



Doc. 15292

19 May 2021

Observation of the parliamentary elections in Bulgaria (4 April 2021)

Election observation report

Ad hoc Committee of the Bureau

Rapporteur: Mr Alfred HEER, Switzerland, Alliance of Liberals and Democrats for Europe

Contents	Page
1. Introduction	1
2. Political background	2
3. Legal framework	3
4. Election administration, voters' lists, registration of parties and coalitions	4
5. Election Campaign environment, financing, and media coverage	5
6. Polling day	7
7. Conclusions and recommendations	8
Appendix 1 – Composition of the ad hoc committee	9
Appendix 2 – Programme of the ad hoc committee (31 March – 5 April 2021)	10
Appendix 3 – Statement by the International Election Observation Mission (IEOM)	12

1. Introduction

1. On 22 January 2021, Ms Tsveta Karayancheva, President of the National Assembly of Bulgaria, invited the Parliamentary Assembly of the Council of Europe to observe the parliamentary elections in Bulgaria, scheduled for 4 April 2021.

2. The Bureau of the Assembly, at its meeting on 9 December 2020, decided to observe these elections and constituted an ad hoc committee for this purpose composed of 20 members (EPP/CD: 6, SOC: 6, ALDE: 4, EC/DA: 3, UEL: 1) as well as of the co-rapporteurs of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee); and to conduct a pre-electoral mission. Mr Alfred Heer (Switzerland, ALDE) was appointed as its chairperson. The list of members of the ad hoc Committee 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.

4. The ad hoc committee, from 31 March to 3 April 2021, had meetings with different stakeholders. 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 a number of polling stations in Sofia and around, in Plovdiv and around, in the localities of Pazardjik, in some localities and villages in the directions of Karlovo, Pernik, Slivnitsa and Novi Iskar.



5. The Assembly's ad hoc committee operated in the framework of an International Election Observation Mission (IEOM), which also included the delegation of the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE) and the limited election observation mission from the Office for Democratic Institutions and Human Rights of the OSCE (OSCE/ODIHR). The day after the elections, the IEOM held a press conference and issued a press release (Appendix 3).

6. The Assembly's observation delegation concluded that Bulgaria's parliamentary elections on 4 April 2021 were competitive and efficiently run despite the difficult circumstances caused by the Covid-19 pandemic, and fundamental freedoms were respected. However, the massive use of State resources gave the ruling party a significant advantage. The long-term international observers and many interlocutors informed the Assembly's delegation about some long-standing problems, such as allegations of vote-buying, 'controlled' voting, and voter intimidation, attempted particularly among economically and socially vulnerable groups. The Assembly's delegation expects the relevant Bulgarian authorities to undertake proper investigations regarding such serious cases and to be informed about the results in due course. This should take place before the next nationwide elections later this year to restore confidence in the democratic election process.

2. Political background

7. The Parliamentary Assembly has observed all parliamentary and presidential elections in Bulgaria since 1990. The last parliamentary elections in Bulgaria took place on 26 March 2017. The Assembly observed those elections and concluded: "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".

8. Five parties and coalitions passed the 4% threshold and entered the parliament in 2017:

- Citizens for European Development of Bulgaria (GERB) – 95 seats (32.65% of the votes)
- 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%.

9. According to the Constitution of Bulgaria, the parliamentary elections are called by the President and held within two months after the expiration of the term of the current parliament. On 14 January 2021, Mr Rumen Radev, President of Bulgaria, issued a decree announcing parliamentary elections on 4 April 2021.

10. On 13 March 2020, Bulgaria declared a state of emergency because of the Covid-19 pandemic, which continued till 13 May 2020. This was succeeded by an "epidemic declaration", which has been regularly extended (most recently on 26 January 2021 until the end of April).

11. The political landscape in Bulgaria is diverse but is dominated by two major parties – Citizens for European Development of Bulgaria (GERB) and Bulgarian Socialist Party (BSP), alternating in government for the past 15 years. The tense relation between the Prime minister and the President further demonstrated a polarized political environment. The President vetoed 28 draft laws of the government, frequently criticized the Prime minister, and supported the 2020 protests. The Prime minister often accused the president of "sabotaging the work of the government" and playing an oppositional role.

12. Some new parties and coalitions were established, mainly by former high-ranking public officials shortly before these elections. The political party There Is Such A People (ITN), coalitions – Democratic Bulgaria (Yes, Bulgaria!), Democrats for a Strong Bulgaria (DSB and the Greens), Patriotic Coalition (NFSB and Volya) and Stand Up! Get Out! (ISMV).

