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## Observation of the presidential and early parliamentary elections in Bulgaria (14 November 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 6 September 2021, decided to observe the presidential and the early parliamentary elections on 14 November 2021 and to set up an ad hoc committee composed of 20 members (SOC-7; EPP/CD-6; EC/DA-3; ALDE-3; UEL-1) as well as the two co-rapporteurs of the monitoring committee. It also decided to maintain, to the extent possible, the same list of members and chairperson of the ad hoc committee, Mr Alfred Heer (Switzerland, ALDE), as for previous observations of elections in 2021 (parliamentary elections on 4 April and early parliamentary elections on 11 July). 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, a representative of the Venice Commission was invited to join the ad hoc committee as legal adviser.

3. The usual partners of the Assembly in the framework of the International Election Observation Mission (IEOM), Organization for Security and Co-operation in Europe Parliamentary Assembly (OSCE PA) and Office for Democratic Institutions and Human Rights (ODIHR), decided to not deploy election observation missions. Therefore the Assembly was the only international parliamentary organisation observing the presidential and early parliamentary elections in Bulgaria.

4. On 12 and 13 November 2021, the ad hoc committee ("PACE delegation") met with leaders and representatives of political parties and coalitions, members of the ODIHR Election Assessment Mission, members of the Central Election Commission and representatives of NGOs and the media, before observing the ballot on 14 November. The programme of the meetings is set out in Appendix 2.

5. On polling day, the PACE delegation split into 11 teams which observed the vote in Sofia and its surroundings, as well as in the regions of Batak, Blagoevgrad, Dubnitsa, Karlovo, Kustendil, Mezdra, Pazardzhik, Pernik, Plovdiv, Pravets, Samokov, Slivnitsa and Velinograd. The next day, the PACE delegation issued a press release (Appendix 3).

6. The PACE delegation concluded that the presidential and early parliamentary elections held in Bulgaria on 14 November 2021 were competitive and fundamental freedoms were respected. However, public interest and trust in the electoral process is undermined by the long-standing issue of vote-buying and also by the failure of the political process to produce a government.

### 2. Political background

7. The Parliamentary Assembly has observed all parliamentary and presidential elections in Bulgaria since 1990. Concerning the parliamentary elections held on 4 April 2021, the PACE delegation, observing within the framework of an IEOM, concluded that they 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 said it expected the relevant Bulgarian authorities to undertake proper investigations regarding such serious cases, before the next nationwide elections, to restore confidence in the democratic election process

8. Before 4 April 2021, the political landscape in Bulgaria was dominated by two major political 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 these 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.

9. 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%).

10. However, the parliament failed to form a new government. Therefore, on 12 May the President of Bulgaria dissolved the National Assembly and called early parliamentary elections on 11 July.

11. A PACE delegation observed the early parliamentary elections on 11 July within the framework of an IEOM and concluded that they 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.

12. The result of the early parliamentary elections of 11 July was that the same as April 2021 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 Rise Up! Get out!" (IMV) – 13 seats (5,01%). The turnout was of 42,19%.

13. Once again, the parliament failed to form a new government. Therefore, on 14 September the President of Bulgaria dissolved it and called early parliamentary elections on 14 November, which was the scheduled day for the presidential election.

### 3. Legal framework

14. The PACE 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 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 main piece of legislation governing both the parliamentary and the presidential elections is the Election Code of 2014 which has been amended many times since then.

16. In addition to the Constitution of Bulgaria and the Election Code, other pieces of legislation are relevant for elections in Bulgaria: Direct Citizen Participation in State and Local Government Act; Political Parties Act; Local Self-government and Local Administration Act; and Administrative Violations and Sanctions Act.

17. Four issues relating to the common framework for both elections pose a legal problem:

- Since 2016 voting is compulsory but there is no sanction for persons who do not vote.
- There is provision on the ballot for a voter to indicate 'I do not support anyone'. Such votes count towards the turnout but not in the final result.

