's [Convention on preventing and combating violence against women and domestic violence](#) (the Istanbul Convention), as the Constitutional Court deemed that "the treaty promoted legal concepts to the notion of "gender" that are incompatible with main principles of the Bulgarian Constitution". On 26 October 2021, the Constitutional Court ruled that the word "sex" in the Constitution refers only to the traditional definition of biological sex, which differentiates men and women, and does not contemplate a social definition of gender.

<sup>67</sup> During the election campaign, the Ministry of Interior (MoI) announced that building on accumulated experience, greater resources would be put to use during the campaign to address vote-buying. An MoI official informed the media that vote-buying activities also involve companies with close ties to municipalities.

<sup>68</sup> DB filed a complaint related to compilation of the lists for mobile voting in Batak, Pazardzhik region, with the administrative court, alleging inclusion of a higher number of voters not entitled to be on these lists. The Ombudsperson informed the ODIHR EOM that mayors and persons with disabilities in Smolyan and Razgrad regions complained about the MoI's investigations into mobile voting.

<sup>69</sup> ODIHR EOM observers received allegations of such practices in Shumen, Silistra, Yambol, Haskovo, Stara Zagora, and Montana. The Governor of Haskovo informed the ODIHR EOM observers about the allegiance between local governments and private companies to secure votes of their employees. In Stara Zagora region, Revival candidates alleged that corporate voting takes place in Brikel and Arsenal companies by pressuring employees. PP candidate in Silistra and DB candidates in Shumen alleged that economic dependency on local authorities in Varbica, Kaulinovo and Hitrino hinders voting freedom. According to the Minister of Interior, the mayor of Simitli "intensively campaigned and bothered the members of one of the polling stations in the city" in support of his son GERB-SDS candidate Stefan Apostolov. Paragraph 7.7 of the [1990 OSCE Copenhagen Document](#) requires that campaigning "be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution". Paragraph 19 of the [1996 CCPR General Comment 25](#) stipulates that "voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind".

*safeguards in place, and adopt measures to encourage reporting and providing evidence of any pressure, inducements, or other unlawful interference.*

Out of 28 parties and coalitions running, 25 have established an official Facebook account.<sup>70</sup> With the exception of ITN, Revival, and a DB coalition party Yes, Bulgaria (YB), the online pool of followers of those pages did not amount to a significant vote bank. While Revival relied on organic online support, other key contenders primarily used paid advertisements to reach out to voters outside their traditional support base.<sup>71</sup> Most of the posts revolved around the key campaign issues.<sup>72</sup> As with traditional campaign, campaign in social media often did not focus on specific policy issues, and mostly centred around personalities and mutual accusations. Social network accounts of party leaders were more popular than those of the parties.

## X. CAMPAIGN FINANCE

Political and campaign finance are regulated by the 2014 Election Code, the 2005 Political Parties Act and the 2015 National Audit Office Act. Political parties and coalitions that received respectively at least one and four per cent of valid votes nationwide in the previous elections are entitled to annual public funding.<sup>73</sup> For 2022, four political parties and four coalitions were entitled to the state subsidy, in proportion to the valid votes received.<sup>74</sup> Parties and coalitions not entitled to public funding which registered candidate lists in all electoral districts received a subsidy of BGN 40,000 for media advertising, while independent candidates received BGN 5,000.<sup>75</sup>

The campaign may be financed by the party's or candidate's own funds, monetary and in-kind donations from private individuals. Donations from non-residents, religious institutions, anonymous and foreign sources as well as legal entities are prohibited.<sup>76</sup> The law does not provide a ceiling for individual donations, which heightens the risks of dependence on wealthy private interests.<sup>77</sup> Transactions over BGN 1,000 have to be conducted via bank transfer and contestants are required by law to maintain a dedicated campaign fund account. Campaign expenditures are capped at BGN 3 million for parties and coalitions and BGN 200,000 for independent candidates.

Oversight of political and campaign finance is exercised by the National Audit Office (NAO). By law, during the campaign contestants are required to regularly disclose to the NAO's public register all

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<sup>70</sup> During the official campaign period, the ODIHR EOM followed on Facebook the activities of the largest political parties, their leaders, the president, and the government.

<sup>71</sup> While GERB mobilized up to 100 party branch pages, mainly promoting their party leader, DB focused on promoting individual candidates.

<sup>72</sup> Some contestants used social networks to discredit rivals and to stir discord, including instilling fear of prospective economic collapse if a rival party will form the next government.

<sup>73</sup> The State Budget Act for 2022 defines the amount of the state subsidy for each vote received at BGN 8.

<sup>74</sup> As per Ministry of Justice information for the period until 30 June 2022, namely DPS, Revival, ITN, VMRO, PP, GERB-SPS, BSP, and DB were entitled to a total of BGN 8,930,076.

<sup>75</sup> "Media packages" are also provided proportionally to coalitions, if any of the parties forming the coalition is not entitled to annual public funding. For these elections, 16 political parties, three coalitions and two independent candidates received "media packages". Contestants chose where to be advertised but the contracts had to be approved by the CEC, which transferred the funds directly to the respective media.

<sup>76</sup> The possibility for legal entities to donate to election campaigns was introduced in 2019 but the Constitutional Court struck it down in April 2021, underlining the need to ensure political pluralism and equal opportunities for contestants.

<sup>77</sup> See article 3(b)(ii) of Council of Europe [Recommendation Rec\(2003\)4](#) of the Committee of Ministers to member states on common rules against corruption in the funding of political parties and electoral campaigns. See ODIHR and Venice Commission [Guidelines on Political Party Regulation](#) (paragraphs 211-217).

donations, within seven days from receipt, and information on contracts concluded with media or public relations agencies. Donations or contestants' own funds exceeding one minimum monthly salary need to be supported by a declaration on the funds' origin.<sup>78</sup> Media outlets are required to publish all contracts with contestants online as soon as concluded, and to submit such information to the NAO, within 30 days from elections.<sup>79</sup> These disclosure obligations contributed to transparency of campaign finance.<sup>80</sup> However, advertising on online platforms such as Facebook and Google does not have to be disclosed, and no reporting of expenditures is required until after the election. The overall spending in Facebook was four times smaller than that on TV advertisements.<sup>81</sup> Several ODIHR EOM interlocutors voiced concerns about discrepancies between the actual and reported spending, noting that the amounts spent on social networks may be unreported and thus not counted towards expenditure limits. The law also does not regulate third-party political advertising on social networks.

All contestants must submit a detailed report of their campaign income and expenses to the NAO within 30 days from elections, to be published within 15 days from submission and audited within six months. The NAO audits the reported data for prohibited donations or other irregularities but does not have the mandate and resources to investigate unreported transactions or to verify that all declared campaign funding comes from legitimate sources.<sup>82</sup> Previous Council of Europe's Group of States against Corruption (GRECO) recommendations concerning the use of public facilities by parties and sanctions for violations remain partially addressed, while some ODIHR recommendations remain unaddressed, including on the lack of reporting on expenditures prior to election day and the deadline for publication of the NAO audit report.<sup>83</sup> Overall, transparency and accountability of campaign finance were adversely affected by the legislative shortcomings and limited oversight.