13. The elections were marked by public disillusionment and mistrust in the political establishment and held in the wake of prolonged street protests which included requests for early parliamentary elections and for the resignation of the prosecutor general. The protests took place from July to October 2020 and led to the resignation of five ministers. They were fuelled by allegations of corruption, lack of rule of law, and erosion of democracy.

14. Many Assembly delegation interlocutors during its pre-electoral mission in Sofia from 10 to 13 March 2021 voiced concerns about the deterioration of democracy, respect for the rule of law, and the independence of the judiciary. According to the Transparency International Corruption Perception Index 2020 Bulgaria is the lowest ranking country in the European Union and 69 in the world.

3. Legal framework

15. The Assembly observation delegation recalls that Bulgaria signed and ratified the European Convention on Human Rights (ETS No. 5) and its Protocol (ETS No. 9), which enshrine a number of principles crucial for an effective and meaningful democracy, such as the right to free elections (Article 3 of Protocol 1), freedom of expression, freedom of assembly and association, as well as the prohibition of discrimination (Articles 10, 11 and 14 of the Convention).

16. The main piece of legislation governing elections and in particular parliamentary elections is the Election Code enacted in 2014 but extensively amended up to December 2020. In addition to the Constitution of Bulgaria and the Election Code, the Political Parties Act (2005), the Law on Assemblies (2010), and the Administrative Violations and Sanctions Act (1969) are also relevant pieces of legislation in view of the parliamentary elections.

17. The Election Code was amended 20 times since its adoption, most recently in 2019 and 2020. The recent amendments introduced optional machine voting at polling stations with at least 300 voters, abolished some reconciliation safeguards in the precinct election commissions (PEC) result protocols, deprived some disputes from an expedited resolution, and re-introduced campaign donations by legal entities.

18. With regard to the electoral legal framework, the Assembly's pre-electoral delegation during its visit in Sofia noted that the changes to the Electoral Code introduced a combination of machine and paper-ballot voting in polling stations with more than 300 voters and simplified the reconciliation of results protocols by excluding the number of unused ballots. While introduction of new technologies in the electoral process could be considered as a positive development, it should nevertheless be accompanied by measures on increasing transparency and by involving independent experts to reinforce public confidence in the process.

19. The legal framework provides an adequate basis for the conduct of democratic elections. However, long-standing Venice Commission and ODIHR recommendations to bring it further in line with international standards and good practice remain unaddressed. These mainly relate to voting by prisoners, candidate nomination, election day voter registration, campaign finance reporting, campaigning, conditions and consistent criteria for establishment of out-of-country polling stations, measures to promote participation of women and minorities, sanctions for electoral violations and challenges of the election results.

20. The Assembly observation delegation was informed by the Central Election Commission that out-of-country voting would be organised at 465 polling stations in 69 countries. The law defines that a maximum of 35 polling stations per country may be set up outside of the European Union. Several interlocutors expressed concern about the arbitrary number of polling stations established in some foreign countries without taking into consideration the real number of Bulgarian citizens abroad.

21. The National Assembly of Bulgaria is a unicameral body composed of 240 members. Members of parliament are elected through an open-list proportional system from 31 multi-mandate constituencies. The electoral threshold is 4% of valid votes at national level, while independent candidates must pass the electoral quota based on the Hare-Niemeyer method. Voters can therefore express preferences within a list. A candidate benefits from the preference vote if the number of received votes is at least 7% of the votes cast for the candidate list.

22. According to Annex 1 of Article 248 regulating the "Methodology for determining the voting results and allocation of the seats upon elections of National Representatives", the allocation of seats is regulated *inter alia* by the following rules:

- The number of seats cannot be less than 4 in a multi-mandate constituency.
- The Hare-Niemeyer method with greatest remainders is used for allocating seats to constituencies.
- For independent candidates, the constituency election commissions will determine a constituency electoral quota resulting from the division of the total number of valid votes cast in the constituency by the number of seats allocated to that constituency.

23. Voting is compulsory but failure to vote is not sanctioned. This situation follows an appeal of the Ombudsperson against the penalty on voters who do not vote in two consecutive similar elections – namely deregistration – implying an active re-registration on electoral rolls. The Constitutional Court cancelled this provision of the Election Code.

