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27 August 2021

Observation of the early parliamentary elections in Bulgaria (11 July 2021)

Election observation report

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

1. Introduction

1. The Bureau of the Parliamentary Assembly, at its meeting on 28 May 2021, decided to observe the early parliamentary elections and constituted an ad hoc committee for this purpose composed of 20 members (EPP/CD: 7, SOC: 6, ALDE: 3, EC/DA: 3, UEL: 1) as well as of the co-rapporteurs of the Monitoring Committee. Given the very short time-frame since the last parliamentary elections on 4 April 2021, the Bureau decided to maintain the same list of members and the chairperson of the ad hoc committee, Mr. Alfred Heer (Switzerland, ALDE), as for the previous elections. The list of members of the ad hoc Committee is set out in Appendix 1.

2. In line with the co-operation agreement signed between the Assembly and the European Commission for Democracy through Law (Venice Commission) on 4 October 2004, representatives of the Venice Commission were invited to join the ad hoc committee as legal adviser.

3. The ad hoc committee, from 10 to 12 July 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 8 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 and Novi Iskar.

4. The Assembly's ad hoc committee (PACE delegation) 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). On 12 July, the IEOM held a press conference and issued a press release (Appendix 3).

5. The PACE delegation concluded that the Bulgaria's early parliamentary elections on 11 July 2021 were competitive and fundamental freedoms were generally respected. The voting process in polling stations was well organised, but an election is not to be assessed by election day alone. The recent significant amendments, introduced very quickly and just a short time before the elections, brought mandatory machine voting, without carrying out a study on its use in the April 4 elections. While the use of new technologies in electoral processes can be considered as a positive development, nevertheless the PACE delegation is convinced that new technologies alone cannot restore Bulgarians' trust in a truly democratic electoral process and cannot, on their own, exclude cases of political corruption, scandals, and other long-standing problems.

2. Political background

6. The Parliamentary Assembly has observed all parliamentary and presidential elections in Bulgaria since 1990. The Assembly observed the parliamentary elections held on 4 April 2021. The PACE delegation concluded that these 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. The long-term international observers and many interlocutors informed the PACE 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 PACE 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 to restore confidence in the democratic election process.

7. In the 4 April 2021 elections, six parties and coalitions had passed the 4% threshold and entered the parliament:

- Citizens for European Development of Bulgaria (GERB) – 75 seats (25.8%)
- There are such a people (ITN) – 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 (DB) – 27 seats (9,31%);
- Coalition "Stand Up! Get out!" (ISMV) – 14 seats (4,65%).

8. The parties elected to parliament failed to form a new government. Therefore, on 11 May President Radev signed a decree on dissolving the National Assembly with effect from 12 May and on the holding of parliamentary elections on 11 July. He appointed a caretaker government led by Stefan Yanev as interim Prime Minister.

9. In May 2021, Ms Iva Miteva, President of the National Assembly of Bulgaria, invited the Parliamentary Assembly to observe the early parliamentary elections, scheduled for 11 July 2021.

10. The political landscape in Bulgaria is diverse but was 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 4 April elections brought significant changes to political scene previously marked by the two parties' dominance, with new political parties – There Is Such A People (ITN), and two new coalitions, Democratic Bulgaria (DB) and Rise Up! Thugs Out! (ISMV), entering the parliament and initiating several key amendments to the election legislation adopted shortly before the dissolution of the parliament.

11. After 4 April elections GERB obtained less than previously 20 seats and BSP – less than 37 seats; Movement for Rights and Freedoms (DPS), called Turkish party, won 30 mandates; ITN, DB and ISMV obtained 51, 27 and 14 seats, respectively. The United Patriots, Volya and Ataka, previously represented in the parliament, did not win any seats.

12. According to the preliminary findings and conclusions of the IEOM "the elections took place amid a persistent mistrust in the political establishment and the provisional government's claims of prevalent corruption at the highest level of the previous government. Since its appointment, the provisional government replaced several high-level officials of key public institutions, including the management of regional police, National Revenue and Customs Agencies, Registry Agency, Bulgarian Development Bank, Road Infrastructure Agency, and some public healthcare institutions invoking lack of transparency in the institutions' work or involvement in dubious or illegal practices".

