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Observation of the early parliamentary elections in Bulgaria (26 March 2017)

Election observation report
Ad hoc Committee of the Bureau
Rapporteur: Ms Marie-Christine DALLOZ, France, Group of the European People's Party

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1. Introduction

1. On 26 January 2017, Ms Tsetska Tsacheva, President of the National Assembly of Bulgaria, invited the Parliamentary Assembly of the Council of Europe to observe the early parliamentary elections in Bulgaria, scheduled for 26 March 2017.

2. The Bureau of the Assembly, at its meeting on 27 January 2017, decided to observe the elections and constituted an ad hoc committee for that purpose composed of 20 members (EPP/CD: 7; SOC: 6; ALDE: 3; EC: 3; UEL: 1) and the co-rapporteurs of the Monitoring Committee, and appointed Ms Marie-Christine Dalloz (France, EPP/CD) as its chair. The list of members appears in Appendix 1.

3. In line with the co-operation agreement signed between the Parliamentary Assembly and the European Commission for Democracy through Law (Venice Commission) on 4 October 2004, a representative of the Venice Commission was invited to join the ad hoc committee as a legal adviser. The Venice Commission was represented by Mr Eirik Holmøyvik.

4. The ad hoc committee met in Sofia from 24 to 27 March 2017. The programme of the ad hoc committee's meetings is set out in Appendix 2. On polling day, the Assembly delegation split into 10 teams and observed the vote in Sofia and the surrounding area, as well as in constituencies in various regions throughout the country.

5. The Assembly's ad hoc committee operated in the framework of an International Election Observation Mission (IEOM), which also included a limited election observation mission from the Office for Democratic Institutions and Human Rights of the OSCE (OSCE/ODIHR) headed by Mr Roman Jakic. The following day, the IEOM held a press conference and issued a press release (Appendix 3).

6. The Assembly delegation concluded that on election day the citizens of Bulgaria could make a free choice. The elections were generally well organised, but some procedural shortcomings were noted during counting. The Electoral Code allows all citizens, independently of their ethnic origins, to elect their representatives to the National Assembly. Also, the delegation was informed by various interlocutors of cases of interference by the government of a foreign country in the electoral process. The newly elected National Assembly of Bulgaria will have the responsibility to work to resolve both internal and external tensions.

2. Political background

7. The Parliamentary Assembly has observed all of the parliamentary and presidential elections in Bulgaria since 1990. The elections on 26 March were the sixth elections held in Bulgaria since 2013 (two parliamentary elections, one election to the European Parliament, one local election and one presidential election). This high number of elections in such a short period could be a sign of political instability rather than of a process of democratic development.

8. On 13 November 2016, Mr Rumen Radev was elected President of Bulgaria. On 14 November, in keeping with an announcement he had made concerning that eventuality, Prime Minister Borisov presented his government's resignation following the defeat of Ms Tsetska Tsacheva, the candidate of his party, Citizens for European Development of Bulgaria (GERB), in the presidential election.

9. The newly elected president's term began on 22 January 2017 and, two days later, on 24 January, the new President, Rumen Radev, dissolved the National Assembly and called early parliamentary elections for 26 March 2017.

10. The 2016 presidential election was held in conjunction with a referendum on changes to the electoral system and political party funding. A petition for the referendum had been initiated by one of the most popular TV show presenters in Bulgaria and managed to gather 673 481 signatures in favour of holding it. A check by the relevant authorities established that 572 650 of the signatures were valid, with the minimum threshold for the holding of a referendum initiated by citizens being 400 000 valid signatures.

11. In May 2016, the former President of Bulgaria, Rosen Plevneliev, had referred three of the six questions proposed for the referendum to the Constitutional Court for a ruling. On 28 July 2016, the Constitutional Court unanimously rejected the three questions despite all questions having been previously accepted by parliament for a national referendum to be held in autumn 2016. The three rejected questions concerned, firstly, the introduction of electronic voting in elections and referendums, secondly, a reduction in the number of members of parliament from 240 to 120 and, thirdly, the election of the heads of regional directorates of the Interior Ministry through a first-past-the post electoral system requiring an absolute majority at the end of two rounds.