*Consideration could be given to introducing comprehensive reporting requirements prior to election day. In order to ensure that all expenses are accounted for, advertising on online platforms should be subject to disclosure and reporting rules.*

## XI. MEDIA

### A. MEDIA ENVIRONMENT

The media landscape is vibrant. Television and internet-based outlets are the prime sources of news, followed by the online media.<sup>84</sup> Two holdings (*bTV Group* and *Nova Broadcasting Group*) dominate

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<sup>78</sup> The monthly minimum salary defined by the Council of Ministers was BGN 710 for the first half of 2022.

<sup>79</sup> Based on published information, NGO Institute for Public Environment Development estimated the value of contracts signed between the political parties and the media at some BGN 3 million.

<sup>80</sup> According to the data included in the NAO public registry, as of 15 October 2022, 11 out of 28 parties and coalitions declared a total of some BGN 2 million in donations, with the largest amount declared by PP (some BGN 1,267,000), followed by ITN (some BGN 276,000), DB (some BGN 200,000), and Bulgarian Rise (some BGN 70,000). The largest number of contracts concluded with media and public relation agencies were declared by GERB-SDS (299), followed by BSP (129), DB (122), and ITN (108).

<sup>81</sup> Based on Facebook Ad Library, the total amount of spending for paid advertisement on Facebook between 2 September and 1 October was estimated by the ODIHR EOM at some EUR 509,081, with DB and PP being the largest spenders.

<sup>82</sup> See ODIHR and Venice Commission [Guidelines on Political Party Regulation](#) (paragraphs 268) which underlines that "legislation should grant oversight agencies the ability to investigate and pursue potential violations".

<sup>83</sup> See [GRECO's Third Evaluation Round Second Compliance Report on Bulgaria](#). See ODIHR and Venice Commission [Guidelines on Political Party Regulation](#) (paragraphs 261).

<sup>84</sup> See [Media and News Survey 2022](#), Eurobarometer, July 2022; [Digital News Report 2022](#), Reuters Institute; [Digital 2022: Bulgaria](#), Dataportal 2022.

the national offline and online media market, jointly accounting for more than two thirds of audience and commercial revenues.<sup>85</sup> Owing to the stagnating advertising market, many smaller outlets are supported primarily by their owners' other businesses, international grants, or rely on advertising by the state and local administration. Such limited financial sustainability of media, compounded by insufficient transparency in the allocation of state, local administration and EU publicity funds,<sup>86</sup> has diminished the diversity and analytical depth of media's editorial content.<sup>87</sup>

Freedom of expression is constitutionally guaranteed, and national laws are aligned with key international standards for protection of media freedom. However, in practice, circumvention of the law has led to concentration of media ownership and has enabled a symbiotic relationship between some media and political parties, reducing pluralism and decreasing public trust in journalists' work, at odds with international standards.<sup>88</sup> Further, libel, defamation and insult are treated under both criminal and civil law, and are the main legal grounds for initiating court cases against journalists. Such recent cases of protracted civil and criminal litigation against independent investigative media, with damages sought up to BGN 1 million, showcase journalists' vulnerability to pressure through courts and prompt self-censorship at the editorial level.<sup>89</sup> Many ODIHR EOM interlocutors noted that civil and criminal law does not prescribe accelerated procedures in such cases, and does not protect from misuse of interim measures, such as freezing of personal assets. Also, no court practice has been developed for an early dismissal of cases that are manifestly unfounded.<sup>90</sup>

*Defamation and insult should be decriminalized, in favor of administrative or civil litigation. Consideration should be given to capping of damages sought in civil cases, to the introduction of reasonable timeframes, as well as the adoption of measures against misuse of interim measures, with the aim to safeguard freedom of expression.*

Public Bulgarian National Radio (*BNR*) and Bulgarian National Television (*BNT*) are the most trusted media outlets, with the latter reaching up to seven per cent of the total television audience.<sup>91</sup> The general

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<sup>85</sup> See [Nielsen Television Audience Measurement Output](#), Bulgaria, July 2022, [Digital News Report](#) 2022, Reuters Institute.

<sup>86</sup> See [2022 Rule of Law Report, Country Chapter on the rule of law situation in Bulgaria](#), European Commission, 13 July 2022.

<sup>87</sup> Paragraph 41 of UN [HRC General Comment 34 to article 19 of the ICCPR](#) states that "Care must be taken to ensure that [...] placing of government advertisements are not employed to the effect of impeding freedom of expression".

<sup>88</sup> The *bTV* group (owned by a Czech investment group PPF) and *NOVA* group (by a Serbia-based United Group) own several highly popular TV channels, radio stations and news websites each. Several smaller media are owned by political parties, their leaders, or their affiliates. See also report [Media Capture in Bulgaria](#) by International Press Institute, March 2022. Paragraph 14 of UN [HRC General Comment 34](#) states: "To protect the rights of media users [...] to receive a wide range of information and ideas, States parties should take particular care to encourage an independent and diverse media".

<sup>89</sup> Cases known as [SLAPP](#) (strategic lawsuits against public participation) have been raised as a concern by media watchdogs and many ODIHR EOM interlocutors. During the last few years, at least six SLAPP cases were brought to courts. See also European Commission's [2022 Rule of Law Report on Bulgaria](#).

<sup>90</sup> For measures against SLAPP cases see also the draft EU [Directive](#) on protecting persons who engage in public participation from manifestly unfounded or abusive court proceedings.

<sup>91</sup> See [Digital News Report](#) 2022, Reuters Institute; [Digital 2022: Bulgaria](#), [Nielsen Television Audience Measurement Output](#), Bulgaria, July 2022.

legal framework provides for the public broadcasters' editorial independence, yet in practice the government has created avenues for exerting indirect pressure on *BNR* and *BNT*.<sup>92</sup>

*BNT*'s financial standing in 2022 was stable owing to the supplementary allocation of state budgetary funds during the 2022 fiscal year and the increase of income from advertising. Yet, since July 2022, the public television was led by an acting director general who has not been re-elected following the expiration of his mandate.<sup>93</sup> Several ODIHR EOM interlocutors emphasized that this situation of uncertainty undermined editorial independence of *BNT*, in particular in light of the legal requirement for the director general to sign a detailed agreement with parties and the CEC on the election coverage.<sup>94</sup> According to *BNT*, these agreements are concluded between journalists of *BNT* and political parties without any additional guidance or interference of the director general.

*The financing model of public broadcasters should be revamped, with the aim to ensure their financial independence and sustainability by establishing clear, measurable criteria that take into account, among others, inflation and modernization costs.*

## B. LEGAL AND REGULATORY FRAMEWORK

The Election Code governs media's coverage of elections, requiring balanced reporting and equal treatment of all candidates in broadcast, print and online news services, and providing for free airtime in public media. As required by the Code, *BNT* and *BNR* made detailed and prescriptive agreements with the CEC and political parties on various forms of campaign coverage, including free and paid-for debates. These agreements, signed by the *BNT* and *BNR* general directors, contain technical and editorial details related to campaign coverage, including topics and names of journalists who moderate debates, which was perceived as undue interference with *BNR*'s and *BNT*'s editorial decisions by a number of ODIHR EOM interlocutors. While legal provisions requiring the allocation of equal time to all contestants contribute to a level playing field, overly prescriptive agreements reduced competitiveness of public media and availability of analytical information for voters.