13. The PACE delegation, in its report on 4 April elections¹, voiced concerns on the deterioration of democracy, respect for the rule of law, an independent judiciary. It recalls that according to the Transparency International Corruption Perception Index 2020 Bulgaria is the last country in the European Union and 69 in the world.

1. See [Doc. 15292](#).

3. Legal framework

14. The PACE delegation recalls that Bulgaria signed and ratified the European Convention on Human Rights (the Convention, 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 the 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).

15. The electoral legal framework of Bulgaria is described in the chapter 3 of the report of the Assembly on observation of the parliamentary elections of 4 April 2021. In this report only the significant number of amendments which were adopted by the parliament on 29 April shortly before the 11 July 2021 elections are mentioned.

16. On 29 April 2021, the parliament adopted further amendments to the Electoral Code which entered into force on 1 May and were applied to the 11 July elections. This reform focused on the following issues:

- abolishment of the restrictions on the number of polling stations abroad outside the European Union (but no methodology on how to count the ballots in the national counting procedure was adopted – so the number of the polling stations abroad is not limited, but there is not a separate electoral district abroad and the voters voted for political parties without preferential vote possibility);
- changes related to the composition of the Central Election Commission (CEC), reduction of the number of members to 15 and changes to the procedures for their appointment;
- proposal for video surveillance of the process of ballot counting (with the CEC being tasked to draft the rules under which such surveillance can be carried out);
- introduction of 100% machine voting in polling stations with more than 300 voters.

17. Additional amendments concerned the following:

- obligation on election administration to print the same amount of paper ballots as at previous elections (the number of voters in a polling station plus 10%);
- procedure of voting by persons under quarantine, persons with disabilities;
- instructions on the election protocols and machine protocols;
- the procedures for appealing CEC decisions.

18. The proportional electoral system for elections of members of parliament under Article 246 shall be applied until the holding of the first regular elections of members of parliament after the entry into force of this law.

19. The introduction of those amendments so soon before the elections gave rise to concerns, in particular the amendments relating to the composition of the CEC, to machine voting and to video surveillance.

20. Some other proposals for amendments were not adopted, namely:

- allowing campaigning in a language other than the official language of the country, the Bulgarian;
- introduction of postal voting abroad;
- holding experimental distance voting at the next presidential election;
- creation of a new voting district for Bulgarians abroad.

21. Furthermore, another recent development is related to political party finances. By decision of 27 April 2021, the Constitutional Court has declared unconstitutional all legal provisions that allow parties to receive donations from companies. It is clear from its decision that it is not funding by legal entities as such that contradicts the Constitution, but the way in which it is currently regulated by law, namely 1) the absence of donation ceilings and 2) the possibility for direct or indirect financing of political parties by the State and municipalities outside the budget funding defined in the law. The Court also held that such budget funding must not only be an option but is required by the Constitution. It is the constitutional duty of the State to create conditions for a democratic political life based on the principle of political pluralism. The decision by the Constitutional Court had immediate effect.

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

22. The early parliamentary elections were administered by a three-level structure of electoral management bodies: Central Election Commission (CEC), 31 district election commissions (DECs) and 13 012 precinct election commissions (PECs). At all levels, commission members were nominated by political parties in proportion to their parliamentary representation. The IEOM observers were informed by the CEC that 115 PECs were set up to conduct voting in healthcare institutions, 15 in pre-trial detention centres; 323 PECs conducted mobile voting for persons with disabilities and 6 for voters in quarantine.

23. The CEC is a permanent body, it consists of 15 members, most recently appointed in March 2019. The CEC current composition was appointed for a five-year term in May 2021. Following the May 2021 amendments, the CEC is comprised of four members nominated by GERB, three by each BSP and ITN (including the chairperson), two by each DPS and Democratic Bulgaria, and one by ISMV. Eleven members have experience from previous compositions of the CEC. According to the OSCE/ODIHR interlocutors, the election administration carried out its duties adequately and mostly within the legal deadlines

24. Mainly due to disagreements on the distribution of heads of DECs and PECs positions between political parties, consensus was only reached in 26% of the DECs but some 88% of the PEC nominations. OSCE/ODIHR observers generally assessed the work of DECs as transparent and efficient.