12. The three questions that remained for the 6 November 2016 referendum focused on the introduction of a first-past-the-post system to elect members of parliament, the introduction of compulsory voting (even though parliament had already legislated on this) and the reduction of State subsidies for political parties and coalitions to one lev (about 50 euro cents) per valid vote.

13. The Constitutional Court rejected the question concerning a reduction in the number of members of the National Assembly from 240 to 120 on the grounds that this decision was solely within the competence of a Grand National Assembly.[1] The court held that for decisions taken in the referendum to be implemented, the matter must fall within the competence of the body which takes the decision to hold the referendum. The National Assembly could not commit itself to holding a referendum on issues which fell within the competence of other authorities, such as a Grand National Assembly.

14. The Constitutional Court pointed out that it found it necessary "to once again emphasise" that a national referendum is a powerful tool for the direct exercise of State power by citizens, significantly different from other forms of participation "and in no way is a kind of public opinion poll". This meant that the National

1. The Code provides for the possibility of electing a 400-member Grand National Assembly solely for constitutional and other fundamental changes. The system for electing the National Assembly, including the number of constituencies, is equally applicable for the election of the Grand National Assembly.

Assembly should exercise the powers given to it by the Constitution and the law in the strict sense, to prevent people being misled and taking part in the voting without it being clear that the result of the referendum would not produce the legal consequences being sought.

15. In his approach to the Constitutional Court, President Plevneliev had said that the Constitution could not be circumvented by trying to allow parliament, which would have to implement the decision taken by referendum, to decide by a simple majority vote matters that were under the jurisdiction of a Grand National Assembly.

16. The election campaign for the early parliamentary elections began on 24 February 2017. The political parties and coalitions were able to campaign freely, with no major restrictions. The electoral environment was marked by public disillusionment with politics and fatigue with the repeated holding of elections, given that six different elections have been held in Bulgaria since 2013. The election campaign focused on the issues of education, social welfare and national identity.

17. The Assembly delegation was informed by various interlocutors of the use of xenophobic and anti-Roma language and of allegations of vote buying and "organised" voting, in particular among vulnerable groups. Various interlocutors reported cases of the Turkish authorities interfering in the electoral process, in particular by bussing in voters from Turkey. Representatives of the United Patriots (UP) party apparently blocked roads at the border to prevent them from entering Bulgaria. This situation heightened tensions between the two countries. In this connection, the Assembly delegation indicated that the newly elected Bulgarian National Assembly would have the responsibility of relieving both internal and external tensions.

18. The Assembly delegation was informed of cases of restrictions on election campaign materials (in particular, the Central Electoral Commission (CEC) banned a video spot showing the Turkish ambassador to Bulgaria in support of the DOST party, which represents Bulgarians of Turkish ethnic origin); allegations concerning the sexual orientation of a candidate; and the distribution of books about alleged involvement of candidates in financial crimes.[2] During its meeting with the Assembly delegation, the CEC explained that the bans in question were in line with the Electoral Code; the cases involved breaches of Article 183.4 of the Electoral Code prohibiting the use of "campaign materials … which are contrary to good morals and damaging to the honour and reputation of the candidates".

19. Since the amendments to the Electoral Code in May 2016, campaigning by clergy has been prohibited, as has the use during election campaigns of religious symbols, the national flag of Bulgaria and those of foreign countries. The Assembly delegation was informed of cases where the Bulgarian flag and those of foreign countries were displayed at demonstrations in Sofia and Pleven.

20. In general, the Assembly delegation believes that the Electoral Code could be altered to take account of the various problems identified during the elections in 2016 and 2017. In particular, these included the effective participation in elections by citizens of non-Bulgarian ethnic origin; and the free expression of the different points of view of Bulgarian citizens during election campaigns regardless of their ethnic origin, but without foreign governments being able to interfere in the electoral process or influence voters' choices. The necessary steps should be taken in close co-operation with the Council of Europe's Venice Commission and with due regard to relevant best practice in other Council of Europe member States.

