



INTERNATIONAL ELECTION OBSERVATION MISSION Republic of Bulgaria, Early Parliamentary Elections, 2 October 2022

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

PRELIMINARY CONCLUSIONS

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

On 2 August, following the no-confidence vote and three returned mandates to form a new government, in line with the Constitution, the president dissolved the parliament and set early parliamentary elections. These elections took place amid disillusionment with the political establishment and voter fatigue from three consecutive early parliamentary elections in less than two years. The pre-election environment was characterized by a fragmented political landscape, growing socio-economic concerns, and polarized discourse.

The legal framework provides an overall adequate basis for the conduct of democratic elections but contains provisions inconsistent with a number of international standards. Several longstanding concerns by ODIHR and the Council of Europe's Commission for Democracy through Law (Venice Commission) pertaining to key aspects of the electoral process still remain to be addressed, including those related to passive and active suffrage rights, campaigning in languages other than Bulgarian, the absence of measures to promote the participation of women and minorities, and limited possibility for challenging election results. Furthermore, the legislation contains inconsistencies and ambiguous provisions, and shortcomings in its implementation adversely affected several aspects of the electoral process, including election administration, campaign and media coverage of the elections.

The election administration carried out its duties adequately and complied with most legal deadlines, despite the compressed timeline. The International Election Observation Mission (IEOM) interlocutors expressed varying degrees of confidence in election administration and did not raise concerns about its preparedness to conduct the process. However, due to its limited technical and administrative capacity some activities and decisions came late, including guidelines for members of lower-level commissions, preparation of the voting machines and results management, adversely affecting the electoral process. The Central Election Commission (CEC) held regular sessions, open to observers and live-streamed online, but substantive discussions on draft decisions were often muted or held during closed working meetings, limiting access to information of public interest and diminishing transparency.

Many IEOM interlocutors expressed trust in machine voting and noted its positive effect on accuracy of the vote count and reduced opportunities for malfeasance. Some IEOM interlocutors noted the potential dissuasive effect on the participation of elderly voters and those who distrust the technology. Despite the steps taken after the last elections, the CEC's technical capacities to take charge of managing

the machine voting remained limited. The voting machines were not equipped with accessibility functions to enable voters with certain disabilities to vote independently. Moreover, the law does not address possible instances of discrepancies between the machine and manual count, despite prior ODIHR recommendations and at odds with international good practice.

The final voter lists contained 6,602,990 registered voters. Contrary to previous ODIHR and Venice Commission recommendations and international standards, the legislation retains excessive restrictions on suffrage rights. While most ODIHR EOM interlocutors expressed confidence in the accuracy of voter lists, some raised concerns that the lists contain outdated or multiple records. Citizens without a permanent address were disenfranchised, at odds with international standards.

Party and candidate registration process was generally inclusive. Citizens holding dual citizenship were not eligible to stand, and voters could sign in support of only one contestant in the elections, contrary to a previous ODIHR recommendation and international good practice. These elections were contested by 5,333 candidates, on 867 registered candidate lists, including two independent candidates.

Women are generally underrepresented in elected and appointed office. The representation of women in the outgoing parliament after the November 2021 elections was 57 out of 240 members of parliament (23.8 per cent). Only three out of 21 ministers of the provisional government are women. There are no legislative or other measures to promote women's participation and most political parties did not include any policies for the promotion of women in their platforms. Some 30 per cent of candidates were women, and 208 of them lead the candidate lists.

Contestants were able to campaign freely and fundamental freedoms of assembly and expression were largely respected. The legal framework does not sufficiently address campaigning by high-level public officials, and such instances raised concerns over misuse of administrative resources and the level-playing field. The campaign was competitive with a range of contestants representing different views, most prominent in the media and online. It was often negative in tone and marked by mutual accusations of corruption or wrongdoings among the parties, as well as by the provisional government against high-level officials of the previous government. Many ODIHR EOM interlocutors noted cases of potential vote-buying, pressure on public and private sector employees, and dependence on local employers in economically vulnerable communities, raising concerns about ability of these voters to cast their vote free of fear of retribution, at odds with OSCE commitments and international standards.

The law requires regular reporting on donations received but not on expenditures during campaign, limiting transparency, and several ODIHR EOM interlocutors voiced concerns about discrepancies between actual and reported spending. Media outlets are required to publish all contracts with contestants online, contributing to transparency. The National Audit Office, tasked with campaign finance oversight, does not have the mandate and resources to investigate unreported transactions. Overall, accountability of campaign finance was negatively affected by the legislative shortcomings and limited oversight.

The media environment is vibrant, and freedom of expression is constitutionally guaranteed. However, concentration of media ownership and symbiotic relationship between some media and political parties reduce pluralism and decrease public trust in journalists' work. Recent cases of protracted civil and criminal litigation against independent investigative media showcase journalists' vulnerability to pressure through courts and prompt self-censorship. Prime-time newscasts focused on the provisional government and the president, whose critical statements often disadvantaged parties they blamed for current socioeconomic problems, but some broadcasters provided additional journalistic scrutiny. While political parties received substantial exposure in mainstream media, limited non-partisan scrutiny of candidates hindered voters' access to comprehensive information on key electoral contestants. Positively, some outlets had fact-checking teams and analytical, investigative journalism, even though

reaching smaller audiences, upheld a pluralistic, issue-based debate and called for political accountability.

The Constitution guarantees the right of self-identification but does not define national minorities. The law allows campaigning only in Bulgarian, contrary to international standards and prior ODIHR and Venice Commission's recommendations. Issues related to minorities rarely featured in the campaign. Most political parties and coalitions did not include policies for persons belonging to minorities or for Roma integration in their electoral platforms. Several ODIHR EOM interlocutors stated that Roma voters are still vulnerable to intimidation and attempted vote-buying. There were several instances of inflammatory rhetoric against Roma and other ethnic communities during the campaign.

Contestants, political parties and observers may file complaints against administrative acts or decisions and alerts on any other violation. Contestants can challenge election results only indirectly, limiting access to effective legal redress, contrary to international standards. Before election day, the CEC decided on 17 complaints and the Supreme Administrative Court reviewed 21 appeals, within the established deadlines. The CEC deliberated on complaints and appeals in public sessions in a timely manner, and decisions were published on the CEC website overall in a timely manner. The Ministry of Interior registered 687 alerts, related to violations of electoral rights, including vote-buying, and launched 77 pre-trial proceedings.

Election day was generally calm and polling proceeded smoothly, and all but one polling stations observed by the International Election Observation Mission (IEOM) opened without significant delays. The voting process was orderly and assessed positively in the overwhelming majority of polling stations visited. Machine voting functioned well, with a few technical issues. The counting process was mostly well-organized but important steps were often omitted and many PECs had difficulties with filling results protocols, often attributed to inadequate training of PEC members. Tabulation of results was efficient in all DECAs observed. The CEC started posting initial voting results some three hours after the closing of the polls, contributing to transparency of the process, but did not update the turnout in a timely manner.

PRELIMINARY FINDINGS

Background

On 2 August, following the no-confidence vote in parliament and three returned mandates to form a new government, in line with the Constitution, President Rumen Radev dissolved the parliament, appointed a provisional government, and set early parliamentary elections for 2 October.¹ These elections took place amid disillusionment with the political establishment and voter fatigue from three consecutive parliamentary elections in less than two years. For nine of the last 17 months, Bulgaria has been governed by the appointed provisional governments. The pre-election environment was characterized by a fragmented political landscape, growing socio-economic concerns, and polarized discourse around the energy policies and the war caused by the Russian Federation's invasion of Ukraine.