25. Out-of-country voting was held at 782 polling stations in 68 countries. The May 2021 amendments lifted the limitation of a maximum of 35 polling stations in countries outside the European Union, significantly increasing the number of polling stations in Turkey, the United Kingdom and the United States to 112, 135 and 58, respectively. By law, PECs abroad were to be formed at diplomatic representations and additional locations where no fewer than 100 voters voted in any election of the past five years or places where at least 40 voters have requested to vote.

26. The IEOM observers were informed about a very high number of late replacements by political parties of their PEC members who, as a consequence, did not follow sufficient training, which negatively impacted the quality of their work on election day and may have led to inconsistent application of procedures. In addition, according to some OSCE/ODIHR interlocutors, the lack of timely and comprehensive voter education related to machine voting might have had a dissuasive effect on participation of elderly voters and those with limited computer literacy.

27. 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.

28. 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, The PACE delegation recalls that there is a Venice Commission recommendation that this restriction on voting by prisoners should be limited to most serious crimes. In 2016 the European Court of Human Rights decided that this blanket restriction is disproportionate and in breach of Article 3 of Protocol 1 to the Convention.

29. 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 polling station. Special voters' lists were established for the purpose of voting outside polling stations, namely in medical-treatment facilities, specialised institutions, prisons, and navigation vessels. The final number of registered voters for the 11 July 2021 early parliamentary elections was 6 578 716. A total of 71 218 citizens were added to out-of-country voter lists. The PACE 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.

30. The CEC was responsible for registering candidates. In case of registration denied by the CEC, the decision could be challenged before the Supreme Administrative Court.

31. 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 taking a leave.

32. The parties, coalitions and nomination committees shall rank the candidates on candidate 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 one candidate list may not exceed the double number of seats in the multi-member constituency.

33. For the parliamentary elections on 11 July 2021 in total 5 079 candidates were registered on lists of 23 parties and coalitions. Women led 22% of the candidates lists. There was only one independent candidate. According to several PACE delegation's interlocutors the candidate and party registration was generally inclusive. The CEC deregistered four political parties which fell short of the quota of support signatures. Two parties appealed to the Supreme Administrative Court, which upheld the respective CEC decisions.

5. Election campaign environment, financing, and media coverage

34. The election campaign started on 11 June. The contestants were able to campaign without hindrance. Some limitations on in-person events were introduced by the government on 15 June in relation to the ongoing Covid-19 pandemic, which could be considered as proportionate, and they did not negatively affect the possibility to campaign.

35. The law does not contain sufficient regulations aimed at preventing the misuse of administrative resources during the campaign. The PACE delegation was not informed about cases of misuse of administrative resources which was a recurrent and long-standing problem in Bulgaria during previous elections. Nevertheless, some interlocutors reported limited concerns in this regard and the OSCE/ODIHR observed few instances of misuse of resources.

36. In particular, the OSCE/ODIHR observed a significant amount of GERB campaign materials in the mayor's office in Kostinbrod. As a part of their campaign, Mayors of Vratsa and Sofia and several incumbent MPs in Plovdiv and Sofia districts advertised municipal projects financed by the local or European Union funds as party achievements on GERB Facebook accounts. On 9 July, ministers of Interior and Culture participated in the event organised by several contestants, commemorating the anniversary of the start of the 2020 protests.

37. The election campaign at the national level predominantly focused on fighting corruption, post-pandemic economic recovery, judicial reform and unemployment. The PACE delegation was informed by different interlocutors that the public discourse during the campaign was dominated by mutual accusations over corruption and wrongdoings between provisional government officials and GERB representatives.