21. The Citizens for European Development of Bulgaria (GERB) party is headed by Boyko Borisov, former Prime Minister. In its programme, the GERB party promised to implement an anti-corruption plan which would include removing the immunity of members of parliament, increasing the minimum and the average wage over the course of the next four-year term, doubling teachers' salaries, giving more assistance to the largest families, privatising health insurance and completing the national motorways programme. It was firmly opposed to any possible alliance with the socialists.

22. The Bulgarian Socialist Party (BSP) is allied with five parties (the Communist Party, the Ecoglasnost Political Club, the New Dawn Political Party, the Aleksandar Stamboliyski Agrarian Union and the Thrace Political Club). Its officials stated that approximately 40% of the candidates at the top of its list were newcomers. The BSP wants to change the taxation system by keeping a flat 10% tax for the majority of Bulgarians while increasing the rate to 20% for those earning over 10 000 lev (€5 113) per month. It called for retirement pensions and teachers' salaries to be recalculated and increased by 20%.

2. ODIHR preliminary findings and conclusions of 26 March 2017, p. 8.

23. The Patriotic Front is a nationalist alliance comprising Krasimir Karakachanov's National Movement (IMRO-BNM), Valeri Simeonov's National Front for the Salvation of Bulgaria and Volen Siderov's Ataka party. The Patriotic Front promised to raise the minimum pension to 300 lev (€153.20) per month. Two other parties were set up in recent weeks. The former Minister of Justice, Hristo Ivanov, formed the Yes Bulgaria Movement, which sets out to combat corruption and fight for genuine justice reform.

24. The Movement for Rights and Freedoms (DPS) is the party that represents the Turkish minority. It was founded in 1989 and is led by Mustafa Karadayi.

25. In December 2013, five parties (the Democrats for a Strong Bulgaria, the Bulgaria for Citizens Movement, the Union of Democratic Forces, the People's Party Freedom and Dignity and the Agrarian Union) formed the Reformist Bloc. The Reformist Bloc, which signed an agreement with People's Voice (led by Svetoslav Vitkov, leader of the rock band Hipodil), sets out to be an alternative solution to GERB. It is in favour of lowering taxes, greater freedom for small and medium-sized businesses, transparency of the judicial system and a better economic environment with institutions that are capable of combating cartels and monopolies.

26. Volya ("Will") is a party formed by businessman Veselin Mareshki, an unsuccessful candidate in last November's presidential election (11.17% of votes cast in the first round). Volya promised to increase the minimum old age pension and the minimum wage.

3. Legal framework

27. The main piece of legislation governing parliamentary elections is the Electoral Code of 22 July 2016. In addition to the Constitution of Bulgaria and the Electoral Code, other relevant pieces of legislation include the Direct Citizen Participation in State and Local Government Act, the Political Parties Act, the Local Self-Government and Local Administration Act and the Administrative Violations and Sanctions Act. It is worth noting that a new provision among the recent amendments sets out a ban on using the coat of arms or the flag of the Republic of Bulgaria or those of foreign countries or any religious symbols or references in campaign materials.

28. In general terms and in accordance with the Venice Commission's recommendations, the Electoral Code is conducive to holding democratic elections in Bulgaria. However, some aspects of electoral legislation need to be improved, in particular, transparency concerning media ownership, proper monitoring of campaign accounts, effective remedies for challenging election results, the criteria for establishing polling stations abroad and education for citizens of non-Bulgarian ethnic origin regarding elections, including language issues.

29. In May 2016, the National Assembly adopted a number of amendments to the Electoral Code, including the introduction of compulsory voting, the transfer of most election-related responsibilities from the Council of Ministers to the CEC and new rules for the establishment of polling stations abroad.

30. On 17 October 2016, the Ombudsman of Bulgaria challenged the provisions of the Electoral Code on voting abroad before the Constitutional Court, arguing that the cap of 35 Bulgarian polling stations per country violated the Constitution by infringing the rights of expatriates to vote. The ruling parties (GERB, the Reformist Bloc and the Patriotic Front) reached a compromise to amend the Electoral Code after an emergency meeting, removing the cap on the number of polling stations outside Bulgaria within European Union countries.[3] As a result, the National Assembly adopted amendments to the Electoral Code on 21 October 2016 abolishing the cap on the number of polling stations in European Union countries. The members also debated the option of blank votes on ballot papers, which was retained in the end.