¹ Since its appointment, the provisional government replaced several high-level officials in key public institutions. These include the majority of regional governors, several heads of regional police and head of the General Directorate of the National Police, directors of the National Revenue Agency and the Customs Agency, the Chair of the Patent Office, management of the Bulgarian gas distribution company Bulgargaz and some board members and managers of large state companies connected to arms trade and supply.

Following the November 2021 early parliamentary elections, seven political parties and coalitions gained representation: a new coalition We Continue the Change (PP), founded some two months before the previous elections by two ministers of the May 2021 provisional government; Citizens for the European Development of Bulgaria (GERB-SDS), Movement for Rights and Freedoms (DPS), BSP for Bulgaria (BSP), There is Such a People (ITN), Democratic Bulgaria (DB), and *Vazrazhdane* (Revival).² After obtaining the highest number of seats, PP formed a government led by Kiril Petkov with the BSP, ITN, and DB. Subsequently, tensions emerged within the governing coalition, most notably related to appointments of high-level public officials and sending arms to Ukraine.

Women are generally underrepresented in elected and appointed offices. In the outgoing parliament after the November 2021 elections, 57 out of 240 MPs (23.8 per cent) were women. Only three out of 21 ministers of the provisional government are women. There are no legislative or other measures to promote women's participation and most political parties did not include any policies for the promotion of women in their platforms. Some 30 per cent of candidates were women, and 208 of them lead the candidate lists.³

Legal Framework and Electoral System

Parliamentary elections are primarily governed by the 1991 Constitution, the 2014 Election Code and the 2005 Political Parties Act, supplemented by other relevant laws, and decisions of the Central Election Commission (CEC).⁴ These elections were held under the same legal framework as the last two early parliamentary elections. The most recent substantive changes to the Election Code were adopted in May 2021, and introduced, among other changes, mandatory machine voting in polling stations with at least 300 voters, reduced the CEC composition from 20 to 15 members, and removed limitations on the total number of polling stations abroad.

The legal framework provides an overall adequate basis for the conduct of democratic elections. However, it contains provisions inconsistent with a number of international standards, and related longstanding concerns by ODIHR and the Council of Europe's Commission for Democracy through Law (Venice Commission) pertaining to key aspects of the electoral process still remain to be addressed. These refer to the blanket disenfranchisement of prisoners and persons under guardianship, restrictions on the right to stand for those holding a dual citizenship, campaigning in languages other than Bulgarian, lack of measures to promote the participation of women and minorities, and limited possibility for challenging election results.⁵ Furthermore, the legislation contains inconsistencies and ambiguous provisions, and shortcomings in its implementation adversely affect several aspects of the electoral process, including election administration, campaign and media coverage of the elections.⁶

The 240 members of the National Assembly are elected for four-year terms, under a proportional representation system in 31 multi-member constituencies (MMCs), with 26 MMCs corresponding to

² PP obtained 67 seats, followed by GERB with 59, and DPS with 34 mandates, BSP obtained 26 seats, while ITN, DB and Revival received 25, 16 and 13 mandates, respectively.

³ Among the parliamentary parties, four parties or coalitions had at least three women among the top ten candidates in more than half of the party lists: PP in 19, BSP in 18, and GERB and DB in 17 each out of 31 party lists.

⁴ Provisions of the 1990 Assemblies, Rallies and Manifestations Act, the 1969 Administrative Violations and Penalties Act, the 2006 Code of Administrative Procedure, the 1968 Criminal Code and the CEC decisions are also applicable.

⁵ See [2017 ODIHR and Venice Commission Joint Opinion on Amendments to the Election Code](#) and previous ODIHR election [reports](#) on Bulgaria.

⁶ The Election Code provides for the creation of an inter-institutional task force to tackle election-related criminal offences, without clarifying its mandate; prohibits the use of campaign materials "contrary to good morals", without defining the term; does not adequately address misuse of office during the campaign; contains inconsistencies with deadlines on deciding complaints. In its annual [report](#) of 2 June 2022, the CEC underlined inconsistencies within the Election Code and with other legislative acts as well as unregulated aspects of machine voting.

the administrative districts and the remaining five MMCs, in Sofia and Plovdiv, delineated by the president of Bulgaria before each parliamentary elections.⁷ The number of mandates in each MMC is based on the last census, but, by law, must comprise at least four mandates.⁸ While delineation of constituencies and seat allocation remain unchanged and did not have a negative impact on the equality of the vote, delineation of constituencies and seat allocation close to elections is contrary to international good practice.⁹ Parties and coalitions are eligible for seat allocation if they obtain at least four per cent of the valid votes cast nationwide, while independent candidates must surpass the constituency quota.¹⁰

Election Administration

The elections were administered by the CEC, 31 district election commissions (DECs), and some 13,000 precinct election commissions (PECs).¹¹ Members of all election commissions, including for leadership positions, were appointed upon nominations by political entities, in proportion to their representation in the parliament. Women were well-represented among the commission members, including in leadership positions.¹²

The CEC is a permanent body composed of 15 members appointed for a five-year term, with its current composition appointed in May 2021. The CEC is mandated to oversee electoral preparations and implement them jointly with the government, local authorities and other actors.¹³ The CEC had limited administrative and technical capacities which affected its ability to fulfil its mandate. The CEC held regular sessions, open to observers and live-streamed online, with recordings also made publicly available. However, considerable amount of the public session time was spent on administrative tasks, such as correspondence and internal operational issues. For substantive discussions, the sound of livestream was often muted without prior announcement of a reason for it, or they were held during non-public working meetings, which limited access to information of public interest and diminished transparency.¹⁴

All DECs and most PECs were appointed within the legal deadlines, following consultations among the nominating parties and coalitions within the respective constituency or municipality. Consensus among local political representatives on the commission composition was not reached for 26 of the 31 DECs and a number of PECs in 11 constituencies. The respective commission members were therefore appointed directly by decisions of the upper-level election administration bodies. DECs and PECs were provided with appropriate resources and logistical support from the local authorities.

⁷ The delineation of constituencies was defined by a presidential decree of 5 August 2022, in line with the law.

⁸ The census scheduled to take place in early 2021 was postponed due to the COVID-19 and finally held between 7 September and 10 October 2021. The National Statistics Institute announced that the final data will be published from 3 October.

⁹ Guideline I.2.2.v of the 2002 Venice Commission's Code of Good Practice in Electoral Matters ([Code of Good Practice](#)) recommends redistribution of seats at least every ten years "preferably outside election periods".

¹⁰ The candidates are elected from open lists with a single preference option and where no preference is indicated, the vote goes to the list carrier. To get a preferential seat, a candidate must receive at least seven per cent of the votes by their party lists in an MMC. The constituency electoral quota is defined as a number of valid votes cast divided by the number of seats in a given MMC.

¹¹ In total, 11,845 PECs were appointed for regular polling stations, 292 PECs to conduct mobile voting, 121 PECs for special polling stations in hospitals and social institutions, and in 15 pre-trial detention centres, and 755 for out-of-country polling stations.

¹² Eight out of 15 CEC members are women, including chairperson, one deputy chairperson and secretary. A total of 250 of the 439 DEC members are women, out of which 14 chaired the DECs.