38. On 18 and 25 June, the minister of Interior stated that several corruption cases that directly involve the former Prime Minister Mr Borisov, needed to be thoroughly investigated. On 19 June, Mr Borisov stated that the actions of the provisional government target him personally. In May and June, the provisional government replaced the heads of regional police and governors in many districts, claiming that the conduct of some police officers in previous elections was conducive to vote-buying and the intimidation of voters.

39. With regard to the allegations of vote-buying, the PACE delegation recalls its report on observation of the 4 April 2021 parliamentary elections in which it pointed out that "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".

40. On 9 July, the ministry of Interior informed the international observers that the police received over 500 alerts about vote-buying, investigations were initiated in 72 cases and 24 individuals have been arrested. The police also issued some 7 000 warning protocols to individuals suspected by the police for their past involvement in vote-buying schemes and the establishment of a hotline for reporting electoral crimes. The minister of Interior reported a case from the Haskovo region involving some 28 000 individuals and other cases where tens of thousands Bulgarian Lev (BGN) intended for vote-buying were seized. In the Smolyan region, the OSCE/ODIHR observers received consistent and credible reports that the Executive Forest Agency's representatives pressured citizens to vote for GERB in exchange of receiving permits to cut wood for heating. Some interlocutors alleged that police actions during the campaign were at times excessive.

41. Campaign finance is regulated by the Election Code and the Political Parties Act. 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 of contributions by natural and legal persons. In 2019, public funding to political parties was reduced and the donation ceiling was removed. Most prior the

Council of Europe's Group of States against Corruption (GRECO) recommendations on campaign finance remain unaddressed, including those related to reporting on expenditures before election day, introducing shorter deadlines for submission and publication of financial reports.

42. On 27 April 2021 the Constitutional Court has declared unconstitutional all legal provisions that allow parties to receive donations from companies, because the existing regulations did not set any donation ceilings and allowed for direct or indirect financing of political parties by the State and municipalities outside the budget funding defined in the law. In its judgment, the Court underlined the need to ensure political pluralism and equal opportunities for contestants.

43. 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. There is a general prohibition on the abuse of public administrative resources. The total amount of campaign funding for parliamentary elections cannot exceed BGN 3 000 000 for a party, a coalition and BGN 200 000 for an independent candidate. The National Audit Office has the authority to oversee political party and campaign expenses.

44. Political parties and coalitions that received respectively at least 1 and 4% of valid votes nationwide in the previous elections are entitled to annual public funding. Sixty-seven parties and coalitions that are not entitled to public funding receive BGN 40 000 for media coverage as contestants, while independent candidates receive BGN 5 000. The campaign may be financed by the party's or candidate's own funds and monetary and in-kind donations from private individuals. The law does not provide a ceiling for donations but prohibits donations from non-residents, religious institutions, anonymous and foreign sources.

45. For 2021, the amount of the State subsidy for each vote received is BGN 8. For the period 4 April to 30 June six parties and four coalitions were entitled to a total BGN 4 379 428.

46. The media environment is diverse with many outlets, but it is dominated by two television networks, Nova and BTV and it is divided along political lines and is influenced by commercial and corporate interests. In addition, the media ownership is highly concentrated, at least four national television stations are officially owned by political parties or their leaders.

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

48. The PACE delegation recalls the report of the Council of Europe Commissioner for Human Rights published in October 2020 which highlighted the "continuous deterioration of media freedom 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".

6. Polling day

49. On polling day, the PACE delegation split into 8 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 and Novi Iskar.

50. 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 PACE delegation nevertheless noted the following technical problems and shortcomings in the polling stations they visited:

- A limited number of polling stations opened late with some technical problems concerning machine voting.
- Several cases when PEC members had difficulties in starting the voting machines.
- Safety protocols against Covid-19 were in place, but not applied consistently.
- 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.

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

- There are such a people (ITN) – 65 seats (24,08%);
- Citizens for European Development of Bulgaria (GERB) – 63 seats (23.51%)
- Bulgarian Socialist Party (BSP) – 36 seats (13,39%);
- Democratic Bulgaria coalition (DB) – 34 seats (12,64%);
- Movement for Rights and Freedoms (MRF) – 29 seats (10,71%);
- Coalition Stand Up! Get out!" (IMV) –13 seats (5,01%);
- Not supporting any party – 35 201.