4. Election administration, voters' lists, registration of parties and coalitions

24. The parliamentary elections were administered by a three-level structure of electoral management bodies:

- the Central Election Commission
- 31 regional (district) election commissions
- 12 630 section (precinct) election commissions.

25. The Central Election Commission (CEC) consists of 20 members (most recently appointed in March 2019), including a chairperson, a deputy chairperson and a secretary, who shall be nominated by the parties and coalitions represented in parliament, as well as of one member nominated by the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in parliament.

26. The chairperson, the deputy chairperson and the secretary of the CEC are elected by the National Assembly whereas the rest of the members are appointed by the president following proposals by the political parties and coalitions in parliament. Ten of the members are women. The current chairperson was appointed in October 2020, as the previous one resigned owing to concern about the provisions concerning voting machines. The CEC is also responsible for constituency delimitation based on the 2011 census. There is a minimum of four seats per constituency. The Venice Commission and ODIHR expressed concern that this minimum may affect the equality of the suffrage.

27. The CEC appoints regional (district) election commissions (DECs). The composition of a regional election commission shall consist of a chairperson, a deputy chairperson, a secretary, and members. The representatives of any single party or coalition cannot have a majority in a regional election commission. The chairperson, the deputy chairperson and the secretary cannot belong to the same party or coalition. In constituencies of up to nine members of parliament, the constituency election commission will be composed of 13 members. In constituencies with ten or more than ten members of parliament, the regional election commission will be composed of 17 members.

28. A regional election commissions or the municipal election commissions shall appoint section election commissions for each voting section within Bulgaria not later than 25 days in advance of polling day.

29. A precinct election commission (PEC) shall consist of a chairperson, a deputy chairperson, a secretary, and members. The representatives of any single party or coalition cannot have a majority in a precinct election commission. The chairperson, the deputy chairperson and the secretary cannot belong to the same party or coalition. The number of members of precinct election commissions, including the chairperson, the deputy chairperson and the secretary, shall be, for precinct election commissions with up to 500 voters inclusive, up to seven members, but not fewer than five; and for precinct election commissions with more than 500 voters, up to nine members, but not fewer than five.

30. According to the IEOM Preliminary Findings and Conclusions, in most districts all eligible political parties nominated members to DECs and PECs, in 92% of PECs members were appointed by consensus between the parties, parties failed to reach an agreement on the appointment of 26 DECs.

31. Overall, the election administration managed the technical aspects of the elections efficiently. The IEOM interlocutors expressed varying degrees of confidence in the election administration and some raised concerns that the politicised nature of its composition hinders decision making, especially regarding the handling of election related complaints.

32. All Bulgarian citizens aged 18 years or older on election day have the right to vote, except those serving a prison sentence, regardless of the severity of the crime. In this regard, there is a Venice Commission recommendation that this restriction on voting by prisoners should be limited to the most serious crimes. In 2016 the European Court of Human Rights decided that this blanket restriction was disproportionate and in breach of Article 3 of Protocol 1. If a voter is not registered on a voters' list but is entitled to vote, he or she will have to justify this right by presenting to his/her PEC a standard declaration form indicating that he/she has

not voted and will not vote elsewhere. The Assembly delegation's interlocutors expressed confidence in the accuracy of the voter lists. Voters could verify the accuracy of their personal data in the voter lists posted in public places and on-line. The final voter lists contained 6 588 372 voters.

33. The voters' lists are compiled by the municipal administrations. Each voter shall be entered on a single list and registered according to his/her permanent address. A separate voters' list shall be compiled for each voting section. Special voters' lists were established for the purpose of voting outside polling stations, namely in medical-treatment facilities, specialised institutions, prisons, and navigation vessels.

34. There were also specific voters' lists established for voting abroad based on applications filled in by Bulgarians living abroad and applying to exercise the voting right through diplomatic and consular missions. Out-of-country voters lists included 88 038 citizens prior to election day. Students could vote in the place they were studying. On 28 January 2021, the Law on the Measures and Actions During the Emergency Situations was amended to allow those in quarantine or hospitalised due to the Covid-19 pandemic to request a mobile ballot or vote in special polling stations.

35. The CEC is responsible for registering candidates. In case registration is denied by the CEC, the decision can be challenged before the Supreme Administrative Court.

36. Any citizen aged at least 21 can stand for elections to the National Assembly of Bulgaria. Those who hold dual citizenship are disqualified. Public office holders, such as military, intelligence service and police personnel, diplomats, judges, and prosecutors, who are prohibited from being members of a political party, may not stand for elections on party lists unless they resign. However, they may stand as independent candidates after leaving office.