¹³ The Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development (GRAO) verified the signatures and partly the eligibility of individual candidates, Information Services partly verified the eligibility of candidates and processed the results tabulation and, following a public procurement, *Ciela Norma*, a private company, implemented machine voting.

¹⁴ These were also related to complaints as well as machine voting issues. The CEC Rules of Procedure allow for partially closed sessions only due to data protection and require public announcement of the reasons. ODIHR EOM was able to observe CEC sessions in person.

Despite the compressed time frame, the election administration managed the administrative and technical aspects of the electoral preparations adequately and complied with most legal deadlines. However, due to its limited technical and administrative capacity some activities and decisions came late, especially in relation to the preparation of the voting machines, adversely affecting the process.¹⁵ As required by law, CEC and DEC decisions and most sessions' minutes were published in a timely manner, but the agendas for sessions were usually announced only shortly before the session.¹⁶ ODIHR EOM interlocutors expressed varying degrees of confidence in election administration and did not raise concerns about its preparedness to conduct the process.

The training programme for PEC members started one week before election day with series of in-person sessions, complemented by online training on the operation of voting machines delivered by the electronic voting service provider. Most training sessions observed by the ODIHR EOM were well-organised, interactive, and informative, encompassing essential aspects of election day. However, in some instances, voting machines were not available for participants to practise their operation. Unlike PEC members, the DEC members had only brief informational sessions later in the process.

Voter information campaign was extensive and carried out mostly in broadcast media and online and had sign language interpretation. It primarily focused on the use of voting machines, in addition to the demonstration campaign carried out by regional and municipal administrations across the country. Other issues included the out-of-country voting, voter registration options, and accessibility of polls for voters with disabilities. Voter education materials were available only in Bulgarian.

While by law several polling stations within each constituency should be accessible for voters with visual impairments and reduced mobility, some ODIHR EOM interlocutors pointed to the longstanding difficulties with physical access, limited number of these polling stations and insufficient information about the locations. Most voter education and election material, including ballot papers and voting machines, were not adapted for voters with visual or cognitive impairments. The law requires the system for machine voting to ensure easy and understandable access.¹⁷ However, the voting machines were not equipped with accessibility functions to enable voters with certain disabilities to vote secretly and independently, in line with international standards and good practice.¹⁸

Voting Technologies

The law requires the use of voting machines in all polling stations with the minimum of 300 registered voters. The voting machines were to be used in 9,371 polling stations in the country and 289 polling stations abroad.¹⁹ Many ODIHR EOM interlocutors expressed trust in the machine voting system, as an

¹⁵ The voting machines were delivered to the Ministry of E-Government by the CEC for certification with a delay and incorrect documentation. Guidelines for election personnel were adopted only some two weeks prior to election day, allowing little time to prepare training curricula and conduct the training. Negotiations over the contract for results data processing led to its delayed conclusion some five days before election day.

¹⁶ Transcripts of CEC sessions omitted the discussions held when the sound was muted. With a few exceptions, most DEC's published timely all decisions and their session minutes.

¹⁷ One week before election day, the Ombudsperson sent a letter to the CEC with recommendations to facilitate accessibility for voters with disabilities when exercising their right to vote, including when using voting machines. While the CEC acknowledged the shortcomings and obstacles faced by these voters, the commission stated that they would only look into potential adjustments for the future elections.

¹⁸ See Articles 9 and 29 of the 2006 [UN Convention of the Rights of Persons with Disabilities](#) (CRPD). Paragraph I.2 of the 2017 Council of Europe (CoE) [Recommendation on standards for e-voting](#) stipulates that "the e-voting system shall be designed, as far as is practicable, to enable persons with disabilities and special needs to vote independently".

¹⁹ In 1,105 polling stations in the country and 233 polling stations abroad, two voting machines were available. Paper ballots were in use only in polling stations with fewer than 300 registered voters, in special polling stations and in case of machine malfunction.

effective measure to increase accuracy of the vote count and reduce opportunities for malfeasance. Despite increased voter education efforts by election administration and local authorities, some ODIHR EOM interlocutors noted potential dissuasive effect of the voting technologies on the participation of elderly voters and those who distrust the technology.

Although after the last elections the CEC attempted to gain the full ownership over the machine voting process, its administrative and technical capacities to independently manage it remained limited.²⁰ The CEC used the voting machines purchased for previous elections and the previous vendor, *Ciela Norma*, was contracted to provide the software, IT support, logistics and training for the election personnel. In this respect, several ODIHR EOM interlocutors voiced concerns over the CEC's insufficient ability to exercise effective control over the organization of machine voting, as required by law and international good practice.²¹

Due to late preparation and delivery of the voting machines and documentation by the CEC, the certification process for six randomly selected voting machines, performed in co-operation between the Ministry of E-Government (MEG), the Institute of Standardization, and the Institute of Metrology, started only some two weeks before election day. To enhance transparency and public scrutiny of the process, the MEG broadcast several phases of the process online, mainly targeted to the expert audience. While the law allows all party representatives, domestic observers and experts from the Academy of Sciences access the certification process, including the trusted software build, the CEC set additional professional and educational requirements for these to attend the process.²² For the first time, the MEG arranged the opportunity for registered party representatives and observers to review the source code of the voting machine software, as required by law; however, only four days before election day. The final certification report, establishing full compliance of the devices with the required technical specifications, was published on 29 September, thus not allowing sufficient time for comprehensive assessment of the findings prior to election day.

The law stipulates that the results counted by the voting machines are official but does not provide a mechanism to verify accuracy of the vote count. The CEC instructed all PECs to conduct a control manual count of receipts printed by the voting machines. However, the law does not address possible instances of discrepancies between the machine and manual count, despite prior ODIHR recommendations and at odds with international good practice.²³

As specified by law, processing of voting results was assigned to the state company "Information Services". Two weeks prior to election day, a brief demonstration of functionalities of the results management system was conducted at the CEC in the presence of several party representatives. However, unlike with machine voting, little public information concerning the results management

²⁰ In early 2022, the CEC contracted external experts to participate in the transfer of knowledge from the producer of the voting machines, *Smartmatic*, to the CEC. The expert group provided the CEC with reports, and an action plan was developed. However, due to lack of internal technical capacities and personnel with the required expertise within the CEC secretariat, the process has not resulted in an effective transfer of knowledge. According to the CEC, specialized unit will be established within the CEC for the next elections.

²¹ Paragraph 29 of the 2017 CoE [Recommendations on e-voting](#) stipulates that "[t]he relevant legislation shall regulate the responsibilities for the functioning of e-voting systems and ensure that the electoral management body has control over them". Its [Explanatory Memorandum](#) adds that statutory duties of the body responsible for the conduct of elections should never be outsourced.

²² In order to be registered, such representatives must have a degree in information and communication technology and at least three years of experience in the field. Only three party representatives from PP, GERB-SDS, and DB registered for participation.