31. The National Assembly comprises 240 members of parliament, elected for a four-year term by the 31 multi-seat electoral constituencies corresponding to the country's oblasti (provinces). There is a mixed electoral system in place: 31 members are elected through a first-past-the-post system and 209 through a proportional system (closed lists).

32. A political party must obtain a minimum of 4% of the votes cast to be represented in the parliament. The new code introduced the option of preferential voting for certain candidates on a list (open lists). A candidate may benefit from the preferential vote if the number of votes received is at least 7% of the votes cast for their list.

3. Which therefore does not resolve the issue of the cap on the number of polling stations in non-EU countries.

4. Electoral administration, voters lists and registration of parties and coalitions

33. The early parliamentary elections were administered by the Central Electoral Commission, 31 district electoral commissions (DECs) and 12 081 precinct electoral commissions (PECs).

34. The CEC is a permanent body comprising members nominated by the parties and coalitions represented in parliament, as well as members nominated by each of the parties and coalitions which have members elected to the European Parliament but which are not represented in the Parliament of Bulgaria. The chairperson, the deputy chairpersons and the secretary of the CEC are elected by the National Assembly; the chairperson and the secretary may not belong to the same political party.

35. Various interlocutors of the Assembly delegation, including representatives of the political parties and coalitions, expressed their confidence in the neutrality and impartiality of the electoral administration. The electoral administration worked professionally and transparently, although their decision making was not always consistent. The voting process was transparent.

36. All Bulgarian citizens aged 18 years or older on polling day are entitled to vote, except those serving a prison sentence, regardless of the severity of the crime. Voter registration is passive; voters lists are compiled on the basis of data in the national population register. For the elections on 26 March, 6 810 341 voters were registered.

37. This figure of 6 810 341 citizens is inexplicably high for a population of 7.4 million. This issue has been the subject of controversy for decades. Nevertheless, the Assembly delegation's discussion partners did not express any doubts about the accuracy of the voters lists. Voters could verify their data online and in designated display areas at the local administration, and they could amend their registration records. Special voters lists are established for the purpose of voting outside polling stations, i.e. in medical facilities, specialised institutions, prisons and navigation vessels.

38. Voters abroad could vote without prior registration, which was a cause of concern for several interlocutors, as this system does not provide sufficient safeguards against possible multiple voting. The Electoral Code provides that "the voter [abroad] shall furthermore present a declaration completed in a standard form to the effect that he or she has not voted and will not vote elsewhere in the same elections. The said declaration shall be attached to the electoral roll and shall constitute an integral part thereof". A total of 371 polling stations were opened in 70 foreign countries: 58 in the United Kingdom; 38 in Spain; 35 each in Turkey and the United States; and 21 in Greece. The total number of polling stations in foreign countries fell from 428 in 2014 to 371 in 2017; this mainly concerned Turkey, where there were 101 fewer polling stations than at the previous elections.

39. Under the new Electoral Code, political parties and coalitions must submit a set of documents to register with the CEC. They then present their lists of candidates to the DECs. Should a registration be denied by the CEC, the decision may be challenged before the Supreme Administrative Court. Four cases of denial of registration were brought before the court, which upheld the CEC's decisions. According to the Assembly delegation's interlocutors, the candidate registration process was inclusive.

40. The CEC registered 11 political parties and seven coalitions. A total of 4 700 candidates, including nine independents, stood for the 240 seats. 31% of the candidates were women and women topped 132 lists, i.e. 22% of all lists.

5. Campaign financing and media environment

41. 41. Funding of political parties, coalitions and candidates is based on public funds as well as on the financial resources of the party, the coalition or the candidate(s) and contributions by natural persons. Anonymous contributions, contributions by legal persons, contributions from abroad (by natural persons as well as States, State-owned companies and foreign non-profit organisations) and contributions from religious institutions are banned.