52. Voter turnout was 42,19%, voters on the lists – 6 578 716; voted – 2 775 410 electors. Valid votes – 2 766 426; not-valid votes – 9 342. Machine voting procedure was used by 2 477 943 electors, ballots voting – by 297 812 electors.

53. As for voting abroad, 782 PECs were open in 68 countries: in the United Kingdom – 135 PECs (in April 2021 – 35 PECS), in Germany – 113 PECS, in Turkey – 112 PECs. Around 180 000 voters participated in the elections, on 4 April 2021 parliamentary elections the figure was around 172 000. The abroad voting results according to parties and countries are the following:

- There are such a people (ITN) – 52,36% (United Kingdom); 45,04% (Germany); 1,13% (Turkey)
- Citizens for European Development of Bulgaria (GERB) – 7,2% (United Kingdom); 8,38% (Germany); 4,29% (Turkey)
- Bulgarian Socialist Party (BSP) – 2,81% (United Kingdom); 3,45% (Germany); 0,95% (Turkey)
- Movements for rights and freedoms (MRF) – 1,06% (United Kingdom); 3,85% (Germany); 90,52% (Turkey)
- Democratic Bulgaria (DB) – 18,16% (United Kingdom); 21,12% (Germany); 1,39% (Turkey)
- Coalition Stand Up! Get out!" (IMV) – 4,03% (United Kingdom); 4,77% (Germany); 0,27% (Turkey).

54. The ethnic origins of electors voted for parties and coalitions entered in Parliament:

- There are such a people (ITN) – 25,1% (Bulgarian); 6,1% (Turk); 18,6% (Roma)
- Citizens for European Development of Bulgaria (GERB) – 24,9% (Bulgarian); 6,5% (Turk); 24,5% (Roma)
- Bulgarian Socialist Party (BSP) – 15,2% (Bulgarian); 3,2% (Turk); 10,8% (Roma)
- Movements for rights and freedoms (MRF) – 1,7% (Bulgarian); 79,1% (Turk); 20,5% (Roma)
- Democratic Bulgaria (DB) – 14,3% (Bulgarian); 0,9% (Turk); 10,8% (Roma)
- Coalition Stand Up! Get out!" (IMV) – 5,4% (Bulgarian); 0,7% (Turk); 4,9% (Roma).

7. Conclusions and recommendations

55. The PACE delegation concluded that the early parliamentary elections on 11 July 2021 were competitive and fundamental freedoms were generally respected. The voting process in polling stations was well organised. While the use of new technologies in electoral processes can be considered as a positive development, nevertheless the PACE delegation is convinced that new technologies alone cannot restore Bulgarians' trust in a truly democratic electoral process and cannot, on their own, exclude cases of political corruption, scandals and other long-standing problems.

56. 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 OSCE/ODIHR recommendations to bring it in line with international standards and good practice remain unaddressed. The recent significant amendments, introduced very quickly and just a short time before the elections, brought mandatory machine voting, limited the time for informing voters on the new technologies and affected legal certainty.

57. With regard to the election campaign, the contestants were able to campaign without hindrance. Some limitations on in-person events were introduced by the government on 15 June in relation to the ongoing Covid-19 pandemic, which could be considered as proportionate, and they did not negatively affect the possibility to campaign. As a positive sign, the PACE delegation was not informed about cases of misuse of administrative resources which was a recurrent and long-standing problem in Bulgaria during previous elections.

58. The election campaign at the national level predominantly focused on fighting corruption, post-pandemic economic recovery, judicial reform and unemployment. It was dominated by mutual accusations over corruption and wrongdoings between provisional government officials and GERB representatives

59. With regard to the allegations of vote-buying, the PACE delegation recalls once again its report on observation of the 4 April 2021 parliamentary elections in which it pointed out that “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”.