²³ The CoE [Guidelines on the implementation of the provisions of Recommendation CM/Rec\(2017\)5 on standards for e-voting](#) advise for the national regulations to provide "what to do in case of discrepancies between electronic results and those produced by the second medium" and to conduct "a mandatory count of votes in the second medium in a statistically significant number of randomly selected polling stations".

system was provided, nor was there a certification of the system, contrary to international good practice.²⁴

Voter Registration

Citizens over the age of 18 have the right to vote. Contrary to international standards and previous ODIHR and Venice Commission recommendations, the legislation retains excessive restrictions on suffrage rights for those deprived of legal capacity by a final court decision, including on the basis of intellectual or psychosocial disability, or serving a prison sentence, irrespective of the gravity of the crime.²⁵

The voter registration is passive and decentralized. All eligible voters with a permanent address registered in Bulgaria are automatically included in the voter list of the respective precinct. Voter lists are compiled by the municipal administrations prior to each election, based on data extracted from the national population register. A total of 6,602,990 voters were registered to vote in these elections. While most ODIHR EOM interlocutors expressed confidence in the accuracy of the voter lists, some raised concerns that the lists contain outdated or multiple records. Significant obstacles faced by vulnerable groups, particularly Roma, in obtaining a registered address and identity documents effectively lead to their exclusion from the voter lists.²⁶ The disenfranchisement of citizens due to a lack of permanent address is at odds with international standards.²⁷

Voters were given ample opportunity to verify data on the voter lists and request corrections. The ODIHR EOM observed that preliminary voter lists were posted for public scrutiny at polling stations visited prior to election day. Voters were also able to check their data online. According to the CEC, 88,456 voters requested to vote in the precinct of their actual registered residence, 343 requested absentee voting certificates.²⁸ Special voter lists were compiled for voters who requested mobile voting and voters in healthcare and social-service institutions and pre-trial detention.²⁹ On 22 September, the CEC decided to extend the possibility of voting with the mobile ballot box to those voters under quarantine due to COVID-19, with the possibility to request this option before and on election day. In addition, certain categories of voters, including voters abroad, could be added to the list on election day, without submitting a prior request.³⁰ Voters abroad may vote at any polling station of their choice, by registering in advance or on election day; prior to elections, 50,900 citizens registered to vote abroad.

²⁴ See paragraphs 4, 7 and 8 of the 2022 CoE [Guidelines on the use of information and communication technology \(ICT\) in the electoral processes](#).

²⁵ See Articles 12 and 29 of the [CRPD](#). See also European Court of Human Rights (ECtHR) judgements in [Anatoliy Marinov v. Bulgaria](#) and [Dimov and others v. Bulgaria](#).

²⁶ The 2022 [report](#) by ROMACT cites the Ministry of Interior (MoI): “as of March 2021, 244,822 persons have been identified as not having a valid identity document, out of which 121,073 persons have never held one”.

²⁷ Article 25(b) of the 1966 International Covenant on Civil and Political Rights ([ICCPR](#)) states that “every citizen shall have the right and the opportunity [...] to vote and to be elected...”. Paragraph 7.3 of the [1990 OSCE Copenhagen Document](#) requires participating States to provide universal and equal suffrage. The [Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area](#), adopted by the 2003 Maastricht Ministerial Council Decision, states that “Participating States must be proactive in ensuring that Roma and Sinti people [...] have all the necessary documents, including birth certificates, identity documents and health insurance certificates”.

²⁸ Only registered candidates, CEC and DEC members, and accredited observers may request an absentee voting certificate to vote at any polling station of their choice.

²⁹ The mobile ballot box is offered for homebound voters upon submission of justifying documents.

³⁰ PEC members and security officers are allowed to vote at the polling station of their duty; students are entitled to vote in the municipality where they study; and persons with disabilities may vote in any suitable polling station of their choice without submitting a prior request. Voters not found on the voter list of their permanent address may be added to the voter list on election day, provided they can present residency documentation issued by the respective municipality. Voters with Bulgarian ID documents may vote at any polling station set up abroad.

Candidate Registration

Eligible voters of at least 21 years of age have the right to stand as candidates, provided they do not hold another citizenship. This restriction is at odds with the jurisprudence of the European Court of Human Rights (ECtHR).³¹ Individuals prohibited from joining a political party may contest the elections as independent candidates.³²

To support their candidacies, political parties and coalitions had to submit a minimum of 2,500 supporting signatures from voters and a deposit of BGN 2,500.³³ Nomination committees for independent candidates were required to hand in supporting signatures of at least one per cent of registered voters in the constituency, but not more than 1,000 signatures, and a deposit of BGN 100. Voters could sign in support of only one contestant in the elections, contrary to a previous ODIHR recommendation and international good practice.³⁴ While the law provides for the possibility to remedy any deficiencies identified in the nomination documents or replacement of candidates found not meeting nominations requirements, corrections are not allowed after the deadline for candidate registration, at odds with international good practice.³⁵ Further, the deadlines envisaged for verification of eligibility of individual candidates overlapped with the beginning of the election campaign.³⁶

Candidate registration process was generally inclusive. Initially, the CEC registered all 24 political parties and 7 coalitions which applied. After verification of the nomination documents, one coalition was deregistered for insufficient number of supporting signatures. Further, one political party withdrew and one failed to submit candidate lists in any of the constituencies, but remained officially registered. These elections were contested by 5,333 candidates, on 867 registered candidate lists, including two independent candidates. Candidates could be nominated in up to two constituencies, and 1,927 candidates stood on two candidate lists.

Campaign Environment

The official campaign started on 2 September and ended 24 hours prior to election day. Contestants were able to conduct their campaigns freely and without hindrance, and fundamental freedoms of assembly and expression were largely respected. The legal framework contains few regulations aiming to prevent the misuse of administrative resources or office during the campaign, and allows for unrestricted campaigning by high-level public officials.³⁷ Although not legally prohibited, campaigning by mayors on behalf of candidates representing their parties was frequently observed, sometimes also during the office hours,³⁸ raising concerns over misuse of administrative resources and its effect on the

³¹ See ECtHR judgment in [Tănase v. Moldova](#). Bulgaria reserved the right not to apply Article 17 of the [1997 European Convention on Nationality](#), which guarantees equal rights to nationals with dual citizenship.

³² These include military, intelligence service and police personnel, diplomats, judges and prosecutors.

³³ 1 EUR is approximately 1.96 Bulgarian Lev (BGN).

³⁴ See paragraph 196 of the 2020 [ODIHR and Venice Commission Guidelines on Political Party Regulation](#).

³⁵ Paragraph 271 of the 2020 [ODIHR and Venice Commission Guidelines on Political Party Regulation](#) states that “[t]he law should also allow for the correction and resubmission of registration papers to rectify minor deficiencies in a party’s registration materials within a reasonable amount of time after initial rejection”.

³⁶ Seven candidates were deregistered due to holding another citizenship and two for not complying with the age requirement.

³⁷ The Election Code prohibits the use of state and municipality-owned public transportation as well as campaigning in state and municipal institutions, as well as in companies with more than 50 per cent state or municipal ownership. The Political Parties Act prohibits parties to use state and municipal resources free of charge.