37. For the parliamentary elections on 4 April 2021 in total 5 911 candidates were registered on the lists of 30 parties and coalitions. There were only two independent candidates. According to several Assembly delegation's interlocutors, the candidate and party registration was generally inclusive. Women led 23% of the constituency candidate lists.

38. The parties, coalitions and nomination committees shall rank the candidates on the lists by multi-member constituency. The candidates of the parties and coalitions shall be entered in the register of candidate lists and shall be registered by the number under which they are ranked on the candidate list. The coalitions shall contest the elections on a single candidate list in each separate multi-member constituency. The number of candidates on a list may not exceed twice the number of seats in the multi-member constituency.

5. Election Campaign environment, financing, and media coverage

39. The election campaign started officially on 5 March 2021, political parties and candidates were able to campaign freely, with no major restrictions. All campaign materials contained a statement that vote buying, and selling was a criminal offence. The use of campaign materials that are 'contrary to good morals' – was prohibited. In Bulgaria there are no regulations preventing misuse of administrative resources and abuse of office during the campaign.

40. The election campaign was visible mostly in traditional media and online, and many parties reduced door-to-door and in-person campaigning. There was a ban, due to the ongoing Covid-19 pandemic, on all public gatherings which was perceived as an undue advantage to the ruling party. In addition, the Government announced several extraordinary budgetary allocations. The massive use of State resources gave the ruling party a significant and an undue advantage.

41. The election campaign was mainly focused on personalities rather than platforms; voters were not offered concrete proposals to make an informed choice. The main issues of the campaign were corruption, the judiciary, the economy, overshadowed by Covid-19. There were allegations about pressure on public and private sector employees to vote for the ruling party.

42. The Assembly observation delegation was informed by different interlocutors about several long-standing concerns which remain unaddressed. In particular, cases of hate speech, allegations of vote buying and "organised" voting in socially vulnerable communities, particularly impacting Roma. In this regard, the Assembly pre electoral delegation, during its visit to Sofia from 10 to 13 March, reminded the Bulgarian authorities that in the Assembly's election observation report on the 2017 early parliamentary elections, the Assembly had highlighted the same concerns, namely allegations of vote buying and "organised" voting, in particular among national minorities and vulnerable groups. The Assembly's delegation condemned such

practices and asked the relevant authorities to take all necessary measures to exclude them from electoral practices. According to the 2011 census, Turks are the largest minority group with 8.8%, Roma with 4.9%; the others below 1%.

43. Funding of political parties, coalitions and candidates is based on public funds as well as on the financial resources of the party or of the coalition, on financial resources of the candidate(s) and on contributions by natural and legal persons. In 2019, public funding to political parties was reduced and the donation ceiling was removed.

44. In this regard, the Assembly observation delegation recalled that, during the last election observation mission in 2017, the Assembly pointed out that the public funding for political parties was very generous compared with the salaries and pensions funded from the national budget. In addition, there was a low level of confidence in the transparency of party and campaign funding and the effectiveness of its oversight.

45. Anonymous contributions, 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. The total amount of campaign funding for parliamentary elections cannot exceed BGN 3 000 000 for a party or a coalition and BGN 200 000 for an independent candidate.

46. The National Audit Office has the authority to oversee political party and campaign expenses. According to the preliminary findings and conclusions of the IEOM, the effectiveness of the National Audit Office, mandated to exercise party and campaign finance oversight, was challenged by its limited mandate and authority to investigate and sanction campaign finance infringements in a timely manner. Contestants are required to submit reports on campaign incomes and expenditures within 30 working days after the elections, to be published within 15 days after submission and audited within six months. Sanctions, including fines up to BGN 10 000 provided by the law for failure to comply with the disclosure and reporting requirements are not dissuasive.

47. The media environment is diverse with many outlets, but it is divided along political lines and is influenced by commercial and corporate interests. In addition, media ownership is highly concentrated. Television is the main source of information. By law, only the public service broadcasters are required to cover elections in accordance with the principles of equitability and objectivity and allocate free airtime to each contestant.

48. According to the ODIHR Limited Election Observation Mission Media (LEOM) monitoring, two television networks, *bTV* and *Nova* have a combined viewership of over 64% and in January-October 2020 received some 87% of all television advertisement revenue. The latter also operate the largest digital media company, including over ten major news-websites. The public Bulgarian National Television (*BNT*) is the third most popular television network. At least four national television stations are owned by a party leader or foundations affiliated with political parties.