42. Parties and coalitions in parliament are entitled to public funding in proportion to the number of valid votes received previously. All those parties which received at least 1% of valid votes nationwide in the previous parliamentary elections also receive some public funding. Candidates not entitled to public funding receive funds for media advertisements, amounting to BGN 40 000 for parties/coalitions and BGN 5 000 for independent candidates.

43. Since 2014, those parties which received at least 1% of valid votes nationwide have received the following amounts annually, in proportion to the votes received: GERB, BGN 12 145 950; BSP, BGN 5 730 286; DPS, BGN 5 513 486; the Reformist Bloc, BGN 3 304 152; and the Patriotic Front, BGN 2 709 515. In this connection, some of the Assembly delegation's interlocutors considered the level of public funding for political parties to be very generous compared with the salaries and pensions funded from the national budget.

44. The National Audit Office has the authority to oversee political party and campaign expenses.Under the electoral legislation, donations to parties are limited to BGN 10 000 per person and campaign expenditure is limited to BGN 3 million for a political party or coalition and BGN 0.2 million for an independent candidate. Political parties and coalitions must submit reports on the sources of donations to the National Audit Office five days before the beginning of election campaigns. The Assembly delegation was informed that only 12 political parties had complied with this requirement in the legislation.

45. Final campaign accounts must be submitted to the National Audit Office within 30 days of polling. However, the National Audit Office has no deadline for completing its audits, and sanctions for non-compliance with campaign finance regulations remain low and thus insufficiently dissuasive.

46. Overall, Bulgaria has a pluralist media landscape offering freedom of expression. Public service broadcasters are required to cover elections in accordance with the principles of equitability and objectivity and to allocate free airtime to each candidate. Election coverage by private broadcasters is mostly not covered by the regulations. There is a clear lack of equality between parties, not least because parties in parliament benefit from State subsidies, which is regarded as an indirect subsidy for media access. Another new provision in the Electoral Code (Article 187.4) provides that any political insinuation in commercial advertising to the advantage or disadvantage of a party, a coalition, a nominating committee or a candidate is prohibited.

47. The OSCE/ODIHR Election Observation Mission media monitoring indicated that during the campaign period, the prime-time news of the national broadcaster BNT devoted a total of only four minutes to all candidates combined. BNT also created a current affairs programme, "Bulgaria Votes 2017", focused on the election campaign. The private channels, BTV, Nova and Channel 3, displayed a similar approach by devoting only very little prime-time coverage to all candidates. The private TV channels devoted most airtime to GERB (20%-26%); BSP (17%-23%) and DOST (11%-12%), and between 8% and 11% to the other candidates. Coverage of DOST was more negative than for other parties.

48. Some of the Assembly delegation's interlocutors expressed reservations about the independence of the media from undue economic or political influence. Furthermore, media ownership was opaque. Paid campaign broadcasts were not always clearly identified as such, which might have misled some voters about their source.

49. The Bulgarian Constitution does not recognise national minorities. The Electoral Code provides that Bulgarian is the only language which may be used during election campaigns. According to the 2011 census, 8.8% of the population are of Turkish origin and approximately 4.9% are Roma. The minorities are seen as being among the most vulnerable to electoral irregularities. Bulgaria has ratified the Council of Europe Framework Convention for the Protection of National Minorities (ETS No. 157). It is not a Party to the European Charter for Regional or Minority Languages (ETS No. 148).

50. The Assembly delegation would reiterate the point made in several previous reports that all political parties and their leaders also have a responsibility to combat effectively all forms of electoral corruption and discrimination, which, according to various credible sources, are worrying problems in ethnically mixed areas. Poverty is a fertile breeding ground for buying and controlling votes, and so is the lack of education and knowledge of the language of the country, which keeps the population dependent on the grey economy.