³⁸ In a cultural event for the inauguration of a sports hall, organized by the mayors of Valchi Dol and Varna, the mayors were campaigning together with GERB candidates. The mayor of Kardzali had campaign meetings with DPS voters during office hours, whereas the women’s association of the DPS held an event in the Municipal Council’s office in Devin. A municipality built ritual hall in Zarnevo was portrayed in the GERB campaign as a party achievement.

level-playing field.³⁹ The president and the provisional government took a prominent part in the pre-election campaign with critical statements towards previous government's decisions.⁴⁰ Throughout the campaign period, several ministries were issuing statements on alleged wrongdoings of former high-level public officials affiliated with some of the election contestants, in some cases requesting further investigations.⁴¹

The campaign was competitive, and campaign activities intensified in the last week before election day.⁴² The wide range of contestants represented different views, but campaign was often negative in tone and marked by mutual accusations of corruption or wrongdoings among the parties, as well as by the provisional government against high-level officials of the previous government. The candidates campaigned extensively around the country using a variety of traditional means, as well as active use of social media platforms.⁴³ The campaign centered around energy policies, inflation, growing socio-economic concerns, and corruption, and the war caused by the Russian Federation's invasion of Ukraine and its security implications for Bulgaria. The ODIHR EOM noted isolated instances of threats to party members and inflammatory rhetoric.⁴⁴ Most political parties did not include any policies for the promotion of women in their platforms.⁴⁵ Campaign messages seldom addressed issues related to gender equality and women rarely appeared as speakers in the events observed by the ODIHR EOM.⁴⁶

Many ODIHR EOM interlocutors noted that while the use of voting machines mitigates certain risks, vote-buying remained an ongoing concern, perceived to affect particularly economically and socially vulnerable communities, including Roma.⁴⁷ Moreover, several ODIHR EOM interlocutors highlighted

³⁹ See also the [2016 ODIHR and Venice Commission's Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#) which states that "the legal framework should provide effective mechanisms for prohibiting public authorities from taking unfair advantages of their positions by holding official public events for electoral campaigning purposes, including charitable events, or events that favour or disfavour any political party or candidate". On 27 September, during the meeting with the National Association of Municipalities, Minister of Regional Development and Public Works announced the allocation of BGN 404 million to 265 municipalities prior to election day.

⁴⁰ For example, on 2 September, President Rumen Radev stated that the "shocking" new gas price is a result of gas contracts signed in July. On 20 September, the President stated that "the ineffective practice to negotiate (gas) tankers without public tenders is discontinued". On 15 September, Minister of Energy Rosen Hristov stated the gas prices agreed by the previous government were 30 per cent higher than those agreed by the provisional government.

⁴¹ One press release was related to the potential conflict of interest of the former Minister of Economy, current BSP chairperson, chief of staff. The Ministry also issued a press release about the alleged wrongdoings of the previous management of a state company, mentioning one of the current BSP leading candidates. On 20 September, Minister for Regional Development Ivan Shishkov criticized the previous Minister Grozdan Karadjov (ITN) over his failure to investigate "the largest-scale illegal construction" of dams. Minister of Youth and Sports Vesela Lacheva stated that all contracts signed during the last days of the previous administration of her Ministry (led by one of the current PP candidates), would be submitted to the prosecutor's office over the financial costs involved.

⁴² The ODIHR EOM LTOs attended 17 campaign events throughout the country.

⁴³ Larger campaign events were organized by ITN and GERB, while the latter mostly held invitation-only events that were live-streamed on Facebook. PP leaders, and to a lesser extent DB, toured the country. BSP held gatherings with several hundred attendees. DPS organized community meetings, while Revival candidates held meetings and heavily campaigned online.

⁴⁴ PP representative informed the ODIHR EOM that during the campaign event in Varna on 12 September the supporters of other parties were insulting the PP supporters and threatening them. During TV political debates, candidates from Bulgarian National Union - New Democracy (BND) and VMRO – Bulgarian National Movement were using inflammatory rhetoric against Roma and North Macedonians.

⁴⁵ Out of 29 registered contestants, only DB, PP and Rise Up Bulgaria (IB) addressed issues of violence against women and gender equality in their platforms available online.

⁴⁶ In [2020 Concluding observations](#) on the eighth periodic report of Bulgaria, the CEDAW Committee recommended "to take temporary special measures, such as statutory quotas and a gender parity system [...], provide capacity-building on campaigning and political leadership skills as well as awareness raising efforts among political leaders and the public".

⁴⁷ The MoI announced that building on accumulated experience, greater resources would be put to use during the campaign to address vote-buying. An MoI official informed the media that vote-buying activities also involve companies with close ties to municipalities.

other potential electoral malfeasances related to the work of election commissions.⁴⁸ Many ODIHR EOM interlocutors noted cases of pressure on public and private sector employees, and dependence on local employers and administration in economically vulnerable communities, raising concerns about the ability of these voters to cast their vote free of fear of retribution, at odds with OSCE commitments and international standards.⁴⁹

Out of 28 parties and coalitions running, 25 have established an official Facebook account.⁵⁰ With the exception of ITN and a DB coalition party Yes, Bulgaria (YB), the online pool of followers of those pages did not amount to a significant vote bank. While Revival relied on a genuine online support, other key contenders primarily used paid advertisements to reach out to voters outside their traditional support base.⁵¹ The posts focused on economy, social policies and energy prices while in the last ten days of the campaign the topics of the Russian Federation's invasion of Ukraine and related foreign policy issues gained more prominence. The overall spending in Facebook was comparable to spending on radio broadcasts.

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

Campaign Finance

Campaign finance is mainly regulated by the 2014 Election Code, the 2005 Political Parties Act and the 2015 National Audit Office Act. Previous Council of Europe's Group of States against Corruption (GRECO) recommendations concerning the use of public facilities by parties and sanctions for violations remain partially addressed, while some ODIHR recommendations remain unaddressed, including on the lack of reporting on expenditures prior to election day and the deadline for publication of the audit report.

⁴⁸ DB filed a complaint related to compilation of the lists for mobile voting in Batak, Pazardzhik region with the administrative court, alleging inclusion of a higher number of voters not entitled to be on these lists. The Ombudsperson informed the ODIHR EOM that mayors and persons with disabilities in Smolyan and Razgrad regions complained about the MoI's investigations into mobile voting.

⁴⁹ ODIHR EOM observers received allegations of such practices in Shumen, Silistra, Yambol, Haskovo, Stara Zagora, and Montana. The Governor of Haskovo informed ODIHR EOM observers about the allegiance between local governments and private companies to secure votes of their employees. In Stara Zagora region (DEC 27), Revival candidates alleged that vote-buying is being conducted by municipalities in Gurkovo and Maglizh while corporate voting takes place in Brikel and Arsenal companies by pressuring employees. PP candidate in Silistra and DB candidates in Shumen alleged that economic dependency on local authorities in Varbica, Kaulinovo and Hitrino hinders voting freedom. During an online meeting of PP candidates with the Roma community, Roma interlocutor stated that GERB were making threats that their houses would be destroyed if they do not vote properly; there were also threats from DPS that "they will see what will happen if they know too much". Paragraph 7.7 of the [1990 OSCE Copenhagen Document](#) requires that campaigning "be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution". Paragraph 19 of the [1996 CCPR General Comment 25](#) to the ICCPR stipulates that "voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind".

⁵⁰ During the official campaign period, the ODIHR EOM followed the activities on Facebook of seven parliamentary parties and coalitions and their leaders, one party and party leader not present in the parliament as well as four accounts associated with the president and government.

⁵¹ While GERB mobilized up to 100 party branch pages mainly promoting their party leader, DB focused on promoting individual candidates.

Political parties and coalitions that received respectively at least one and four per cent of valid votes nationwide in the previous elections are entitled to annual public funding.⁵² Parties and coalitions that are not entitled to public funding and have registered candidate lists in all electoral districts receive BGN 40,000 for covering costs of media advertising, while independent candidates receive BGN 5,000.⁵³ The campaign may be financed by the party's or candidate's own funds, monetary and in-kind donations from private individuals, while donations from non-residents, religious institutions, anonymous and foreign sources as well as legal entities are prohibited.⁵⁴ The law does not provide a ceiling limit for individual donations, which heightens the risks of dependence on wealthy private interests.⁵⁵ Campaign expenditures are capped at BGN 3 million for parties and coalitions and BGN 200,000 for independent candidates.