- There are polling stations abroad. A previous cap of 35 Bulgarian polling stations per country was found by the Constitutional Court to be unconstitutional and was removed, initially for other EU States and since the April 2021 amendments, for all States.
  - Machine voting is now the only method available in all polling stations which have more than 300 voters. This change was challenged before the Constitutional Court in 2021 without success.
18. Concerning the presidential election, the legal provisions are in the Constitution and from the Election Code, Part 1, all of Chapter 16 and parts of Chapter 15.
19. The president and the vice-president are elected jointly through a nationwide majoritarian system for a five-year term. More than half of registered voters should cast ballots for the election to be valid. Any Bulgarian citizen entitled to vote is eligible to be a candidate providing that he/she is at least 40 and has resided in the country for the five years preceding the election.
20. The president and the vice-president are to be elected simultaneously from national candidate lists registered by political parties and coalitions or by nomination committees in the case of independent candidates. They are to be elected on the same ticket, on the same conditions and by the same procedure.
21. According to the “Methodology for determining the voting results upon elections of the President and the Vice-President”, “the pair of candidates, which has gained more than one-half of the valid votes, [...] if more than one-half of the voters have participated in the voting, will be elected.” There has to be a second round if no candidate list wins in the first round.
22. The president and the vice-president shall be eligible for only one re-election to the same office.
23. Concerning the parliamentary elections, they are regulated by Chapter Fifteen of the Election Code of Bulgaria.
24. 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 have to pass the electoral quota calculated on the basis of 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.
25. Every citizen above the age of 18, with the exception of those placed under judicial interdiction or serving a prison sentence, shall be free to elect State and local authorities and vote in referendums. 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 the Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 9).
26. Any citizen aged at least 21 can stand for elections to the National Assembly, providing that he or she is not sentenced, whatever the severity of the crime. Moreover, “a candidate for a National Assembly seat holding a state post shall resign upon the registration of his candidacy”. Moreover, there is a ban on citizens with dual nationality from standing at Parliamentary elections. There is a Venice Commission recommendation that this provision be removed.
27. There are no provisions related to gender equality in the Election Code of Bulgaria.

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

28. The presidential and parliamentary elections are administered by a three-level structure of electoral management bodies: the Central Election Commission (CEC); 31 constituency (regional) election commissions; and around 12 000 section (precinct) election commissions.
29. According to the Article 46 of the Election Code as amended in April 2021, the CEC consists of 15 members, including a chairman, vice-chairmen and a secretary, nominated by the parties and coalitions proportionally represented in parliament. The members shall be appointed by a decree of the president of the republic after public consultations and a procedure determined by the president, on the basis of a proposal of the parties and coalitions represented in parliament.

30. The CEC appoints regional election commissions upon each election of: national representatives: for each multi-member constituency; members of the European Parliament for the Republic of Bulgaria and president and vice-president of the Republic: for each district according to the districting of the territory of Bulgaria for the last elections of national representatives to the National Assembly.
31. 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 may not have a majority in the regional election commission. The chairperson, the deputy chairperson and the secretary may not be of one and the same party or coalition. In constituencies of up to nine members of parliament, the election commission will be composed of 13 members. In constituencies with ten or more than ten members of parliament, the election commission will be composed of 17 members.
32. The section election commission shall consist of a chairperson, a deputy chairperson, a secretary and members. The representatives of any single party or coalition may not have a majority in the section election commission. The chairperson, the deputy chairperson and the secretary may not be of one and the same party or coalition. The number of members of section election commissions, including a chairperson, a deputy chairperson and a secretary, shall be for voting sections with up to 500 voters inclusive, up to seven members, but not fewer than five; and for voting sections with more than 500 voters, up to nine members, but not fewer than five.
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.
34. 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 section election commission a declaration in a standard form to the effect that the said voter has not voted and will not vote elsewhere.
35. Special voters lists are established for the purpose of voting outside polling stations, namely in medical-treatment facilities, specialised institutions, prisons and navigation vessels. There are 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.
36. Students can vote in the place they are 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.
37. The CEC is responsible for constituency delimitation. The number of mandates in each constituency is based on the last census but must comprise at least four mandates. The Venice Commission and the ODIHR expressed concern that this minimum may affect the equality of the suffrage.
38. 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.
39. The CEC is responsible for registering candidates. In case of registration denied by the CEC, the decision can be challenged before the Supreme Administrative Court.
40. The candidates for president and vice-president may be proposed for registration by a party, a coalition or a nomination committee. Independent candidates shall be registered if their candidature is supported by not fewer than 2 500 voters, and each voter may participate in only one list.
41. 18 women were candidates in the presidential elections, 4 competing for president and 14 competing for vice-president. This was comparable to the representation of women in parliament in 2017 and in April and July 2021 (57-55-59 seats).
42. The CEC held regular sessions, did broadcast the sessions online, met deadlines and adopted most decisions on time. However, there was lack of transparency in its activity, some sessions were muted, protocol decisions were not published on time. Partisan composition was blamed for slowing down the decision-making process.