49. The recent changes of the end-owners of *bTV* and *Nova*, as well as the appointment of a former politician as the director of *BNT*, compromised the editorial independence of all three broadcasters. Shortly afterwards, a number of senior editors and journalists were fired or resigned from all three television networks, some citing pressure by the new management. Many interlocutors raised concerns about the concentration of media ownership, political influence over the media and judicial pressure over investigative journalists, including due to possible criminal conviction for defamation.

50. The Assembly observation delegation recalls also the report of the Council of Europe Commissioner for Human Rights published on 31 March 2020 which highlighted the continuous deterioration of media freedom in Bulgaria as a consequence of a series of aggregate factors, including non-transparent media ownership and financing, harassment of journalists, the use of defamation suits and political influence.

51. The law requires *BNT* and the Bulgarian National Radio (*BNR*) to provide objective and fair coverage of the campaign, and to agree all formats of coverage with the contestants. According to the ODIHR LEOM media monitoring of *BNT*, the parliamentary parties received some seven minutes of coverage in the news, during the last parliamentary session on 25 March. The *BNT1* created the daily current affairs programme "*Glasovete na Bulgaria*" that offered contestants paid-for coverage, prepared by journalists of *BNT1*.

52. The ODIHR LEOM media monitoring concluded that all monitored private televisions *bTV*, *Nova* and *Bulgaria On Air* limited the coverage of the campaign in their news, by allotting all contestants combined between 31 and 55 minutes in the prime-time news. While not labelled as paid advertising, this coverage was

often in presentation and narration style similar to the paid reports. Both *BNT1* and all private broadcasters monitored by the ODIHR LEOM devoted extensive news coverage, between 61 and 188 minutes, to the activities of the Prime Minister and the Minister of Health, both GERB candidates.

6. Polling day

53. On polling day, the Assembly observation delegation split into 10 teams and observed the vote in a number of polling stations in and around Sofia, in Plovdiv and surrounding areas, in Pazardjik, in some localities and villages in the directions of Karlovo, Pernik, Slivnitsa and Novi Iskar.

54. In the polling stations observed, polling day was assessed as calm, voting was transparent and well organised; polling stations members largely followed the procedures and, as a rule, the international observers were well received. The members of the Assembly's delegation nevertheless noted the following technical problems and shortcomings in the polling stations they visited:

- A limited number of polling stations opened late;
- The large number of voters outside polling stations, in corridors, also due to Covid-19 measures, contributed to overcrowding in some cases;
- As a result, the preventive measures against covid-19 were in place but not followed consistently;
- Inadequate positioning of the voting machines and some procedural deficiencies at times did not guarantee secrecy of the vote but this was not intentional;
- In some polling stations visited the machine voting was discontinued or suspended due to technical problems;
- In the limited number of counts observed, the process was overall transparent;
- isolated cases of non-compliance with the counting procedures were observed in certain polling stations, although this was not intentional and did not have an impact on the result;
- 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.

55. The CEC announced the results of the parliamentary elections. Six parties and coalitions passed the 4% threshold:

- Citizens for European Development of Bulgaria (GERB) – 75 seats (25.8% of the votes)
- There is such a people – 51 seats (17,4%);
- Bulgarian Socialist Party (BSP) – 43 seats (14,79%);
- Movement for Rights and Freedoms (MRF) – 30 seats (10,36%);
- Democratic Bulgaria coalition – 27 seats (9,31%);
- Coalition Stand Up! Get out!" –14 seats (4,65%);
- Not supporting any party – 47 749.

56. Voter turnout was 50,61%, voters on the lists – 6 588 372; voted – 3 334 283 electors. Valid votes – 3 199 130; not-valid votes – 86 527. Machine voting procedure was used by 775 959 electors, ballots voting – by 2 424 409 electors.

57. As for voting abroad, around 170 000 voters participated in the elections, in 2017 parliamentary elections the figure was around 120 000. The abroad voting results according to parties and countries are the following:

- There is such a people – 30,75% (Great Britain, Spain, Portugal, USA, Germany)
- Democratic Bulgaria – 17,56% (mainly Germany and Mexico)
- Movements for rights and freedoms (MRF) – 13,17% (around 87% in Turkey)
- Citizens for European Development of Bulgaria (GERB) – 8,6%
- Bulgarian Socialist Party (BSP) – 6,52%.