6. Polling day

51. On polling day, the Parliamentary Assembly delegation split into 10 teams and observed the vote in Sofia and the surrounding area, as well as in various regions throughout the country. In the polling stations observed, polling day was assessed as generally calm, voting was transparent and well organised, polling

station staff knew what they were doing and the international observers were well received. The members of the Assembly delegation nevertheless noted the following technical problems and shortcomings in the polling stations they visited:

– in general, polling stations lacked adequate access for persons with disabilities and elderly people, although in some places special polling stations had been opened for people with reduced mobility;

– a limited number of polling stations opened late;

– in a polling station at Sofia university 353 voters had voted using a supplementary voters list, which was an unusually high figure compared with the number of voters on the ordinary list (556);

– the delegation members were surprised by the lack of independent observers in polling stations in both urban and rural areas;

– at the Turkish border, one of the delegation teams observed the presence of buses registered in Turkey which had brought in voters in an organised fashion; these voters were accompanied to the polling stations by the mayors of the places concerned;

– isolated cases of non-compliance with the counting procedures were observed in certain polling stations, particularly in rural areas, although this did not have an impact on the result.

52. The CEC announced the official results of the early elections. Five parties and coalitions passed the 4% threshold:

– Citizens for European Development of Bulgaria (GERB) – 95 seats (32.65%)

– Socialist Party – 80 seats (27.20%)

– Patriotic Front – 27 seats (9.07%)

– Movement for Rights and Freedoms – 26 seats (8.99%)

– Volya (“Will”) – 12 seats 4.15%.

53. Voter turnout was 54.07%. The results for the other parties were as follows: Reformist Bloc 3.06%; Yes Bulgaria 2.88%; DOST 2.86% and New Republic 2.48%.

54. In terms of voting abroad, 117 668 voters took part in the elections, with 24% voting for GERB; 17.49% for DOST; 12.54% for PSB; 12.05% for DPS; 10.19% for Yes Bulgaria and 7.11% for United Patriots.

7. Conclusions and recommendations

55. The Parliamentary Assembly delegation concluded that the citizens of Bulgaria could make a free choice on polling day. Voting was generally well organised, but some procedural shortcomings were noted during counting. However, an election is not limited to polling day.

56. The election campaign mainly focused on the issues of education, social welfare and national identity. The Assembly delegation underlined that the candidates were able to address voters freely, in an electoral environment marked by public disillusionment with politics and fatigue with the repeated holding of elections, given that six different elections have been held in Bulgaria since 2013. Various discussion partners highlighted the issue of participation by Bulgarians of Turkish ethnic origin, the number of polling stations opened in Turkey and information concerning interference by the Turkish Government in the electoral process. In this connection, the Assembly delegation was of the view that the newly elected National Assembly of Bulgaria will have the responsibility to relieve both internal and external tensions.

57. The Assembly delegation would reiterate the point made in several previous reports that all political parties and their leaders also have a responsibility to combat effectively all forms of electoral corruption and discrimination, which, according to various credible sources, are worrying problems in ethnically mixed areas, where there is a lack of education and knowledge of the Bulgarian language, which keeps the population dependent on the grey economy.

58. With regard to media coverage of the election campaign, the Assembly delegation notes that, overall, Bulgaria has a pluralist media landscape offering freedom of expression. However, the results of OSCE/ ODIHR Election Observation Mission media monitoring indicated that the prime-time news of the national broadcaster BNT devoted a total of only four minutes to all candidates combined. The private channels BTV, Nova and Channel 3 displayed a similar approach by devoting only very little primetime coverage to all

candidates. The private TV channels devoted most airtime to GERB (20%-26%); BSP (17%-23%) and DOST (11%-12%), and between 8% and 11% to the other candidates. Coverage of DOST was more negative than for other parties.

59. The electoral administration worked professionally and transparently, although their decision making was not always consistent. The voting process was transparent, but procedural shortcomings were noted during counting in the limited number of polling stations observed.

60. The Electoral Code is conducive to holding democratic elections in Bulgaria and, regardless of their ethnic origin, citizens are generally able to freely elect their representatives to the National Assembly. However, some aspects of electoral legislation need to be improved, in particular:

– transparency concerning media ownership;

– proper monitoring of campaign accounts;

– more effective remedies for challenging election results;

– the criteria for establishing polling stations abroad;

– education for citizens of non-Bulgarian ethnic origin regarding elections, including language issues;

– lack of knowledge of the Bulgarian language in ethnically mixed areas;

– the free expression of the different points of view of Bulgarian citizens during election campaigns regardless of their ethnic origin, but without foreign governments interfering in the electoral process or influencing voters' choices.