43. 11 874 regular polling stations were organised, with machine voting in 79% and with 19% voting with two machines. 751 polling stations were organised abroad in 68 countries, out of which 208 with voting machines.
44. 6 708 189 voters were registered on the preliminary lists. Allegedly mainly Roma were not able to vote due to lack of permanent address and/or ID cards. 56 668 voters were registered abroad. Additional registration on election day was possible.
45. The CEC registered 23 Presidential candidates and 27 coalitions and parties. One party (Bulgarian Summer) was denied registration due to the lack of a bank account.
46. The regional election commissions registered 5 067 individual candidates (candidates are allowed to run in two constituencies) and 2 independent candidates. The Stara Zagora DEC denied registration to Democratic Bulgaria candidates' list. The CEC upheld the decision which was subsequently cancelled by the Administrative Court of Stara Zagora.

## **5. Election campaign environment, financing, and media coverage**

47. The official election campaign started 30 days before election day. The Election Code prescribes that the election campaign is conducted in Bulgarian language only, which is the State language of Bulgaria.
48. 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 persons.
49. 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.
50. 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.
51. The total amount of campaign funding for presidential elections cannot exceed BGN 2 000 000 for a party, a coalition and a nomination committee. The financial limit for campaign funding for parliamentary elections are BGN 3 000 000 for a party or coalition and BGN 200 000 for a nomination committee.
52. The National Audit Office has the authority to oversee political party and campaign expenses.
53. Public service broadcasters are required to cover elections in accordance with the principles of equitability and objectivity and allocate free airtime to each contestant. The election coverage by private broadcasters is largely unregulated.
54. Public funding is provided for media advertisement to the parties, coalitions and nomination committees that have registered a candidate.
55. The law stipulates that "it shall be prohibited to use the coat of arms or the flag of the Republic of Bulgaria or of any foreign State, as well as any religious signs or designs, in any campaign materials."
56. Another provision states that "it shall be prohibited to make political insinuations in commercial advertising to the benefit or to the detriment of any party, coalition or nomination committee or candidate."
57. The media legal framework generally provides for a sound frame to protect the right to freedom of expression and freedom of the media. Detailed rules in the Election Code provide for free airtime and paid airtime on the public broadcasters.
58. On 12 and 13 October 2021, the CEC approved the Agreements on the media coverage of the elections signed by the Bulgarian National Television (BNT) and the Bulgarian National Radio (BNR) with parties' representatives and on 17 October it adopted the Rules for the election media coverage of BNT and BNR.

59. The PACE delegation was told that, as result of the ‘equal participation’ principle, all contestants were offered equal airtime on BNT and BNR. However, they were not covering the election campaign in their news bulletins, which raised the concern of some political parties. Wide paid coverage marked the election campaign, though less than previous elections.

60. While candidates enjoy direct access to the media, a lack of genuine editorial coverage and journalistic mediation was noted in past elections. The delegation learned that self-censorship was still a practice, allegedly not to lose advertisements.

61. The campaign focused on topics such as the pandemic, energy prices, inflation, corruption cases, healthcare, education, foreign policy and vaccination. The general atmosphere was calm, and there was only one reported case of violence. There was a lack of debate among contestants.