The National Audit Office (NAO) is mandated with oversight of party and campaign financing. During the campaign, contestants were required to report for publication in the NAO's register all donations within seven days from receipt and information on contracts concluded with media and public relations agencies.⁵⁶ Donations or contestants' own funds exceeding one minimum monthly salary need to be supported by a declaration on the funds' origin.⁵⁷ Media outlets are required to publish all contracts with contestants online, increasing transparency, and to submit such information to the NAO within 30 working days after election day.⁵⁸

Contestants are not required to report expenditures during the campaign but must submit a report on campaign income and expenditures within 30 working days after the elections, to be published within 15 days, and audited by the NAO within six months from the submission deadline. The NAO audits the reported data for prohibited donations or other irregularities, but does not have the mandate and resources to investigate unreported transactions. The lack of expedited deadlines for the NAO to address campaign finance infringements further weakens the effectiveness of the oversight process. Several ODIHR EOM interlocutors voiced concerns about discrepancies between the actual and reported spending. Overall, transparency and accountability of campaign finance was negatively affected by the legislative shortcomings and limited oversight.

Media

The media landscape is vibrant. Television and internet-based outlets are the prime sources of news, followed by Facebook and TikTok. The *bTV Group* and *Nova Broadcasting Group* dominate the national media market. Third most popular media houses are public Bulgarian National Radio (BNR) and Bulgarian National Television (BNT). The criteria used by the government to determine the BNR

⁵² According to the State Budget Act for 2022, the amount of the state subsidy for each vote received is BGN 8. As per Ministry of Justice information for the period until 30 June 2022, four political parties and four coalitions were entitled to a total amount of state subsidy of BGN 8,930,076.

⁵³ For these elections, 16 political parties, three coalitions and two independent candidates were entitled to "media packages". Contestants choose where to be advertised but the contracts are approved by the CEC, which transfers the funds directly to the respective media.

⁵⁴ In April 2021, the possibility for legal entities to donate to election campaigns introduced in 2019 was declared unconstitutional by the Constitutional Court.

⁵⁵ See Art. 3(b)(ii) of [Recommendation Rec\(2003\)4](#) of the Committee of Ministers to member states on common rules against corruption in the funding of political parties and electoral campaigns.

⁵⁶ According to the data included in the NAO single public registry as of 30 September 11 out of 28 parties and coalitions declared a total of some BGN 1,300,000 from donations, with the largest amount declared by PP (over BGN 870,000), followed by ITN (some BGN 276,000) and Bulgarian Rise (some BGN 70,000). The largest number of contracts concluded with media and public relation agencies were declared by GERB-SDS (291) followed by ITN (97) and BSP (87).

⁵⁷ The monthly minimum salary as defined by the Council of Ministers was BGN 710 for the first semester of 2022. Most donations as well as candidates' funds exceeding this limit were accompanied by such declarations.

⁵⁸ Based on published information, NGO Institute for Public Environment Development estimated the value of contracts signed between the political parties and the media at around BGN 3 million.

budget do not consider costs for digitalization, resulting in the insufficient funding and undermining the public radio's development plans. Since July 2022, the BNT is led by an acting director general who has not been re-elected following the expiration of his mandate.⁵⁹ ODIHR EOM interlocutors underlined that this situation of uncertainty undermines editorial independence of public television and did not accord with international best practice for public media during the elections.⁶⁰

Freedom of expression is constitutionally guaranteed, and national laws are aligned with key international standards for protection of media freedom. However, in practice, concentration of media ownership and symbiotic relationship between some media and political parties reduce pluralism and decrease public trust in journalists' work, at odds with international standards.⁶¹ Further, recent cases of protracted civil and criminal litigation against independent investigative media, with damages sought up to BGN 1 million, showcase journalists' vulnerability to pressure through courts and prompt self-censorship at editorial level.⁶² Demeaning verbal attacks by Revival on certain news media, reinforced by deceptive stories on bogus websites and Facebook pages aimed to undermine their credibility.

While political parties received substantial exposure in mainstream media there was little scrutiny of the electoral contestants, their policies or past records in office. Such coverage did not stimulate a pluralistic, issue-based debate, potentially affecting voter participation in elections. Several bogus media websites, linked with Facebook pages and Telegram channels, were spreading deceptive narratives primarily aimed to discredit PP and DB and to distort the information environment.⁶³ Positively, some national broadcasters, including public radio, had fact-checking teams, and investigative and data-driven journalism, even though reaching smaller audiences, upheld a pluralistic, issue-based debate and called for political accountability.

The law requires balanced reporting and equal treatment of all candidates in broadcast, print and online news services and provides for free airtime in public media. In line with the law, BNT and BNR made detailed and prescriptive agreements with the CEC and political parties on various forms of campaign coverage, including free and paid-for debates. BNT aired some 11 debates, BNR had 17, all were published online and offered voters the possibility to familiarize themselves with candidates. The BNR made its debates more informative by reducing the number of participants in one segment of each debate and by having nine rather well attended regional debates. Out of seven BNT's prime-time debates, five featured only candidates from parties with hardly any popular support and party leaders of GERB, BSP and DPS refused to attend such shows. Neither public, nor private media could hold a prime ministerial debate, hence voters were deprived from the possibility to compare all lead contestants directly, undermining the relevance of an open political debate. While legal provisions requiring allocation of equal time to all contestants aim to contribute to level playing field, in practice, these reduced competitiveness of public media and did not contribute to voter's ability to make an informed choice.

⁵⁹ Since 2020 several public protests called for the BNT director general's resignation due to his interference with editorial decisions. In the new competition for the post, the current director general received the vote of one out of five members of the Council for Electronic Media.

⁶⁰ Paragraph 16 of HRC GC 34 underlines that: "States parties should ensure that public broadcasting services operate in an independent manner, [...] guarantee their independence and editorial freedom, [...]" See also Council of Europe Recommendation [CM/Rec\(2012\)1](#) on public service media governance (paras 3, 13, 14, 27, 32).

⁶¹ The *bTV* group (owned by a Czech investment group PPF) and *NOVA* group (by a Serbian company United Group) own several highly popular TV channels, radio stations and news websites each. Several smaller media are owned by political parties, their leaders or their affiliates. Paragraph 14 of [HRC General Comment 34 states that](#) "To protect the rights of media users [...] to receive a wide range of information and ideas, States parties should take particular care to encourage an independent and diverse media".

⁶² Cases known as [SLAPP](#) (strategic lawsuits against public participation) have been raised as a concern by media watchdogs and many ODIHR EOM interlocutors. During the last few years, at least six SLAPP cases were brought to courts. See also European Commission's [2022 Rule of Law Report on Bulgaria](#).

⁶³ For example, one such site spread conspiracy theories about the alleged interference of an American financier and philanthropist George Soros in Bulgarian national affairs, lead national TV channel's "sponsors" from the CIA, etc. Another site was entirely devoted to bogus allegations against former Prime Minister Petkov.