61. The Assembly delegation calls on the authorities concerned in Bulgaria, in close co-operation with the Parliamentary Assembly and the Venice Commission, to improve the Electoral Code and electoral practices, taking account of the various problems identified during the presidential and parliamentary elections in 2016 and 2017 and also having due regard to relevant best practice in other Council of Europe member States.

Appendix 1 – Composition of the ad hoc committee

Based on the proposals by the political groups of the Assembly, the ad hoc committee was composed as follows:

– Chairperson: Marie-Christine DALLOZ, France (EPP/CD)

– **Group of the European People's Party (EPP/CD)**
  - Marie-Christine DALLOZ, France
  - Nicole DURANTON, France
  - Rónán MULLEN, Ireland

– **Socialist Group (SOC)**
  - José CEPEDA, Spain
  - Anne-Yvonne LE DAIN, France
  - Idália SERRÃO, Portugal
  - Predrag SEKULIĆ, Montenegro
  - Renata DESKOSKA, "the former Yugoslav Republic of Macedonia"
  - Gordan MARAS, Croatia
  - Dimitri TSKITISHVILI, Georgia

– **European Conservatives Group (EC)**
  - Nino GOGUADZE, Georgia

– **Alliance of Liberals and Democrats for Europe (ALDE)**
  - Olena SOTNYK, Ukraine
  - Mart van de VEN, Netherlands
  - Alfred HEER, Switzerland

– **Group of the Unified European Left (UEL)**
  - Matjaž HANŽEK, Slovenia

– **Venice Commission**
  - Eirik HOLMØYVIK, Substitute member, Norway

– **Secretariat**
  - Chemavon CHAHBAZIAN, Head of Division, Election Observation and Interparliamentary Co-operation Division
  - Danièle GASTL, Assistant, Election Observation and Interparliamentary Co-operation Division
  - Gaël MARTIN-MICALLEF, Legal advisor, Venice Commission

Appendix 2 – Programme of the ad hoc committee (24-27 March 2017)

Friday 24 March 2017

09:00 – 10:00 PACE ad hoc committee meeting:
- Opening of the meeting by Marie-Christine Dalloz, Head of the Delegation
- Recent political developments by Teodora Kaleynska, local expert, Associate Professor of political science, Veliko Turnovo University, former Head of the Council of Europe Information Office in Bulgaria
- Recent developments in the field of election legislation in Bulgaria by Eirik Holmøyvik, Professor of Law and substitute member of the Venice Commission, and Gaël Martin-Micallef, member of the Secretariat

10:00 – 10:30 Meeting with Ognian Zlatev, Head of the EU delegation in Bulgaria

10:30 – 11:30 Briefing by the OSCE/ODIHR Limited Election Observation Mission

11:30 – 12:15 Meeting with NGOs involved in election observation:
- Transparency International: Kalin Slavov, Vanya Nusheva
- Citizens' Initiative for Free, Democratic Elections: Katya Mihaylova,
- Institute for Liberal Strategies: Daniel Smilov
- Institute for Social Integration: Lazarina Boneva

12:15 – 13:00 Meeting with representatives of the media on election campaign coverage issues:
- Association of European Journalists: Maria Chereshova
- CEM: Maria Stoyanova, Ivo Atanasov
- BNT: Daniel Chipev, Head of Information

14:30 – 17:30 Meetings with the leaders and representatives of main political parties and parliamentary groups:
- GERB: Djema Grozdanova, Kiril Dobrev
- Bulgarian Socialist Party: Kaloyan Pargov, Iveta Ivanova
- United Patriots: Julian Angelov, Petrova, Dancho Hadjiev
- VOLYA (Will), New political subject: Sebastian Dobrev, Plamen Hristov
- Movement for Rights and Freedoms: Unal Lutvi, Chetin Kazak, Habil Habilov, Temenuga Todorova

18:00 – 19:40 Meeting with Ivilina Alexieva-Robinson, Chairperson of the Central Election Committee and members of the CEC