The Council for Electronic Media (CEM) regulates broadcast media and during the campaign monitored the coverage of all public and 13 private TV and radio stations. The CEM does not have sanctioning powers and is required to notify the CEC of violations. Prior to election day, the CEM alerted the CEC about 12 infringements of the law, primarily related to rules on paid political advertising. On election

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<sup>92</sup> For example, the criteria used by the government to determine *BNR*'s budget do not consider costs related to digitalization or investments in new equipment. Hence, for years *BNR*'s funding is insufficient, hindering the radio's development plans. This situation evidences the noncompliance of the existing financing model with international standards for public media. Paragraph 16 of [HRC General Comment 34 to article 19 of the ICCPR](#) underlines that: "States parties should [...] provide funding in a manner, that does not undermine [public media] independence." Paragraph 26 of 2012 Council of Europe [Recommendation](#) on public service media governance states that funding should be "adequate to meet the agreed role and remit of the public service media, including offering sufficient security for the future as to allow reasonable future planning" (see also paragraphs 17, 18 and 21).

<sup>93</sup> Since 2020 several public protests called for the *BNT* director general's resignation due to his interference with editorial decisions. In 2021 more than [1,700 public figures signed an open petition](#) requesting director general's resignation. In the new competition for the post, the current director general received the vote of one out of five members of the Council for Electronic Media (CEM). In [June 2022](#) more than 20 high-profile public figures sent a letter to the CEM, noting that the current director general does not meet the requirements for the post. *BNT* maintained that according to the law the general director continues his/her functions in case the CEM has not elected a new one.

<sup>94</sup> Paragraph 16 of HRC GC 34 reads: "States parties should ensure that public broadcasting services operate in an independent manner, [...] guarantee their independence and editorial freedom". See also 2012 Council of Europe [Recommendation](#) on public service media governance (paras 3, 13, 14, 27, 32). Time for the next competition for *BNT* director general is not set, as a complaint contesting the selection process was lodged with a court.

day, the CEM informed the CEC that eight leading media outlets have announced results before the end of voting.<sup>95</sup> The law prohibits publication of exit polls on election day; media posted colorful charts, without naming the parties.



**C. MEDIA COVERAGE OF THE CAMPAIGN** [Click Here to Read Media Monitoring Results](#)

The ODIHR EOM media monitoring shows that political parties received substantial exposure in mainstream media, yet there was little scrutiny of the electoral contestants, their policies, or past records in office.<sup>96</sup> Such coverage did not stimulate a pluralistic, issue-based debate, potentially affecting voters' interest and participation in the elections.

Broadcast media's prime-time newscasts focused on government decisions and the president, while occasionally mentioning GERB, BSP, DPS and PP in relation to their performance in previous governments.<sup>97</sup> Coverage of BSP and PP was often negative in tone, primarily owing to the directly quoted critical pronouncements by the president and by officials representing the interim government. As GERB, DB and ITN were criticized by public officials only on a few occasions, their coverage within the news was largely neutral. All monitored media covered similar electoral and socio-political issues within their newscasts. *BNR*, *Darik* and *bTV* offered more journalistic research, while *BNT* and *NOVA* built most of their stories on direct quotations of public officials.<sup>98</sup> The news coverage of the latter two was beneficial to parties whose campaign promises were aligned with the president and caretaker government's policies (DPS), while disadvantageous to the parties (primarily PP, at times BPS, GERB, DB) which public officials blamed for the current socio-economic problems. Overall, limited non-partisan analysis of the decisions made by previous governments and scrutiny of parties' campaign programmes curtailed the information available to voters on key electoral contestants.

During the prime-time hours *BNR*, *Darik*, *NOVA* and *bTV* had analytical editorial programmes, in which the electoral process and other pressing issues were examined. *BNT* did not air a single investigative programme during the campaign, and its daily analytical discussion show was broadcast outside the prime time. In line with the agreement signed with the CEC and political parties, *BNT* offered daily 30-minute election segments consisting of paid-for reports on party activities.<sup>99</sup> These reports were made by *BNT* journalists, in a manner that resembled news coverage, yet always positive in tone, and the duration of paid-for prime-time segments was equal to that of newscasts. Such practice blurs the line between paid-for and editorial coverage. Moreover, paid-for interviews and reportages undermine the

<sup>95</sup> See page 177 of the [CEM report](#) on campaign coverage in monitored media.

<sup>96</sup> During the campaign period (2 September to 30 September) the ODIHR EOM conducted a qualitative and quantitative monitoring of prime-time hours of public broadcasters *BNT* and *BTR*, and private broadcasters *Nova TV*, *bTV* and *Darik Radio*. Television was monitored daily from 18:00 to 23:00; radio stations were monitored daily from 7:00 to 9:00 and from 18:00 to 20:00. The ODIHR EOM also carried out a qualitative monitoring of free debates on *BNR* aired outside the quantitative monitoring hours.

<sup>97</sup> The government received 68, 61, 56, 65 and 64 per cent of *BNT-1*, *NOVA*, *bTV*, *BNR* and *Darik* prime-time newscasts' coverage respectively. The president got most exposure on *BNT-1* (29 per cent). On other channels the president's coverage was between 14 and 25 per cent of political prime-time news. For further monitoring data see Annex Media Monitoring results.

<sup>98</sup> On *Darik*, *BNR* and *bTV* the proportion of direct speech by political actors (the president, ministers, party leaders) was 40, 41 and 47 per cent respectively. On *NOVA* and *BNT* it was 53 and 58 per cent.

<sup>99</sup> DPS bought 24 per cent of such airtime, DB 15 per cent, GERB 14 per cent, BV and PP 8 per cent each. According to *BNT*, these segments were done in accordance with the law and agreements concluded between the political parties and *BNT*.

core principles of professional, nonpartisan journalism, confuse voters, and erode public's confidence in media's watchdog role.<sup>100</sup>

The *BNT* aired some 11 debates, *BNR* had 17, all were published online and offered voters the possibility to familiarize themselves with candidates and their positions on campaign issues. The *BNR* made its debates more informative by reducing the number of participants in one segment of each debate. Such format gave more space for the moderator's follow-up questions and helped voters to compare candidates directly. *BNR* also had nine rather well attended regional debates and kept full editorial control over its prime-time, as national debates were aired around midday and early afternoon. A total of 205 candidates from 24 parties attended debates on *BNR*. Revival made most use of *BNR*'s debates by participating in 14 out of 17 discussions.<sup>101</sup> *BNT* aired seven debates during prime time; five featured only candidates from parties with hardly any popular support and party leaders of GERB, BSP and DPS did not attend such shows.<sup>102</sup> *BNT* also held eight regional debates. Neither public, nor private media could hold a prime ministerial debate, as, according to ODIHR EOM interlocutors from broadcast media, leaders of political parties who are possible candidates for the prime minister are reluctant to exchange their views in public discussion and rather prefer to give individual interviews. As a result, voters did not have the possibility to compare all lead contestants directly.

Throughout the campaign several bogus media websites, linked with Facebook pages and Telegram channels, were spreading deceptive narratives, primarily aimed to discredit PP and DB and to distort the information environment. Such clickbait websites posing as media outlets, alongside with imposter pages on Facebook, posted deceitful stories, capitalizing on previously debunked false narratives, aiming to undermine the credibility of well-established broadcast and online media outlets. Positively, some national broadcasters had fact-checking teams, and investigative and data-driven journalism, even though reaching smaller audiences, upheld an inclusive, fact-based debate, and called for political accountability.