Broadcast media prime-time newscasts focused on government decisions and the president,⁶⁴ while occasionally mentioning GERB, BSP, DPS and PP in relation to their performance in previous governments.⁶⁵ Coverage of BSP and PP was primarily negative in tone. Overall, all monitored media covered similar electoral and socio-political issues within their newscasts. However, BNR, *Darik* and *bTV* offered more journalistic research, while BNT and *NOVA* built most of their stories on direct quotations of public officials.⁶⁶ The news coverage of the latter two was beneficial to parties whose campaign promises were aligned with the president and caretaker government's policies (DPS), while disadvantageous to parties (primarily PP, at times BPS, GERB, DB) public officials blamed for the current socio-economic problems. Overall, limited non-partisan scrutiny of candidates hindered voters' access to comprehensive information on key electoral contestants.

During the prime-time hours BNR, *Darik*, *NOVA* and *bTV* had analytical editorial programmes, in which the electoral process and other pressing issues were examined. BNT did not air a single investigative programme during the campaign, and its daily analytical discussion show was aired outside the prime time. In line with the contract, BNT offered daily 30-minutes-long election segment comprising of paid-for reports on party activities. Those reports were made by BNT journalists, in a manner that resembles news coverage, yet always positive in tone. Paid-for interviews and promotional reports undermine the core principles of professional, nonpartisan journalism, confuse voters, and erode public's confidence in media's watchdog role.⁶⁷

The Council for Electronic Media (CEM), the regulator for broadcast media, monitored the coverage of elections by public and private broadcasters. The CEM does not have any sanctioning powers and is required to notify the CEC of possible media violations. It alerted the CEC about 12 infringements of the law, primarily concerning rules on paid-for political advertising.

Participation of Minorities

The Constitution guarantees the right of self-identification but does not define national minorities. Minorities represent some 15 per cent of the country's population, with ethnic Turks and Roma being the most numerous groups, comprising some 8.8 per cent and 4.9 per cent of the population, respectively.⁶⁸ While the Constitution prohibits discrimination on ethnic or religious grounds, it does not allow the formation of political parties on an "ethnic, racial or religious" basis.⁶⁹ There are no legal provisions fostering the participation of minorities in elections. The law allows campaigning only in Bulgarian, contrary to international standards and prior ODIHR and Venice Commission's recommendations.⁷⁰

⁶⁴ The ODIHR EOM monitored prime time hours of BNT and BTR, and private broadcasters *Nova TV*, *bTV* and *Darik Radio*.

⁶⁵ The government got 68, 61, 56, 65 and 64 of BNT-1, *NOVA*, *bTV*, BNR and *Darik* prime-time newscasts' respectively. The president got most exposure on BNT-1 (29 per cent). On others the president's exposure was between 14 and 25 per cent of political prime-time news.

⁶⁶ On *Darik*, BNR and *bTV* the proportion of direct speech by political actors (the president, ministers, party leaders) was 40, 41 and 47 per cent respectively. On *NOVA* and BNT it was 53 and 58 per cent.

⁶⁷ See paragraph 2.7 of the Council of Europe Recommendation [CM/Rec\(2018\)1](#) of the Committee of Ministers to member States on media pluralism and transparency of media ownership.

⁶⁸ Information based on the 2011 census. Other minorities include Armenians, Jews, Karakachani, Macedonians, Romanians, Russians, Vlach (Aromani), Ukrainians and others, all together below one per cent of the population. National Statistical Institute announced that the results from the 2021 census will be published on 3 October.

⁶⁹ In its May 2020 [Fourth Opinion on Bulgaria](#), the CoE's Advisory Committee on the Framework Convention for the Protection of National Minorities reiterated that this restriction raises problems of compatibility with the Convention.

⁷⁰ See Article 9.1 of the 1995 CoE's [Framework Convention for the Protection of National Minorities](#).

The DPS is traditionally popular among the Turkish and Muslim communities. According to various election stakeholders, several parties and coalitions fielded Roma and other minority candidates, generally placed lower on candidate lists.⁷¹ However, issues related to minorities rarely featured in the campaign.

Most political parties and coalitions did not include policies for persons belonging to minorities or for Roma integration in their electoral platforms.⁷² Several ODIHR EOM interlocutors stated that Roma voters are still vulnerable to intimidation and attempted vote-buying. There were several instances of inflammatory rhetoric against Roma and other ethnic communities during the campaign.⁷³ The civil society and Roma representatives met by the ODIHR EOM stated that campaign activities in Roma communities were rare.

Complaints and Appeals

Contestants, political parties and observers may file complaints against administrative acts or decisions and alerts against any other violation. The law provides for an expedited procedure for election related complaints, with deadlines from three days to one hour on election day, in line with good electoral practice.⁷⁴ Complaints are admissible only if the complainant has a legal interest, but alerts can be submitted by anyone. The law does not explicitly prescribe the right to file complaints against voting result protocols at all levels, and contestants can challenge election results only indirectly, limiting access to effective legal redress, contrary to OSCE commitments and other international standards.⁷⁵

The CEC deliberated on complaints and appeals in public sessions, within the established deadlines, and decisions were published on the CEC website overall in a timely manner. The CEC and the DEC also maintained the online registers of complaints and appeals. On the DEC level, some 100 complaints and alerts, mostly related to irregular display of campaign materials, were published before election day. The CEC published decisions on 17 complaints, alerts and appeals against DEC decisions.⁷⁶ Some complaints and alerts discussed during sessions were not considered for not meeting formal requirements or when no violation could be established, or referred to the competent DEC. Citizens who alerted the CEC regarding allegedly forged signatures in support of candidates were referred to the Commission for Personal Data Protection (CPDP).⁷⁷ Alerts related to social media were dismissed during the DEC and CEC sessions as falling outside their competence, without formal decisions

⁷¹ The ODIHR EOM was informed about these candidates on the lists of the BSP, DPS, GERB, PP and DB.

⁷² The exception was IB, which proposed inclusion of vulnerable and marginalized ethno-cultural communities in the education system and labour market. Revival was against policies based on minority or ethnic principles.

⁷³ During political debates on TV, BND and VMRO candidates were using inflammatory rhetoric against Roma and North Macedonians. VMRO website had a section named “the Gypsy question” containing hate speech against Roma.

⁷⁴ Complaints and alerts may be filed to the CEC and DEC; DEC decisions can be appealed to the CEC and further to local administrative courts, or the Supreme Administrative Court (SAC) as the final instance, depending on the nature of the complaint. In case a DEC decision appealed to the CEC is upheld, it can still be challenged to the district administrative courts under the general administrative procedure.

⁷⁵ Article 2.3 of the [ICCPR](#) provides that “All persons whose rights or freedoms are violated shall have an effective remedy [...] such remedy shall [be] determined by competent judicial, administrative or legislative authorities... and to develop the possibilities of judicial remedy”; Paragraph 5.10 of the [1990 OSCE Copenhagen Document](#) states “everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity”.

⁷⁶ Out of the ten appeals against DEC decisions the CEC overturned four DEC decisions, upheld one and the rest were not considered on merits for lack of legal standing.

⁷⁷ On 8 September the CEC adopted a protocol decision on the matter published as part of their session minutes.

adopted, but reflected in the published minutes.⁷⁸ During the campaign, the CEC ascertained two violations against a media outlet and one of the candidates.⁷⁹

Before election day, the Supreme Administrative Court (SAC) ruled on 21 appeals, 13 of which were filed by political party PP against CEC decisions on DEC formation and were dismissed.⁸⁰ In the rest of the cases, the SAC upheld one CEC decision, returned one to the CEC to be reviewed,⁸¹ confirmed two judgments of the Sofia Administrative Court and held that another four were inadmissible. Appeals were considered within the legal deadlines and decisions were published online. The limited number of cases that reached the SAC is mainly attributed to the fact that some issues raised during previous elections have already been decided upon and clarified.