60. The PACE delegation noted that on 9 July the ministry of Interior informed international observers that the police received over 500 alerts about vote-buying, investigations were initiated in 72 cases and 24 individuals have been arrested. The police also issued some 7 000 warning protocols to individuals suspected by the police for their past involvement in vote-buying schemes and the establishment of a hotline for reporting electoral crimes. The PACE delegation now expects the authorities to inform the international community and the Bulgarian society about the results of such investigations done with full respect of rule of law. The PACE delegation will closely be following the investigations results.

61. The media environment is diverse with many outlets, but it is dominated by two television networks, Nova and BTV and it is divided along political lines and is influenced by commercial and corporate interests. The media ownership is highly concentrated, at least four national television stations are officially owned by political parties or their leaders. The PACE delegation expressed its 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.

62. Campaign finance is regulated by the Election Code and the Political Parties Act. 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 candidates and of contributions by natural and legal persons. The PACE delegation recalls once again that the significant amount of funds available to the parties during the election campaign, combining with a low level of confidence in transparency of party and campaign funding and the lack of effective oversight system, could contribute to an unlevel playing field between contestants.

63. The delegation regrets that most prior the GRECO recommendations on campaign finance remain unaddressed, including those related to reporting on expenditures before election day, introducing shorter deadlines for submission and publication of financial reports.

64. Finally, the PACE delegation calls on the authorities concerned in Bulgaria, in close co-operation with the Assembly, through its monitoring procedure, and the Venice Commission, to improve the Electoral Code and electoral practices, taking account of the various problems identified during the early parliamentary elections on 11 July 2021.

Appendix 1 – Composition of the ad hoc committee

Chairperson: Mr Alfred HEER, Switzerland

Socialists, Democrats and Greens Group (SOC)

- Mr Yunus EMRE, Turkey
- Mr Andrzej SZEJNA, Poland

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

- Mr Jacek PROTASIEWICZ, Poland
- Ms Catia POLIDORI, Italy

Alliance of Liberals and Democrats for Europe (ALDE)

- Mr Alfred HEER, Switzerland
- Ms Yevheniia KRAVCHUK, Ukraine
- Mr Damien COTTIER, Switzerland
- Mr Arminas LYDEKA, Lithuania
- Mr Jean-Pierre GRIN, Switzerland

European Conservatives Group and Democratic Alliance (EC/DA)

- Mr Ulrich OEHME, Germany

Group of the Unified European Left (UEL)

- Mr Andrej HUNKO, Germany

Co-rapporteurs AS/MON (ex officio)

- Mr Aleksander POCIEJ, Poland

Venice Commission

- Mr Richard BARRETT, Member

Secretariat / Secrétariat

- Mr Chemavon CHAHBAZIAN, Head of Division, Election Observation and Interparliamentary Cooperation Division
- Ms Danièle GASTL, Assistant, Election Observation and Interparliamentary Cooperation Division
- Mr Michael JANSSEN, Legal advisor, Venice

Appendix 2 – Programme of the ad hoc committee (10-12 July 2021)

Saturday, 10 July 2021

- 9:00-9:20 Welcome Remarks and Briefing on Practicalities for all observers
- Artur Gerasymov, Special Co-ordinator and Leader of the short-term OSCE observer mission
 - Pascal Allizard, Head of the OSCE PA Observer Delegation
 - Alfred Heer, Head of the PACE Observer Delegation
- 9:30-10:45 OSCE/ODIHR Briefing
- Welcome and overview of the OSCE/ODIHR LEOM's work
- 11:00-11:45 Central Election Commission, Kamelya Neykova and members of the CEC
- 12:00-13:30 Leaders and Representatives of political parties and coalitions
- Citizens for European Development of Bulgaria (GERB)
 - There is such a people
 - Bulgarian Socialist Party (BSP)
 - Movement for Rights and Freedoms (MRF)
 - Democratic Bulgaria coalition
 - Coalition "Stand Up! Get out!"
- Closing remarks
- 14:00-15:00 Meeting with E-Day drivers and interpreters for PACE delegation, distribution of observation forms

Sunday, 11 July 2021

- All day Election Day – observation in polling stations

Monday, 12 July 2021

- 8:00-09:00 Debriefing of the PACE delegation

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

Fundamental freedoms generally respected in competitive Bulgarian elections, but shortcomings in media environment, lack of issue-driven campaign fail to engage voters, international observers say

SOFIA, 12 July 2021 – Bulgaria’s early parliamentary elections were competitive and fundamental freedoms were generally respected, international observers said in a statement today. The campaign environment was dominated by mutual accusations of corruption between the former ruling party and the provisional government, as well as by efforts by law-enforcement to curb vote-buying, the statement says.