Exposure of women candidates in broadcast media correlated with their political standing in parties they represent. The BSP and IB leaders were the most visible female candidates, being granted with similar amount of airtime as their male peers from DB or BV. Among the participants delegated by political parties to *BNR* debates, 17 per cent were women; in *BNT* prime-time debates 11 per cent were women. None of the debates was dedicated to issues related to the advancement of women's participation in public and political life.

*BNT* and *bTV* translated their news and debates in sign language, enhancing independent access to information for persons with hearing impairments. Facilitation of access to information of public interest for persons with cognitive disabilities was not observed. The rights and quality of life of persons with disabilities were discussed in debates' segments covering social issues.

## XII. PARTICIPATION OF MINORITIES

The Constitution guarantees the right of self-identification but does not refer to national minorities. Persons belonging to minorities represent some 15 per cent of the country's population, with ethnic Turks and Roma being the most numerous groups, comprising some 8.4 per cent and 4.4 per cent of the

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<sup>100</sup> See paragraph 2.7 of the Council of Europe Recommendation [CM/Rec\(2018\)1](#) of the Committee of Ministers to member States on media pluralism and transparency of media ownership.

<sup>101</sup> DPS refused to participate. PP attended 8 debates, DB – 7, BSP and BV – 4 each, and GERB – 1.

<sup>102</sup> In total, 56 candidates from 26 parties attended *BNT*'s debates; each party could participate in two shows.



population, respectively.<sup>103</sup> While the Constitution prohibits discrimination on ethnic or religious grounds, it does not allow the formation of political parties on an “ethnic, racial or religious” basis.<sup>104</sup> There are no legal provisions fostering the participation of minorities in elections. The law allows campaigning only in Bulgarian, contrary to international standards and prior ODIHR and Venice Commission’s recommendations.<sup>105</sup>

DPS defines itself as a party with a rights-based and inclusive approach to all ethnic and religious components of Bulgaria but it is widely perceived as a party representing the interests of the Turkish and Muslim communities. According to various election stakeholders, several parties and coalitions fielded Roma and other minority candidates, generally placed lower on candidate lists, and mostly men.<sup>106</sup> However, issues related to minorities rarely featured in the campaign and most political parties did not include policies for persons belonging to minorities or for Roma integration in their electoral platforms.<sup>107</sup> The civil society and Roma representatives met by the ODIHR EOM stated that campaign activities in Roma communities were rare.

*The relevant authorities should support election-awareness campaigns among Roma communities to encourage meaningful and inclusive political participation. Political parties should consider adopting internal policies for the promotion of minority representatives within the party leadership and as candidates.*

### XIII. COMPLAINTS AND APPEALS

The Election Code provides for different types of complaints and appeals that can be filed by voters, citizen observers, political parties, agents and proxies of electoral contestants. Complaints against administrative acts or decisions may be filed to election commissions by subjects who can substantiate their legal interest, while alerts about any other potential violation may be submitted by anyone.<sup>108</sup> Complaints submitted by subjects who cannot substantiate their legal interest are left without consideration. Decisions of election commissions can be appealed to higher-level commissions, and, depending on the nature of the complaint, further to the local administrative courts or to the Supreme Administrative Court (SAC) as the final instance. The law provides for an expedited procedure for

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<sup>103</sup> Information based on the 2021 census. Others include Armenians, Jews, Karakachani, Macedonians, Romanians, Russians, Vlach (Aromani), Ukrainians and others, altogether slightly above one per cent of the population.

<sup>104</sup> In its May 2020 [Fourth Opinion on Bulgaria](#), the Council of Europe’s Advisory Committee on the Framework Convention for the Protection of National Minorities reiterated that this restriction raises problems of compatibility with the Convention. The same opinion noted that the Bulgarian authorities had not held consultations with persons representing Macedonians and Pomaks stating that necessary objective criteria were not met for these persons to be recognized as belonging to a national minority in Bulgaria.

<sup>105</sup> See Article 9.1 of the 1995 Council of Europe’s [Framework Convention for the Protection of National Minorities](#). According to the Constitutional Judgement 2/1998 international conventions “do not have to be implemented if they contradict the Constitution”. The Commission for Protection Against Discrimination informed ODIHR EOM that one complaint was filed by DPS due to the police actions in Madan related to the usage of the Turkish language on election day.

<sup>106</sup> The ODIHR EOM was informed about these candidates on the lists of the BSP, DPS, GERB, PP, and DB.

<sup>107</sup> The exception was IB, which proposed inclusion of vulnerable and marginalized ethno-cultural communities in the education system and labour market. Revival was against policies based on minority or ethnic principles.

<sup>108</sup> When a complaint or alert does not involve a violation of the Election Code or if the nature of the violation does not require the CEC to take any action, the commission issues ‘protocol decisions’ as part of the session minutes. An alert relating to a violation by a media outlet may be filed by an interested party within 24 hours from its occurrence.

election-related complaints, with deadlines from three days to one hour on election day, in line with good electoral practice.<sup>109</sup>

The CEC deliberated on complaints and appeals in public sessions, within the established deadlines, and decisions were published on the CEC website overall in a timely manner. The CEC and the DEC also maintained the online registers of complaints and appeals. Before election day, DEC published over 100 decisions on complaints and alerts, mostly related to irregularities related to display of campaign materials. The CEC published decisions on 17 complaints, alerts and appeals against DEC decisions.<sup>110</sup> Cases considered on the merits were resolved in line with the law and decisions were reasoned. However, a number of complaints and alerts discussed during sessions were not considered for not meeting formal requirements or when no violation could be established, while several others were referred to DEC. Alerts related to online campaigning were dismissed by DEC and the CEC as falling outside their competence, without formal decisions, but reflected in the published minutes.<sup>111</sup> During the campaign, the CEC ascertained two violations against a media outlet and one of the candidates, while several alerts did not substantiate any violation and were left without consideration.<sup>112</sup> In line with the law, the CEC lifted a candidate's immunity from criminal prosecution.<sup>113</sup>

Before election day, the SAC ruled on 21 appeals, 13 of which were filed by PP against CEC decisions on DEC formation and were dismissed.<sup>114</sup> In the rest of the cases, the SAC upheld one CEC decision, returned one to the CEC to be reviewed,<sup>115</sup> confirmed two judgments of the Sofia Administrative Court and held that other four were inadmissible. Appeals were considered within the legal deadlines and decisions were published online. The limited number of cases that reached the SAC is mainly attributed to the fact that issues raised during previous elections have already been decided upon and clarified.

Despite long-standing ODIHR recommendations, the law does not explicitly prescribe the right to file complaints against election result protocols at any level of election commissions. Election results may only be challenged by a petition before the Constitutional Court, by a limited number of institutions

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<sup>109</sup> Complaints and alerts may be filed to the CEC and DEC; DEC decisions can be appealed to the CEC and further to local administrative courts, or the SAC as the final instance, depending on the nature of the complaint. In case a DEC decision appealed to the CEC is upheld, it can still be challenged to the district administrative courts under the general administrative procedure.

<sup>110</sup> Out of the ten appeals against DEC decisions the CEC overturned four DEC decisions, upheld one and the rest were not considered on the merits due to the lack of legal standing.

<sup>111</sup> As per Election Code, social networks and personal blogs are not considered media services. In those cases where personal data were involved, the CEC advised the complainants to refer to the Commission for Personal Data Protection.