7. Conclusions and recommendations

58. The Assembly observation delegation concluded that the Bulgarian parliamentary elections on 4 April 2021 were competitive and efficiently run despite the difficult circumstances caused by the Covid-19 pandemic, and that fundamental freedoms were respected. However, the massive use of State resources gave the ruling party a significant advantage. The voting day in the polling stations observed was assessed as transparent and well organised.

59. The legal electoral framework provides an adequate basis for the conduct of democratic elections, if it is applied in good faith. However, the long-standing Venice Commission and ODIHR recommendations to bring it in line with international standards and good practice remain unaddressed. These mainly relate to voting by prisoners, candidate nomination, election day voter registration, campaign finance reporting, campaigning, conditions and consistent criteria for establishment of out-of-country polling stations and measures to promote participation of women and minorities, sanctions for electoral violations and challenges of the election results.

60. With regard to the election campaign, the contestants were able to campaign freely, with no major restrictions. There was a ban, due to the ongoing Covid-19 pandemic. In addition, the government announced several extraordinary budgetary allocations. The massive use of State resources gave the ruling party a significant advantage. The election campaign was mainly focused on personalities rather than platforms; voters were not offered concrete proposals in order to make an informed choice. The main issues of the campaign were corruption, the judiciary, the economy, overshadowed by Covid-19. There were allegations about pressure on public and private sector employees to vote for the ruling party.

61. The Assembly observation delegation was informed by different interlocutors about a number of long-standing concerns which still remain unaddressed. In particular, cases of hate speech, allegations of vote buying and “organised” voting in socially vulnerable communities, particularly impacting Roma. In this regard, the PACE delegation reminded the Bulgarian authorities that in its past election observation reports, the Assembly had highlighted the same concerns, namely allegations of vote buying and “organised” voting, notably among national minorities and vulnerable groups.

62. The Assembly’s delegation expects the relevant Bulgarian authorities to undertake proper investigations regarding such serious cases and to be informed about the results in due course. This should take place before the next nationwide elections later this year in order to restore confidence in the democratic election process. In this regard, the delegation noted that the Prosecutor General initiated a number of cases concerning vote-buying. In particular, on 14 April 2021 the Prosecutor’s Office of Bulgaria provided information on the cases of persons subject to proceedings concerning vote-buying schemes. The Assembly delegation will closely be following the investigations results.

63. Television is the main source of information. By law, only the public service broadcasters are required to cover elections in accordance with the principles of equitability and objectivity and to allocate free airtime to each contestant. The media environment is diverse with many outlets, but it is divided along political lines and influenced by commercial and corporate interests. In addition, media ownership is highly concentrated. The observation delegation expressed concern about the concentration of media ownership, political influence over the media and judicial pressure on investigative journalists, including due to possible criminal conviction for defamation.

64. Funding of political parties, coalitions and candidates is based on public funds, as well as on the financial resources of contestants. In 2019, public funding to political parties was reduced and the donation ceiling was removed. The Assembly delegation considers that the significant amount of funds available to the parties during the election campaign, combined with a low level of confidence in transparency of party and campaign funding and the lack of effective oversight system, may have contributed to an unlevel playing field between contestants.

65. Finally, the Assembly observation delegation calls on the authorities concerned in Bulgaria, in close co-operation with the Assembly and the Venice Commission, to improve the Electoral Code and electoral practices, taking into account the various problems identified during the parliamentary elections on 4 April 2021 and also having due regard to relevant best practice in other Council of Europe member States.

Appendix 1 – Composition of the ad hoc committee

Chairperson: Mr Alfred HEER, Switzerland (P)

Socialists, Democrats and Greens Group (SOC)

- Mr Christian PETRY, Germany
- Mr Pierre-Alain FRIDEZ, Switzerland
- Mr Roberto RAMPI, Italy
- Mr Yunus EMRE, Turkey

Group of the European People's Party (EPP/CD)

- Mr Reinhold LOPATKA, Austria
- Mr Jacek PROTASIEWICZ, Poland
- Mr Aleksander STOKKEBØ, Norway (P)
- Ms Laurence TRASTOUR-ISNART, France
- Mr Vladimir VARDANYAN, Armenia

Alliance of Liberals and Democrats for Europe (ALDE)

- Mr Fabien GOUTTEFARDE, France
- Mr Alfred HEER, Switzerland (P)
- Ms Yevheniia KRAVCHUK, Ukraine
- Mr Damien COTTIER, Switzerland

European Conservatives Group and Democratic Alliance (EC/DA)