## 6. Polling day

62. Since the amendments of April 2021, all votes in precincts with more than 300 voters were to be cast by use of voting machines (11 936 in total). The amendments allow casting paper ballots “as an exception” but does not define any conditions when the exception can be invoked. The voting machines work by a smartcard given to the voter by staff. The voter can change his/her vote once. The voter puts an electronic receipt into a special machine voting box and gives the smartcard back.

63. In the polling stations observed by the PACE delegation, members of the polling station commissions were co-operative and the voting was calm, transparent and well organised; however, some technical problems with the functioning of the voting machines were observed and some organisational shortcomings. In a number of polling stations observed there was clearly confusion on the responsibility towards operating the voting machines. Some people had difficulties in using them, and the absence of a chair in front of the voting machines increased the stress put on the elderly voters. The long time needed for some voters led often to queuing. Moreover, the design of the process on the screen led to some voters excluding themselves from one of the two elections. Particularly difficult situations were observed in polling stations in the Roma community, where the degree of illiteracy is very high and a number of incidents occurred. In some polling stations there were unauthorised persons present, one of them saying he was “from the municipality”. The secrecy of voting was not always made possible. No local observers were present in most of the polling stations observed.

64. The fact that in those polling stations where failures of the voting machines (59 in total) led to using “classic” paper ballots could have allowed carousel voting.

65. The results of the early parliamentary elections of 14 November 2021 were as follows:

Party or coalition	votes	%	seats
We continue the change	673 170	25.67%	67
GERB	596 456	22.74%	59
Movement for rights and freedoms (MRF)	341 000	13.00%	34
Bulgarian Socialist Party (BSP)	267 817	10,21%	26
There are such a people	249 743	9.52%	25
Democratic Bulgaria	166 968	6.37%	16
Vuzrajdane (Revival)	127 568	4.86%	13

66. The turnout was of 40,23%.

67. The result of the first round of the presidential election was as follows:

Candidates	votes	%
Rumen Radev – Iliana Yotova	1 322 385	49.42%
Anastas Gerdjikov – Nevena Miteva-Mateeva	610 862	22.83%
Mustafa Karadayi – Iskra Mihaylova	309 681	11.57%
Kostadin Kostadinov – Elena Guncheva	104 832	3.92%
Lozan Panov – Maria Kasimova	98 488	3.68%

68. The turnout was of 40,50%.

69. A second round of the presidential election took place on 21 November. The PACE delegation was not able to observe the second round of the Presidential election. The results were as follows:

Candidates	votes	%
Rumen Radev – Iliana Yotova	1 539 650	66.72%
Anastas Gerdjikov – Nevena Miteva-Mateeva	733 791	31.80%

70. The turnout was of 34,84%.

## 7. Conclusions and recommendations

71. The PACE delegation concluded that the presidential and early parliamentary elections held in Bulgaria on 14 November 2021 were competitive and fundamental freedoms were respected. However, public interest and trust in the electoral process is undermined by the long-standing issue of vote-buying and also by the failure of the political process to produce a government.

72. The delegation was aware of the challenges posed by the organisation of a third poll in a single year, after the elections of 4 April and 11 July, especially during a period when the Covid pandemic continued to have a strong impact on Bulgarian society.

73. The delegation heard from its interlocutors about the persistence of long-standing issues affecting electoral processes in Bulgaria such as, for example, the widespread problem of vote control and vote-buying (in particular in economically fragile communities such as the Roma), together with the practical difficulties of effectively combating this practice. The use of machine voting might have reduced the opportunities for vote-buying. The PACE delegation understood that the unusually extensive use of mobile box voting during the previous elections, mostly in these communities, was considered by some as a means to further facilitate vote control and buying. It found such kind of practices as a matter of grave concern.

74. The PACE delegation welcomed the fact that the ministry of the Interior, over the last few months, began a campaign of action in this area. The existing legal provisions concerning vote-buying should obviously be seen to be enforced. However, some interlocutors of the delegation did question whether political interests were behind this action.

75. The delegation was also informed about issues linked to the machine-voting system which, according to some interlocutors, limit the participation of voters who are not familiar with modern technologies. It noted that the mysterious discovery of hundreds of such machines on several government-owned premises, only days before election day, together with the unconvincing explanations offered by the authorities, raised serious questions about the possibility of electoral fraud.