<sup>112</sup> Media outlet *Vision Lab* broadcast an interview with a candidate but no contract between the outlet and the party was posted online as required by law; a candidate from VMRO broke campaign regulations, by using speech that harmed the honor and reputation of DB candidates. In other alerts, the CEC sent warnings to media outlets. The CEC reminded the CEM that its alerts should be sent only when violations of electoral law are detected, and these should be specified precisely.

<sup>113</sup> Upon request by the Prosecutor General, the CEC gave permission to bring criminal charges against an *Ataka* candidate in Sliven constituency on a drug-related offence.

<sup>114</sup> The PP argued that DEC chairperson and secretary positions were distributed by the CEC in breach of the provisions on proportional representation of the political parties and coalitions represented in the parliament. In the SAC's analysis, the CEC applied the law correctly.

<sup>115</sup> The CEC Decision of 2 August 2022 that only manually signed documents accompanying the application for participation in the consultations concerning DEC membership are admissible was returned to the CEC for review; the latter changed its practice according to the SAC ruling.

either upon request of a party that may prove legal interest, or on their own initiative.<sup>116</sup> This lack of effective legal redress is contrary to OSCE commitments and other international standards.<sup>117</sup>

*The legal framework should be reviewed to broaden legal standing in order to ensure that voters and other stakeholders whose rights are violated are entitled to lodge a complaint. In line with international standards, the law should be amended to allow for direct appeals against election results.*

An Inter-institutional Unit including the Prosecutor's Office and the State Agency for National Security was created to ensure quick response to criminal offenses during the election period.<sup>118</sup> As of 3 October, the Prosecutor's Office announced a total of 759 files and 72 pre-trial proceedings launched in relation to violations of the political rights of citizens.<sup>119</sup> During the preparation and conduct of elections the Ministry of Interior registered 727 alerts, related to violations of political rights and election law, including vote-buying, and launched 83 pre-trial proceedings.<sup>120</sup> Several ODIHR EOM interlocutors opined that cases of electoral malfeasance rarely reach the courts and that the law-enforcement authorities usually target the perpetrators but not the organizers of such offences.

#### XIV. CITIZEN AND INTERNATIONAL OBSERVATION

The Election Code provides for citizen and international observation of the entire election process, both in the country and abroad. Registered contestants are entitled to appoint their agents to follow the electoral process at all levels of the election administration and proxies to observe at polling stations. Non-governmental organizations registered to carry out public benefit activities with the objective of protection of political rights may apply for accreditation with the CEC of as many observers as there are polling stations established, until the day before election day. According to law, one observer organization is allowed to have a maximum of two observers per polling station, with only one observer present at the premises at a time. While restrictions on the number of observers might be needed to avoid overcrowding in small polling premises, they may also create obstacles to observation by organizations whose methodology relies on simultaneous presence of two observers.

The CEC registered 1,017 observers from 17 civil society organizations, including for out-of-country polling stations, and some 200 international observers. In addition to election day observation, some civil society organizations, such as the Institute for Public Environment Development, carried out long-term monitoring activities and publicized their findings. Observers and candidates' agents had access to the sessions and activities of election bodies at all levels, and on election day could document the counting and tabulations processes with video recordings or stream it online, which enhanced

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<sup>116</sup> Within 15 days of the announcement of the election results, elections may be challenged in the Constitutional Court by one-fifth of members of the parliament, the President, the Council of Ministers, the Supreme Court of Cassation, the Supreme Administrative Court, and the Prosecutor General.

<sup>117</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". In 2009, in the case of *Petkov and others v. Bulgaria* the ECtHR held that the possibility to challenge results indirectly is ineffective within the meaning of Article 13 of the ECHR.

<sup>118</sup> The Ministry of Interior did not participate in this Unit since in their interpretation such an obligation is not explicitly provided by the Election Code.

<sup>119</sup> Per district: Sofia (30), Plovdiv (8), Varna (13), Burgas (8), Veliko Tarnovo (13). In 545 reports, pre-trial proceedings were not initiated due to the lack of collected data on committed crimes. Offenses against political rights include, *inter alia*, vote buying and selling, preventing someone from exercising the right to vote, multiple voting, and violation of vote secrecy.

<sup>120</sup> Mainly involving GERB-SDS and DPS; several alerts were received on BSP and one on PP. On election day the Ministry of Interior received 168 alerts, including on vote-buying, and initiated nine pre-trial proceedings.

transparency of the process. However, on election day, some ODIHR EOM observers encountered difficulties with PECs refusing to share election-related information or limiting observers' movement within the polling or tabulation premises. These limitations indicated insufficient awareness of PEC staff of the legal provisions as well as the lack of guidance for certain aspects, such as presence of interpreters.<sup>121</sup>

## XV. ELECTION DAY

Election day was generally calm and polling proceeded smoothly. The transparency of the election-day procedures was assessed positively in almost all polling stations observed. IEOM observed the opening in 69 polling stations, voting in 653 polling stations, counting in 58 polling stations and tabulation in 27 DECes.

### A. OPENING AND VOTING

The opening was assessed positively in all 69 polling stations observed by the IEOM except for one, and most of the polling stations observed opened on time or shortly after.<sup>122</sup> While opening procedures were largely followed and understood, IEOM observers noted that some PECs found the administrative procedures complex, requiring a longer time to complete.

IEOM observers assessed the voting process positively in all but 10 of the 653 observations, characterizing it as overall well-organized and smooth.<sup>123</sup> The PECs largely followed the voting procedures, including identifying voters, ensuring that machine voting receipts are dropped in the designated box, and voters sign the voter list. In a few polling stations observed, the positioning of voting machines or handling of receipts by voters did not ensure secrecy of the vote (3.4 per cent of observations) and not all voters marked their ballot in secrecy (7.8 per cent).<sup>124</sup> Machine voting functioned well and was efficiently managed, with a few isolated technical issues. Voters were not always instructed on the manner of voting by the PECs (21 per cent of observations) and sometimes had difficulties in operating the voting machine (10 per cent of observations), which evidences the need for further voter education activities.

*Election commissions should ensure that the polling station layout, and the positioning of voting machines ensures secrecy of the vote.*

At the end of election day, the CEC announced that due to malfunctioning of the voting machines 32 PECs had to switch to voting with ballot papers during the day.<sup>125</sup>

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<sup>121</sup> Neither the Election Code nor CEC regulation addressed the presence of interpreters accompanying international observers.

<sup>122</sup> In one observation, the EVD malfunction eventually led to the PEC to revert to the paper ballot. One polling station opened with a significant delay due to technical issues with the voting machine.

<sup>123</sup> Concerns raised mostly related to limited access of observers to the PECs.

<sup>124</sup> Paragraph 7.4 of the [1990 OSCE Copenhagen Document](#) requires the participating States to “ensure that votes are cast by secret ballot or by equivalent free voting procedure”.

<sup>125</sup> Additionally, in five polling stations, PECs continued voting with only one voting machine. Investigation of the malfunctioned voting machines ordered by the CEC after election day revealed that on some devices software from a previous election was installed, several devices suffered damage to internal memory, and several external flash drives were faulty. The reported issues accentuate the need for allowing sufficient time for the preparation and testing of voting machines prior to election day.

The IEOM observers assessed some 57 per cent of polling premises visited as not suitable for independent access for persons with disabilities, however, in many observations an accessible polling station was located on the ground floor of the same building. In most polling stations visited (82 per cent), the layout inside the polling premises was suitable for such voters.