- Mr Alberto RIBOLLA, Italy (P)
- Mr Ulrich OEHME, Germany
- Mr Mikayel MELKUMYAN, Armenia

Co-rapporteurs AS/MON (ex officio)

- Mr Aleksander POCIEJ, Poland

Venice Commission

- Mr Richard BARRETT, Member

Secretariat

- Mr Chemavon CHAHBAZIAN, Head of Division, Election Observation and Interparliamentary Cooperation Division
- Ms Danièle GASTL, Assistant, Election Observation and Interparliamentary Cooperation Division
- Mr Gaël MARTIN-MICALLEF, Legal advisor, Venice Commission

(P) – members of the pre-electoral mission

Appendix 2 – Programme of the ad hoc committee (31 March – 5 April 2021)

Wednesday, 31 March 2021

- 14:30-15:00 Welcome remarks and briefing on practicalities for all observers
- Mr Artur Gerasymov, Special Co-ordinator and Leader of the short-term OSCE observer mission
 - Mr Pascal Allizard, Head of the OSCE PA Observer Delegation
 - Mr Alfred Heer, Head of the PACE Observer Delegation
- 15:15-16:30 ODIHR Briefing part I
- Welcome and overview of the ODIHR LEOM's work, Ms Corien Jonker, Head of ODIHR LEOM
 - Political overview and campaign activities, Mr Dragan Zelić, Political Analyst
 - Media landscape and coverage of the elections, Mr Egor Tilpunov, Media Analyst
- 16:45-18:00 ODIHR Briefing part II

Electoral legal framework, complaints and appeals

- Ms Yelena Kovalyova, Legal Analyst

Election administration, voting technologies, candidate and voter registration

E-Day procedures

- Mr Marcell Nagy, Election Analyst

LTO Coordination and reporting

- Mr Ranko Vukčević, LTO Coordinator

Security Overview

- Mr Valeriu Mija, Security Officer

Q&A on all topics

Thursday, 1 April 2021

- 14:00-15:00 Election administration and process
- Central Election Commission, Chairperson Mr Alexander Andreev
 - Council for Electronic Media, Chairperson Ms Betina Joteva, Vice Chairs: Ms Galina Georgieva and Ms Sophia Vladimirova
 - National Audit Office, Chairperson Ms Tsvetan Tsvetkov and Vice Chairperson Mr Toshko Todorov
- 15:15-18:00 Representatives of political parties and coalitions
- “Bulgarian Socialist Party (BSP) for Bulgaria” coalition, Mr Krum Zarkov, Member of BSP Executive Bureau
 - Movement for Rights and Freedoms (DPS) party, Vice-Chairperson Hamid Hamid
 - “Citizens for European Development of Bulgaria (GERB) and Union of Democratic Forces (UDF)” coalition, Ms Ekaterina Zaharieva, Minister of Foreign Affairs
- Representatives of political parties and coalitions
- Bulgarian National Movement (VMRO) party, Ms Maria Tzvetkova, MP and candidate MP
 - “Democratic Bulgaria – Union” coalition, Ms Nadezhda Yordanova, candidate MP 23 MED
 - “Patriotic coalition – Volya and National Front for Salvation of Bulgaria” coalition, MP, Mr Plamen Hristov and MP Ms Polina Zankova-Hristova
 - “Rise up! Thugs out!” coalition, Ms Maria Cappone and Ms Valentina Vassileva-Filadelfefs
 - There Are Such People party, Ms Victoria Vasileva, Secretary General

Friday, 2 April 2021

- 09:00-11:00 Political context and election campaign
- Bivol.bg, Director Mr Asen Yordanov
 - Bulgarian Helsinki Committee, Chairperson Mr Krassimir Kanev
 - Ms Radosveta Vassileva, legal scholar and social advocate
 - Institute for Public Environment Development, Ms Iva Lazarova
 - Justice for All Initiative, Mr Atanas Sharkov, Mr Petromir Kantchev, Mr Emil Georgiev
- 11:15-11:45 Briefing by ODIHR long term observers deployed in the Sofia region
- 11:45-12:00 Closing remarks
- Afternoon Arrival of observers

Saturday, 3 April 2021

- All day Arrival of observers
- Meeting with E-Day drivers and interpreters

Sunday, 4 April 2021

- All day Election Day – observation in polling stations

Monday, 5 April 2021

- 08:00-09:00 Debriefing of the ad hoc committee of the PACE
- 15:00 Press conference
- All day Departure of observers

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

Bulgaria's competitive parliamentary elections well run, but impacted by media shortcomings and significant ruling-party advantage

Strasbourg, 5.04.2021 – Bulgaria's parliamentary elections were competitive and efficiently run despite the difficult circumstances caused by the COVID-19 pandemic, and fundamental freedoms were respected. However, the massive use of State resources gave the ruling party a significant advantage, and a lack of editorial diversity was of concern, international observers said in a statement today.