76. With regard to technical problems it observed, the PACE delegation considers that there is a need for special trainings for the members of the polling stations to better familiarise them with new technologies.

77. The fact that in those polling stations where failures of the voting machines (59 in total) led to using "classic" paper ballots could have allowed carousel voting.

78. The PACE delegation wishes to thank the Bulgarian authorities for the support received in organising the election observation mission and assures them that the Assembly and the Venice Commission will continue to co-operate to bring further improvements to Bulgaria's electoral legislation and practices.

## **Appendix 1 – Composition of the ad hoc committee**

**Chairperson:** Mr Alfred HEER, Switzerland

### **Socialists, Democrats and Greens Group (SOC)**

- Mr Pierre-Alain FRIDEZ, Switzerland
- Mr Pedro CEGONHO, Portugal
- Mr Yunus EMRE, Turkey
- Mr André VALLINI, France
- Ms Marina BERLINGHIERI, Italy

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

- Mr. Viorel BADEA, Romania
- Mr Corneliu-Mugurel COZMANCIUC, Romania
- Mr Jacek PROTASIEWICZ, Poland
- Mr Francesco SCOMA, Italy
- Mr Raivo TAMM, Estonia
- Mr Vladimir VARDANYAN, Armenia

### **Alliance of Liberals and Democrats for Europe (ALDE)**

- Mr Fabien GOUTTEFARDE, France
- Mr Alfred HEER, Switzerland / Suisse
- Mr Damien COTTIER, Switzerland
- Mr Jean-Pierre GRIN, Switzerland
- Mr Arminas LYDEKA, Lithuania

### **European Conservatives Group and Democratic Alliance (EC/DA)**

- Mr Alberto RIBOLLA, Italy
- Mr Ulrich OEHME, Germany

### **Group of the Unified European Left (UEL)**

- Mr Andrej HUNKO, Germany

### **Venice Commission**

- Mr Richard BARRETT, member

### **Secretariat**

- Mr Bogdan TORCĂTORIU, Administrator, Secretary of the ad hoc committee, Election Observation and Interparliamentary Cooperation Division
- Ms Danièle GASTL, Assistant, Election Observation and Interparliamentary Cooperation Division
- Mr Michael JANSSEN, Legal advisor, Venice Commission

## Appendix 2 – Programme of the ad hoc committee (12-15 November 2021)

### Friday, 12 November 2021

- 15h00-16h00 Meeting of the delegation
- welcome remarks by Mr Alfred Heer, Head of the delegation
  - presentation on legal aspects by Mr Richard Barrett, member of the Venice Commission
  - briefing on practicalities by the Secretariat
  - distribution of the observation forms
- 16h00-17h15 Presentation by the ODIHR Election Assessment Mission
- 17h15-18h15 Exchange of views with representatives of NGOs active in the field of election Observation:
- Institute for Public Environment Development: Ms Lilian Nikoforova
  - Institute for Social Integration: Ms Katya Koleva
  - Centre for Liberal Strategies: Dr Daniel Smilov
  - Lab on electoral systems and techniques: Dr Stoycho Stoychev
  - Lab on electoral systems and techniques: Prof. Kjell Englbrekt
- 18h15-19h15 Exchange of views with representatives of the media
- Newspaper Dnevnik – Mr Petar Karaboev