While representatives of contestants monitored the voting process in some 37 per cent of polling stations visited by the IEOM, citizen observers were present in only 3 per cent of observations. Campaign activities and materials were noted in the vicinity of some polling stations observed by the IEOM observers (23 observations), and in a few instances observers noted indications of tensions or intimidation of voters (8 and 5 observations respectively).<sup>126</sup>

## B. COUNTING AND TABULATION

The overall conduct of vote count was characterized as smooth and well-organized in 49 of the 58 observations. However, procedures were frequently not followed and, in some cases, PEC members omitted important steps intended as integrity safeguards, such as counting the number of voters who signed the voter list (eight cases) and the total number of voting receipts (eight cases). The IEOM observers reported from 12 counts that the PECs had difficulties in reconciling the results figures and filling in the final protocols. These shortcomings underlined the need for further training of polling staff. In eight cases, PEC members pre-signed the results protocol before all the procedures were completed. In the majority of observations, PEC members did not post the results protocols at the premises of polling stations, as required by law.

The Election Code does not prescribe procedures for reconciliation of results protocols by PECs at polling stations with ballot papers in instances when the results of all counts do not tally, or verification and correction of the protocols at the DEC, nor does it establish any criteria for potential recounts. Discrepancies in some of the results protocols submitted by PECs were observed in six DEC.<sup>127</sup> In view of the lack of such provisions, according to the CEC, corrections to the protocols could be made by the PECs only before processing of the results protocols at the DEC. The fact that the CEC does not have the *ex officio* authority to rectify irregularities may leave errors unaddressed and is also contrary to good practice (see *Post-Election Developments*).<sup>128</sup>

*To ensure consistency and transparency in the results tabulation process, clear procedures for rectifying errors and discrepancies in result protocols should be established, including criteria for the recounts of paper ballots. Consideration should be given to reviewing the election-day procedures to ensure their effective and consistent application.*

The results tabulation process, observed in 27 DEC, was evaluated as generally well-organized and efficient. In one case, IEOM observers were not allowed to follow the handover of material and entry of results data. Most protocols were processed by DEC during the election night and the tabulation process at the DEC was completed on Monday afternoon. The CEC started posting preliminary election

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<sup>126</sup> In 27 cases observed, unauthorized persons, including police and local officials were present, and in 7 cases such unauthorized persons interfered in the work of the PECs.

<sup>127</sup> The CEC informed the ODIHR EOM that 2,244 PEC protocols (17.5 per cent) required corrections by the PECs prior to or during handover for the tabulation.

<sup>128</sup> Section II.3.3.e. of the [Code of Good Practice](#) provides that “the appeal body must have authority to annul elections where irregularities may have affected the outcome. It must be possible to annul the entire election or merely the results for one constituency or one polling station”. Further, Section II.3.3.i stipulates that “Where the appeal body is a higher electoral commission, it must be able *ex officio* to rectify or set aside decisions taken by lower electoral commissions”.

results some three hours after the closing of the polls, contributing to transparency. Subsequently, data from all protocols were entered into the results system once again at the CEC, to verify accuracy of the data processed. According to the CEC, most discrepancies identified within this second control tabulation stemmed from errors made during the manual data entry and did not affect the election results.<sup>129</sup> On election day, voter turnout was last updated as of 16:00 (25.58 per cent), and no further data were announced following the closing of the polls, reducing transparency. The final turnout was announced at 39.4 per cent on 5 October.

## XVI. POST-ELECTION DEVELOPMENTS

The CEC posted aggregated preliminary results, as well as voting results by polling station, including protocols in machine-readable format. However, compiled results disaggregated by the PEC were not published in any easily accessible format that would facilitate analysis of the results data, thus detracting from transparency. Upon completion of the tabulation process, the CEC published the aggregate final results and distribution of mandates on 5 October. These, however, did not include all relevant data, such as numbers of voters who voted with the mobile ballot box or at the special polling stations.

*To enhance transparency in the results tabulation process, the CEC should publish full preliminary and final results, disaggregated by polling station, in a form that enables easy and prompt access.*

Elected candidates were officially announced on 7 October. Six previously represented political parties and one new party gained representation in the new parliament.<sup>130</sup> Nine political parties and coalitions met the eligibility threshold to receive annual public funding.<sup>131</sup> The new parliament was inaugurated on 19 October.

Following the announcement of the list of elected members of parliament (MPs), a number of prospective MPs, including those elected by preferential votes, refused their mandates, which were then assigned by the CEC to the next candidate on the respective list. The Constitution and the Election Code do not clearly regulate such withdrawals before the elected MPs take oath.<sup>132</sup> This gap is filled by CEC practice, which detracts from the legality of the process and weakens procedural guarantees for the elected candidates.

*Withdrawal of elected members of the National Assembly prior to taking office should be clearly regulated by law.*

All contestants accepted the outcome of the elections. In one case, a GERB-SDS candidate from Kyustendil constituency filed a complaint to the CEC, alleging errors in a PEC protocol which assigned her votes to another candidate.<sup>133</sup> The CEC stated that corrections to voting results could only be made by a PEC and left the complaint without consideration. The candidate then addressed the respective

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<sup>129</sup> A report issued by the CEC indicated 1,169 errors in 366 results protocols processed at the CEC.

<sup>130</sup> GERB-SDS won 67 seats, followed by PP with 53, DPS with 36, Revival with 27, BSP with 25, DB with 20, and the newcomer Bulgarian Rise with 12 mandates. Some 3.4 per cent of votes were cast against all contestants.

<sup>131</sup> Those that entered the parliament as well as ITN and IB which obtained above one per cent of votes.

<sup>132</sup> Article 76(1) of the Constitution enables an MP to tender resignation to the National Assembly, which is accepted by the parliament's resolution. The Constitutional Court ruled in 1992 that an MP obtains credentials upon taking oath in parliament. The Election Code (Article 302) provides that if an MP's credentials terminate early, the CEC shall hand the mandate to the next person on the respective list.

<sup>133</sup> The complaint was accompanied by a letter by PEC members acknowledging the error.

DEC, which also left her complaint without consideration, reasoning that the recounting of ballots was outside its competence.<sup>134</sup>

After the election, the SAC reviewed two appeals against CEC decisions on composition of PECs abroad and two appeals against CEC decisions related to campaign violations. The first two cases were dismissed due to the lack of legal interest, with the reasoning that no possible redress was available after election day. The other two appeals were declared inadmissible.<sup>135</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 Bulgaria has yet to address.<sup>136</sup> ODIHR stands ready to assist the authorities of Bulgaria to further improve the electoral process and address the recommendations contained in this and previous reports.

### A. PRIORITY RECOMMENDATIONS

1. The Election Code should be reviewed to remove inconsistencies and address the shortcomings identified in this and previous ODIHR reports. Amendments to electoral legislation should be developed through an inclusive and consultative process well in advance of the next elections.
2. To fulfil its mandate and ensure independence and efficiency, the Central Election Commission should be provided with the requisite resources corresponding to its legal and operational responsibilities.
3. Consideration should be given to creating a centralized voter register in order to facilitate cross-checks of voter lists against multiple or erroneous entries, control modifications made in the voter lists, safeguard against multiple voting, and provide for permanent registration of voters abroad.
4. Allegations of intimidation, coercion and vote buying should be examined promptly and effectively, and perpetrators be held accountable. Relevant authorities should educate voters on

<sup>134</sup> Paragraph 5.10 of the [1990 OSCE Copenhagen Document](#) states that “everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity”.