The joint observation mission from the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly (OSCE PA), and the Parliamentary Assembly of the Council of Europe (PACE) concluded that while the legal framework is adequate for holding democratic elections, key long-standing recommendations to bring election legislation in line with international standards and good practice still need to be addressed. Observers also noted that recent amendments to election legislation, which included the use of machine voting, were adopted without meaningful consultation with relevant stakeholders.

"These elections saw strong competition among an array of parties, who were able to freely reach out to the electorate," said Artur Gerasymov, special co-ordinator and leader of the OSCE short-term observers. "The media environment remains concerning, however. In particular, editorial diversity and analytical coverage, crucial for voters to make an informed choice, is largely lacking."

The absence of investigative or analytical media reporting, together with political advertising in the guise of news, limited the ability of voters to make an informed choice. While public media is legally required to remain neutral and objective, public television offered little coverage of the political parties, but at the same time reported the activities of senior government officials in detail. Pressure on investigative reporters and a lack of investigation into attacks on journalists contributed to an atmosphere of self-censorship.

The ruling party gained a significant amount of exposure through a number of state investments related to COVID-19 pandemic and infrastructure projects that were launched during the election campaign. The international observers noted with concern the widespread practices of vote buying attempted in economically and socially disadvantaged communities.

"The long-term observers and many others informed the Assembly's observation delegation about some long-standing problems, such as allegations of vote-buying, 'controlled' voting, and voter intimidation, attempted particularly among economically and socially vulnerable groups," said Alfred Heer, Head of the PACE delegation. "The Assembly's delegation expects the relevant Bulgarian authorities to undertake proper investigations regarding such serious cases and to be informed about the results in due course. This should take place before the next nationwide elections later this year in order to restore confidence in the democratic election process." The Assembly, through its monitoring procedure, and the Venice Commission remain ready to cooperate with Bulgaria to improve its legal framework and electoral practices.

More than 6.7 million voters were registered to vote in yesterday's parliamentary elections. The management of the COVID-19 pandemic dominated much of the campaign, which largely focused on personalities rather than political platforms. The tone of the campaign became confrontational at times, with intolerant rhetoric noted on occasion, including against Roma communities.

On election day itself, the voting process appeared transparent and machine voting was carried out efficiently, although poorly positioned voting machines and some procedural shortcomings did not always guarantee the secrecy of the vote. The large number of voters inside and outside the polling stations led to overcrowding in some places.

"The decision of the Bulgarian authorities to hold elections despite the challenges of COVID times, and its efforts to secure an inclusive process while ensuring the safety of all voters and election administrators, are highly commendable. I applaud the country's determination to exercise this fundamental aspect of democracy despite the many hurdles the pandemic presents," said Pascal Allizard, head of the OSCE PA delegation. "One important area of concern I would like to mention here is that while voter lists generally enjoy the confidence of the public, the possibility to be added to the voter list on the day of the election without strong safeguards is highly problematic."

Public disillusionment and political polarisation pervaded the run-up to the election, which took place following prolonged street protests amidst allegations of corruption, a lack of respect for the rule of law, and the weakening of democracy.

“The lack of trust in politicians and public institutions more generally became increasingly clear in the course of the election campaign,” said Corien Jonker, who headed the ODIHR limited election observation mission. “But public trust is the beating heart of democracy. An accountable government, a vibrant civil society, and independent free media are all vital to rebuild trust not just in individual politicians, but in the entire system.”

The international election observation mission to the parliamentary elections in Bulgaria totalled 92 observers from 32 countries, made up of 27 ODIHR-deployed experts and long-term observers, 44 parliamentarians and staff from the OSCE PA, and 21 from PACE.

For more information, please contact:

Katya Andrusz, ODIHR: +48 609 522 266 or katya.andrusz@odihr.pl

Anzhelika Ivanishcheva, OSCE PA: +45 60 10 80 30 or anzhelika.ivanishcheva@oscepa.dk

Chemavon Chahbazian, PACE: +33 6 50 68 76 55 or Chemavon.CHAHBAZIAN@coe.int