The elections were conducted under a legal framework which, though overall adequate, was substantially revised shortly before the elections, straining electoral preparations, and affecting legal certainty, the observers said. The technical aspects of the elections were managed efficiently, despite the compressed time-frame, the COVID-19 pandemic, and the late adoption of some important procedural regulations.

“These elections have taken place amid persistent public mistrust in the political establishment, mostly stemming from widespread allegations of corruption and an unsuccessful attempt to form a government following the elections in April,” said Artur Gerasymov, special co-ordinator and leader of the OSCE short-term observers. “Moreover, political influence and the high concentration of media ownership had a negative effect on editorial policies and on media pluralism overall. The lack of comprehensive journalistic reporting limited voters’ ability to make an informed choice.”

The activities of the provisional government and of the former ruling part, GERB, dominated media coverage, overshadowing that of the campaign and of other contestants. The lack of investigation of attacks on journalists, coupled with the criminalization of defamation, contributes to self-censorship.

“Yesterday’s process in polling stations was well organized, but an election is not to be assessed by election day alone. The recent significant amendments, introduced very quickly and just a short time before the elections, brought mandatory machine voting, without carrying out a study on its use in the April 4 elections,” said Alfred Heer, Head of the delegation from the Parliamentary Assembly of the Council of Europe (PACE). “While the use of new technologies in electoral processes can be considered as a positive development, nevertheless the PACE delegation is convinced that new technologies alone cannot restore Bulgarians’ trust in a truly democratic electoral process and cannot, on their own, exclude cases of political corruption, scandals and other long-standing problems. The Assembly, though its monitoring procedure, and the Venice Commission remain ready to co-operate with Bulgaria to improve the legal framework and electoral practices.”

Amendments to election laws in May introduced mandatory machine voting for most voters, established a new Central Election Commission (CEC), and removed limitations on establishing polling stations abroad. The change to voting only with voting machines at polling stations with at least 300 registered voters, both in-country and abroad, was introduced as an effort to reduce the opportunity for electoral malfeasance, including vote-buying.

There were concerns, however, that the lack of timely and comprehensive voter education on machine voting might have dissuaded some elderly voters and others with limited computer literacy from voting. While machine-printed result sheets served as official results, the law does not include a mechanism for verifying the machine tallies, thus affecting transparency.

In the polling stations visited on election day, voting was generally in line with prescribed procedures. Machine voting was generally uninterrupted, with malfunctions requiring the voting to continue with the use of paper ballots reported in only 0.5 percent of polling stations.

“Despite the short timeframe for preparations, the establishment of a new Central Election Commission and the expanded use of voting machines, the elections were generally well administered,” said Elona Gjebrea Hoxha, Head of the delegation from the OSCE Parliamentary Assembly. “However, with the broadened use of these technologies, there will also be a need for further voter education, in order to increase proficiency and confidence in election voting technology.”

“Responding to long-standing allegations of vote-buying, a widespread but elusive problem, has received unprecedented government attention, with the Minister of Interior providing public updates on the cases of vote-buying under investigation.” said Tana de Zulueta, Head of the limited election observation mission from the OSCE Office for Democratic Institutions and Human Rights. “At the same time, legislative shortcomings and limited reporting requirements and enforcement reduced the transparency and accountability of campaign finance.”

In a generally inclusive process, the election administration registered some 5,086 candidates from 23 parties and coalitions, and 29% of candidates were women. Although the election administration carried out its duties adequately and met most legal deadlines, there were some concerns that the CEC's partisan composition and lack of institutional capacity to match its legal powers affected efficient decision-making on contentious issues.