<sup>135</sup> The SAC agreed with the CEC that only the administrative act which imposes a sanction may be appealed, and not the one ascertaining a violation.

<sup>136</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 EOM as follows: recommendations 8, 28, 29 and 32 from the ODIHR [final report on the 2017 early parliamentary elections](#) (2017 Final Report), and recommendation 5 from the ODIHR [final report on the November 2021 presidential and early parliamentary elections](#) (November 2021 Final Report), are fully implemented. Recommendations 4, 24, 25, 30, 33, 37, 39 and 40 from the 2017 Final Report, and recommendation 21 from the ODIHR [final report on the April 2021 parliamentary elections](#) (April 2021 Final Report) are mostly implemented. Recommendations 2, 7, 9, 10, 12, 14, 15, 17, 27, 36 and 38 from the 2017 Final Report, recommendations 1, 2, 5, 10, 11, 20 and 22 from the April 2021 Final Report, recommendations 2, 3, 6, 10, 16, 21 and 25 from the ODIHR [final report on the July 2021 early parliamentary elections](#) (July 2021 Final Report), and recommendations 2, 10, 12, 13, 20, 21, 25 and 26 from the November 2021 Final Report are partially implemented. See also the ODIHR [electoral recommendations database](#).

their rights and safeguards in place, and adopt measures to encourage reporting and providing evidence of any pressure, inducements, or other unlawful interference.

5. Consideration should be given to introducing temporary special measures to promote women's representation. These could include legislative requirements to place women in electable positions, gender-based assessments, training and capacity building programmes, and incentives for media and political parties to promote and increase gender balance.
6. Defamation and insult should be decriminalized, in favor of administrative or civil litigation. Consideration should be given to capping of damages sought in civil cases, to the introduction of reasonable timeframes, as well as the adoption of measures against misuse of interim measures, with the aim to safeguard freedom of expression.
7. The legal framework should be reviewed to broaden legal standing in order to ensure that voters and other stakeholders whose rights are violated are entitled to lodge a complaint. In line with international standards, the law should be amended to allow for direct appeals against election results.

## **B. OTHER RECOMMENDATIONS**

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

8. The constituency delineation process should be undertaken well before the next election, be based on clear and objective criteria prescribed by law, and uphold equal suffrage in the distribution of seats among the constituencies.

### **Election Administration**

9. To enhance stability and performance of the election administration, replacement of precinct election commission members should not be permitted after a reasonable deadline prior to election day.
10. To ensure consistent application of election procedures, the CEC should arrange timely, comprehensive and standardized training for all DEC and PEC members.
11. Relevant state and local authorities should undertake further measures to ensure independent access of persons with various disabilities to the entire election process.

### **Voting Technologies**

12. To further strengthen confidence in the use of election technologies, an independent verification of the voting and the results management systems should be considered. The authorities should document all modifications and tests performed in conformity with the established rules and procedures, and make all relevant information publicly available.

### **Voter Registration**

13. Restrictions on voting rights on the basis of intellectual or psychosocial disability, as well as blanket disenfranchisement of prisoners should be removed.



## **Candidate Registration**

14. Consideration should be given to adjusting the deadlines for the submission of registration documents, their verification, and the registration of parties and coalitions, to allow contestants to rectify minor deficiencies.

## **Election Campaign**

15. To uphold a level playing field and equality of opportunities, the legal and institutional framework should address the conduct of public officials during the campaign.

## **Participation of Minorities**

16. The relevant authorities should support election-awareness campaigns among Roma communities to encourage meaningful and inclusive political participation. Political parties should consider adopting internal policies for the promotion of minority representatives within the party leadership and as candidates.

## **Campaign Finance**

17. Consideration could be given to introducing comprehensive reporting requirements prior to election day. In order to ensure that all expenses are accounted for, advertising on online platforms should be subject to disclosure and reporting rules.

## **Media**

18. The financing model of public broadcasters should be revamped, with the aim to ensure their financial independence and sustainability by establishing clear, measurable criteria that take into account, among others, inflation and modernization costs.

## **Election Day**

19. Election commissions should ensure that the polling station layout, and the positioning of voting machines ensures secrecy of the vote.
20. To enhance transparency in the results tabulation process, the CEC should publish full preliminary and final results, disaggregated by polling station, in a form that enables easy and prompt access.
21. To ensure consistency and transparency in the results tabulation process, clear procedures for rectifying errors and discrepancies in result protocols should be established, including criteria for the recounts of paper ballots. Consideration should be given to reviewing the election-day procedures to ensure their effective and consistent application.

## **Post-Election Developments**

22. Withdrawal of elected members of the National Assembly prior to taking office should be clearly regulated by law.

ANNEX I. FINAL RESULTS<sup>137</sup>

Candidate list	Votes	Percentage of votes	Mandates
Movement for Rights and Freedoms (DPS)	344,512	13.75	36
Bulgarian Union for Direct Democracy (BSDD)	5,874	0.23	0
Bulgarian National Unification (BNO)	1,671	0.07	0
National Movement Unity (NDE)	4,039	0.16	0
VMRO – Bulgarian National Movement	20,177	0.81	0
Coalition for Just Bulgaria (KSB)	9,124	0.36	0
Direct Democracy (PD)	4,061	0.16	0
National Front for the Salvation of Bulgaria (NFSB)	3,520	0.14	0
We Continue the Change (PP)	506,099	20.20	53
Morality, Initiative and Patriotism (MIR)	4,536	0.18	0
Conservative Union of the Right (KOD)	5,028	0.20	0
Bulgaria of Labour and Reason (BTR)	2,636	0.11	0
Coalition for You Bulgaria (KTB)	5,097	0.20	0
Revival ( <i>Vazrazhdane</i> )	254,952	10.18	27
Bulgarian Rise (BV)	115,872	4.63	12
Bulgarian National Union – New Democracy (BNS-ND)	1,849	0.07	0
Rise up Bulgaria (IB)	25,207	1.01	0
Movement of Non-Partisan Candidates (DNK)	10,324	0.41	0
There is Such a People (ITN)	96,071	3.83	0
People’s Voice (GN)	6,197	0.25	0
The Right ( <i>Pravoto</i> )	1,757	0.07	0
People’s Party of the Truth and Only the Truth (NPISI)	2,522	0.10	0
Citizens for European Development of Bulgaria – Union of Democratic Forces (GERB-SDS)	634,627	25.33	67
Democratic Bulgaria – Union (DB)	186,528	7.45	20
Bulgarian Social Democracy – Euroleft (BSDE)	5,343	0.21	0
Attack ( <i>Ataka</i> )	7,593	0.30	0
BSP for Bulgaria (BSP)	232,958	9.30	25
Russophiles for Revival of the Fatherland (RVO)	6,533	0.26	0
Tsvetan Hristov Atanasov – Independent candidate (MMC 3)	312	0.20	0
Luna Yordanova Yordanova – Independent candidate (MMC 25)	252	0.18	0
Option ‘I do not support anyone’	87,635	3.38	N/A

Total number of registered voters prior to election day	6,602,990
Total number of registered voters on election day	6,620,820
Total number of voters included in supplementary voter lists	230,149
Total number of votes cast ( <i>turnout</i> )	2,601,963 (39.41 per cent )
Number of votes cast through voting machines	2,342,236
Number of votes cast through ballot papers	259,727
Number of valid votes	2,592,907
Number of invalid votes	9,042 (0.35 per cent )

<sup>137</sup> Based on [final results data published by the CEC](#).