### Saturday, 13 November 2021

- 9h00-11h50 Consecutive meetings with leaders and representatives of political parties and coalitions:
- 9h00-9h20: Citizens for European Development of Bulgaria (GERB) – support to the Election initiative committee of Prof. Anastas Gerdjov: Mr Daniel Mitov, Ms Ekaterina Zaharieva, Mr Georg Georgiev
  - 9h25-9h45: Bulgarian Socialist Party (BSP) – support to the Election initiative committee of Mr Rumen Radev: Mr Ivan Ivanov, Mr Yavor Bozhankov
  - 9h50-10h10: Coalition “We continue the change”- support to the Election initiative committee of Mr Rumen Radev: Mr Assen Vasilev, Mr Kiril Petkov
  - (10h15-10h35: There is such a people – support to the Election initiative committee of Mr Rumen Radev (no show))
  - 10h40-11h00: Democratic Bulgaria coalition – support to the Election initiative committee of Mr Lozan Panov: Ms Nadejda Yordanova
  - 11h05-11h25: Movement for Rights and Freedoms (MRF, whose party leader, Mr Mustafa Karadayi, is a presidential candidate): Mr Halil Letifov, Mr Yordan Tsonev
  - 11h30-11h50: Coalition “Rise! We are coming!”- support to the Election initiative committee of Mr Rumen Radev: Mr Dimitar Delchev, Mr Danail Georgiev
- 12h00-12h45 Meeting with the Central Election Commission: Ms Elka Stoyanova, Mr Dimitar Dimitrov, Mr Emil Voynov
- 12h45 Meeting with drivers and interpreters

### Sunday, 14 November 2021

Election Day – observation in polling stations

### Monday, 15 November 2021

- 10h00-11h30 Meeting of the delegation
- debriefing
  - adoption of a statement

### **Appendix 3 – Statement by the ad hoc committee**

#### **Bulgaria: statement by the PACE delegation observing the presidential and early parliamentary elections**

15/11/2021

The presidential and early parliamentary elections held in Bulgaria on 14 November were competitive and fundamental freedoms were respected. However, public interest and trust in the electoral process is undermined by the long-standing issue of vote-buying and also by the failure of the political process to produce a government, concluded a delegation from the Parliamentary Assembly of the Council of Europe (PACE).

The 19-member delegation, led by Alfred Heer (Switzerland, ALDE), met with leaders and representatives of political parties and coalitions, members of the ODIHR Election Assessment Mission, the Chairperson and members of the Central Election Commission, and representatives of NGOs and the media, before observing the ballot on 14 November.

The delegation was aware of the challenges posed by the organisation of a third poll in a single year, after the elections of 4 April and 11 July – which PACE also observed – especially during a period when the Covid pandemic is having such a strong impact on Bulgarian society.

It heard from its interlocutors about the persistence of long-standing issues affecting electoral processes in Bulgaria such as, for example, the widespread problem of vote control and vote-buying (in particular in economically fragile communities such as the Roma), together with the practical difficulties of effectively combating this practice. The use of machine voting might have reduced the opportunities for vote-buying. The delegation understood that the unusually extensive use of mobile box voting during the recent elections, mostly in these communities, was considered by some as a means to further facilitate vote control and buying.

The PACE delegation welcomed the fact that the Ministry of the Interior, over the last few months, began a campaign of action in this area. The existing legal provisions concerning vote-buying should obviously be seen to be enforced. However, some interlocutors of the PACE delegation did question whether political interests were behind this action.

The delegation was also informed about issues linked to the machine-voting system which, according to some interlocutors, limit the participation of voters who are not familiar with modern technologies. It noted that the mysterious discovery of hundreds of such machines on several government-owned premises, only days before election day, together with the unconvincing explanations offered by the authorities, raised serious questions about the possibility of electoral fraud.

On election day, the PACE delegation split into 11 teams which observed the vote in Sofia and its surroundings, as well as in the regions of Batak, Blagoevgrad, Dubnitsa, Karlovo, Kustendil, Mezdra, Pazardzhik, Pernik, Plovdiv, Pravets, Samokov, Slivnitsa and Velingrad. In the polling stations observed, members of the polling station commissions were co-operative and the voting was calm, transparent and well organised; however, some technical problems with the functioning of the voting machines were observed and some organisational shortcomings. Some people had difficulties in using the voting machines. The design of the process on the screen led to some voters excluding themselves from one of the two elections.

The PACE delegation wishes to thank the Bulgarian authorities for the support received in organising the mission and assures them that PACE and the Venice Commission will continue to co-operate to bring further improvements to Bulgaria's electoral legislation and practices.

A report on the observation of the 14 November elections will be presented to the plenary session of the Parliamentary Assembly of the Council of Europe, meeting in Strasbourg, in January 2022.