Saturday 25 March 2017

10:00 – 11:00 PACE ad hoc committee meeting: practical and logistical arrangements, deployment plan

11:00 – 12:00 Meeting with drivers and interpreters

Sunday 26 March 2017

07:00 Observation of voting

20:00 Observation of counting at polling stations

Monday 27 March 2017

08:00 – 09:00 PACE ad hoc committee debriefing

14:00 Press conference

Appendix 3 – Statement by the International Election Observation Mission (IEOM)

Contestants in Bulgarian elections could reach out to voters freely, but a number of previous recommendations remain to be addressed, international observers say

Strasbourg, 27.03.2017 – Contestants in Bulgaria's early parliamentary elections could reach out to voters freely, while the low-key campaign was generally characterised by public disillusionment with politics and election weariness, international observers concluded in a preliminary statement released today. The legal framework is largely conducive to holding democratic elections, and amendments since the 2014 elections addressed some previous recommendations for improvements, but further efforts are needed, the statement says.

"We concluded that on election day the citizens of Bulgaria could make a free choice in elections that were well organised, although certain shortcomings remain. The Electoral Code allows all citizens, independently of their ethnic origins, to elect their representatives to the National Assembly. Also, the delegation was informed by various interlocutors of cases of interference by the government of a foreign country in the electoral process. The newly elected National Assembly of Bulgaria will have the responsibility to work to resolve both internal and external tensions," said Marie-Christine Dalloz, Head of the delegation from the Parliamentary Assembly of the Council of Europe (PACE). "The Parliamentary Assembly remains at the disposal of the newly elected Parliament to pursue its co-operation in the framework of its monitoring procedure, in order to improve its electoral legislation and its implementation."

Previous recommendations by the OSCE Office for Democratic Institutions and Human Rights (OSCE/ ODIHR) and the Council of Europe's Venice Commission that remain to be addressed include those related to suffrage rights, campaign finance reporting, and the complaints and appeals system. The limitation of the number of polling stations in non-European Union countries has a discriminatory effect, the observers said.

"The campaign leading up to yesterday's elections allowed participants to compete for the support of the electorate. With regard to the laws and rules governing elections, work still needs to be done to bring these more in line with OSCE commitments and other international standards," said Roman Jakic, Head of the OSCE/ODIHR limited election observation mission. "Today's statement will be followed by a final report with recommendations on how to address the shortcomings identified in the legal framework and electoral practice. I hope the authorities will see the final report as an opportunity to follow up and address these issues."

The Electoral Code prohibits campaigning in any language other than Bulgarian, which affected the ability of some contestants to communicate with the electorate. Some parties used inflammatory and xenophobic rhetoric, mainly against the Roma and Turkish communities, the statement says. The authorities and some political parties claimed on a number of occasions that Turkish authorities interfered with the electoral process.

The media provided contestants with a platform to present their views through debates, talk shows and paid advertisement. While contestants actively used the free time provided on public broadcasters, sparse broadcast news coverage and limited editorial content in the print media, along with a lack of political investigative and analytical reporting, significantly limited the information available to voters. Paid advertisement in print and, to a lesser extent, broadcast media were often almost indistinguishable from editorial coverage, thus misleading voters about their nature.

In general, the election administration conducted its work in a professional and transparent manner, although the Central Election Commission did not reach the required qualified majority to approve several decisions. The voting process on election day was transparent, but some procedural shortcomings were noted during counting in the limited number of polling stations observed.

Thirty-one per cent of candidates were women. Women led 132 of the 614 candidate lists, and were well-represented in the election administration, although there are no gender-related requirements for the composition of candidate lists or election bodies.

The Electoral Code establishes a timely resolution process for complaints, but does not ensure that the complainant is informed about the time and place of the hearing or has the right to be present or receive a copy of the decision.

The Electoral Code provides for citizen, party and international observation, and numerous party and citizen observers were accredited. Based, however, on its interpretation of 2016 amendments to the Electoral Code, the Central Election Commission denied registration to three organisations for having board members that were also candidates or held election administration posts.