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

### Parliamentary Assembly of the Council of Europe

Heer	Alfred	Switzerland	Head of Delegation
Odrats	Ivi-Triin	Estonia	Secretariat
Tanguy	Liliana	France	MP
Vallini	André	France	MP
Mikanadze	Givi	Georgia	MP
Engelhardt	Heike	Germany	MP
Ævarsdóttir	Thórhildur Sunna	Iceland	MP
Gavan	Paul	Ireland	MP
O'Reilly	Joe	Ireland	MP
Rizzotti	Maria	Italy	MP
Said	Chris	Malta	MP
Darmanovic	Srđan	Montenegro	Venice Commission
Nykiel	Mirosława	Poland	MP
Cegonho	Pedro	Portugal	MP
Stoica	Diana	Romania	MP
Gutierrez	Antonio	Spain	MP
Martinez Ferro	María Valentina	Spain	MP
Sumelzo	Susana	Spain	MP
Grin	Jean-Pierre	Switzerland	MP
Büyükgümüş	Ahmet	Türkiye	MP
Emre	Yunus	Türkiye	MP
Günay	Emine Nur	Türkiye	MP
Gündüz	Sevda	Türkiye	Secretariat

### ODIHR Short-term observers

Kurti	Elvana	Albania
Serjani	Blerina	Albania
Arsenault	Mathieu	Canada
Barr	Arwen	Canada
Black	Paul	Canada
Dalziel	Lloyd	Canada
Ermolenko	Evgeny	Canada
Hassan	Fatima	Canada
Jiwa	Aliya	Canada
Jiwa	Ashifa	Canada
Kit	Olena	Canada
Larkin	Florence	Canada
Larocque	Claude	Canada
Mackey	Jeffrey	Canada
Mickevicius	Vanessa	Canada
Mills	Scott	Canada
Mulholland	Liesl	Canada
Mulligan	David	Canada
Nkanira	Inès	Canada

Ryan	Nicholas	Canada
Safarli	Gullu	Canada
Smith	Julia	Canada
Sossou	Kodjo	Canada
Suleman	Khadijah	Canada
Van Groningen	Steven	Canada
Wagner	Cynthia	Canada
Zeroual	Jessica	Canada
Krč	Jakub	Czech Republic
Kutilová	Markéta	Czech Republic
Netuková	Petra	Czech Republic
Oriško	Josef	Czech Republic
Plaňavová	Jana	Czech Republic
Dardant	Philippe	France
Dejean	Olivia	France
Godbillon	Vincent	France
Hentry	Damien	France
Nadjar	Thomas	France
Karenashvili	Ketevan	Georgia
Natroshvili	Levan	Georgia
Bess	Henning	Germany
Brysch	Erich	Germany
Danne	Miriam	Germany
Fellmann	Maria	Germany
Fischer	Frank	Germany
Hartwich	Marcel	Germany
Hentschke	Johannes	Germany
Herkenhoff	Maria	Germany
Hutter	Dorothee	Germany
Kleindienst	Julius	Germany
Kobler	Martin	Germany
Kohlmeier	Peter	Germany
Kuehnhenrich	Daniel	Germany
Luke	Dorothea	Germany
Lussignoli	Orsola	Germany
Machalett	Karola	Germany
Mede-Karpenstein	Tina	Germany
Michael	Holger	Germany
Neundorf	Ulrike	Germany
Ohlsen	Martin	Germany
Pammer	Karl	Germany
Peissker-Meyer	Cosima	Germany
Reim	Regine	Germany
Sieck	Marlene	Germany
Stan	Anca	Germany
Theilmann	Susanne	Germany
Trautmann	Marcelo	Germany
van Kampen	Thomas	Germany
Delov	Kire	North Macedonia
Đurović Vojinović	Jovana	Serbia
Komatina	Sladana	Serbia

Estrada Cocina	Elena	Spain
Ferreiro Prado	Lucia	Spain
Fuentes Cardona	Joaquin	Spain
Gutiérrez Vega	Pablo	Spain
Hermida Marina	Jaime	Spain
Mier Hernandez	Atria	Spain
Andersson	Kasper	Sweden
Bartolini	Alessandro	Sweden
Bergknut	Knut	Sweden
Bolling	Jan	Sweden
Ekholm	Mats	Sweden
Glans	Stig	Sweden
Haggren	Åke	Sweden
Liden	Arvid	Sweden
Lindberg	Karl	Sweden
Ljusenius	Aasa	Sweden
Löfberg	Mårten	Sweden
Melin	Mats	Sweden
Nyman	Håkan	Sweden
Olsson	Paer	Sweden
Sjoberg	Tomas	Sweden
Ströje Wilkens	Madeleine	Sweden
Tallberg	Bo Pontus	Sweden
Tollemark	Lars	Sweden
Wällberg	Peter	Sweden
Wängborg	Manne	Sweden
Zitouni	Sofia	Sweden
Bosshard	Michel	Switzerland
Calastri	Michele	Switzerland
Crittin	Diane	Switzerland
Keller	Annette	Switzerland
Nadrai	Valérie	Switzerland
Peter	Federico	Switzerland
von Arx	Alexandra	Switzerland
Ziegler	Stephan	Switzerland
Berk	James	United States
Busnov	Amir	United States
Clark	Jeffrey	United States
Conoboy	Eileen	United States
Deegan-Krause	Kevin	United States
Drigot	Daniel	United States
Erlich	Jeffrey	United States
Frost	Robert	United States
Hemphill	Stephen	United States
Jones	Ernest	United States
Kennedy	Marsha	United States
Kothari	Alka	United States
McThomas	Shelley	United States
Ranjbar	Azita	United States
Reinhardt	Karen	United States
Shieldhouse	Richard	United States

Simon	Daniel	United States
Valdiosera	Rene	United States
Walker	Deborah	United States
Walsh	Teresa	United States

#### **ODIHR Long-term observers**

Mirić	Bojan	Bosnia and Herzegovina
Drnovský	Adam	Czech Republic
Uruba	Valdemar	Czech Republic
Arnoult	Julien	France
Jouannet	Marion	France
Berger	Johanna	Germany
Lehleiter	Josef	Germany
Nizharadze	Elene	Georgia
Barfus	Mario	Switzerland
Maldonado	Barbara	Switzerland
Matchak	Eda	United States
Peskoe	Anne	United States

#### **ODIHR Core Team**

Suomalainen	Nina	Finland	Head of Mission
Chaliadzinski	Aliaksandr	Belarus	
Vashchanka	Vasil	Belarus	
Pilgrim	Wayne	Canada	
Mašková	Marcela	Czech Republic	
Skouzou	Eirini	Greece	
Lase	Inta	Latvia	
Bader	Max	Netherlands	
Wessel	Nina	Norway	
Jańczy	Tomasz	Poland	
Sandić	Maja	Serbia	
Stefanović	Jelena	Serbia	
Juraqulov	Farrukh	Tajikistan	
Bowers	Kyle	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, the 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/odihhr](http://www.osce.org/odihhr)).