An Inter-institutional Unit including the Prosecutor's Office and the State Agency for National Security was created to co-ordinate the efforts of both institutions to ensure quick response to criminal offenses during the election period.⁸² According to the Prosecutors' General Office, 567 cases and 60 pre-trial proceedings were initiated for vote buying and other electoral offences. The Ministry of Interior registered 687 alerts, related to violations of electoral rights, including for vote-buying and launched 77 pre-trial proceedings. Some ODIHR EOM interlocutors expressed concerns that cases of electoral malfeasance are not promptly investigated by the law-enforcement authorities and only a few reach the courts, indicating a limited efficiency of the adjudication system.

Citizen and International Observers

The Election Code provides for citizen and international observation of the entire election process, both in the country and abroad. Registered contestants are entitled to appoint their agents to follow the electoral process at all levels of the election administration and proxies to observe at polling stations. Observers and candidates' agents had access to the sessions and activities of election bodies at all levels, and on election day could document the counting and tabulations processes with video recordings or stream it online, which enhanced transparency of the process. The CEC registered 1,017 observers from civil society organizations, including for out-of-country polling stations, and some 200 international observers.

Election Day

Election day was generally calm and polling proceeded smoothly. The opening was assessed positively in all 69 polling stations observed by the ODIHR EOM except for one, and procedures were followed.⁸³ Most of the polling stations observed opened on time or shortly after.⁸⁴

⁷⁸ As per Election Code, social networks and personal blogs are not considered media services. In those cases where personal data were involved, the CEC advised the complainants to refer to the CPDP.

⁷⁹ Media outlet *Vision Lab* broadcast an interview with a candidate but no contract between the outlet and the party was posted online as required by law. Candidate from VMRO contradicted campaign regulations. In other alerts, for first-time violations the CEC sent warnings to media outlets.

⁸⁰ The PP argued that DEC chairperson and secretary positions were distributed by the CEC in breach of the Election Code, which provides for a proportional representation of the political parties and coalitions represented in the parliament in the appointment of the DEC members. The SAC upheld all CEC decisions.

⁸¹ The CEC Decision of 2 August 2022 that only manually signed documents accompanying the application for participation in the consultations concerning DEC membership are admissible was returned to the CEC for review.

⁸² The MoI did not participate in this Unit since in their interpretation such an obligation is not explicitly provided by the Election Code.

⁸³ In one observation, the EVD malfunction eventually led to the PEC to revert to the paper ballot.

⁸⁴ One polling station opened with a significant delay due to technical issues with the voting machine.

IEOM observers assessed the voting process positively in all but 10 of the 653 observations, characterizing it as overall well-organized and smooth.⁸⁵ Voting procedures were largely followed by the PECs.⁸⁶ However, voters were not always instructed on the manner of voting (21 per cent of observations) and sometimes had difficulties in operating the voting machine (10 per cent of observations).⁸⁷ In a few polling stations observed, the positioning of EVDs or handling of receipts by voters did not ensure secrecy of the vote (3.4 per cent of observations). Machine voting functioned well and was efficiently managed, with a few isolated technical issues. The CEC announced that due to malfunctioning of the EVDs 32 PECs had to switch to voting with ballot papers during the day.

Campaign activities and materials were noted in the vicinity of some polling stations observed by the IEOM observers (23 observations). A few isolated indications of tensions or intimidation of voters in the vicinity of polling stations were also observed. While representatives of contestants monitored the voting process in some 37 per cent of polling stations visited, citizen observers were present in only 3 per cent of observations.

Despite efforts to improve accessibility, IEOM observers noted that some 57 per cent of polling stations did not provide for independent access for persons with disabilities and in 18 per cent, the layout inside the polling premises was not suitable for such voters. Women were well represented among the PEC members (some 70 per cent) in the polling stations visited by the IEOM observers.

The overall conduct of vote count was assessed positively as smooth and well-organized in 49 of the 58 observations. However, procedures were frequently not followed and in some cases, PEC members omitted important steps, often attributed to inadequate training of PEC members.⁸⁸ These included counting the number of voters who signed the voter list (8 cases) and the total number of voting receipts (8 cases). IEOM observers reported from 12 counts that the PECs had difficulties in reconciling the results figures and filling in the final protocols. In 8 cases, PEC members pre-signed the results protocol before all the procedures were completed. In the majority of observations PEC members did not post the results protocols at the premises of polling stations, as required by law.

The initial phase of the results tabulation process, observed in 27 DECAs, was evaluated as generally well-organized and efficient. In one case IEOM observers were not allowed to observe, limiting possibilities to follow the handover of material and entry of results data. Discrepancies in some of the results protocols submitted by PECs were observed in six DECAs visited. The tabulation process in most DECAs was completed by the following morning. The CEC began posting preliminary results, with scanned or voting machine protocols by polling station, on its website some three hours after closing of the polls, contributing to transparency. However, voter turnout figures were last updated after 16:00 on election day as 25.58 per cent.

The CEC received some 100 complaints and alerts and relative actions taken were published on-line on a dedicated database for election.⁸⁹ Alleged irregularities pertained mainly to campaigning on election day, work of PECs, or publishing of opinion polls. The MoI received some 135 alerts for violations on election day, including vote-buying, and launched several pre-trial proceedings on election day.

⁸⁵ Concerns raised mostly related to limited access of observers to the PECs.

⁸⁶ Including identifying voters, ensuring that machine voting receipts are dropped in the designated box, and voters sign the list.

⁸⁷ In 27 cases observed, unauthorized persons, including police and local officials were present, and in 7 cases interfered in the work of the PEC members.

⁸⁸ The ODIHR EOM was informed of last-minute changes in the composition of multiple PECs throughout the country.

⁸⁹ Some 140 decisions on election day complaints and alerts were published by DECAs.

MISSION INFORMATION & ACKNOWLEDGEMENTS

Sofia, 3 October 2022 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the Parliamentary Assembly of Council of Europe (PACE). The assessment was made to determine whether the election complied with OSCE commitments, Council of Europe and other international obligations and standards, and with national legislation.

Mr. Alfred Heer headed the PACE delegation. Ms. Nina Suomalainen is the Head of the ODIHR EOM, deployed from 29 August.

Both institutions involved in this International Election Observation Mission have endorsed the 2005 Declaration of Principles for International Election Observation. This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the election process. The final assessment of the election will depend, in part, on the conduct of the remaining stages of the process, including the count, tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some two months after the completion of the electoral process. PACE will present its report at its Standing Committee meeting on 25 November in Reykjavik.

The ODIHR EOM includes 11 experts in the capital and 12 long-term observers deployed throughout the country. On election day, 177 observers from 31 countries were deployed, including 154 long-term and short-term observers deployed by ODIHR, as well as a 23-member delegation from the PACE. Opening was observed in 69 polling stations and voting was observed in 652 polling stations across the country. Counting was observed in 61 polling stations, and the tabulation in 27 DECes.

The IEOM wishes to thank the authorities for their invitation to observe the elections. The IEOM also expresses its appreciation to the Central Election Commission and other institutions, political parties, media and civil society organizations, and international community representatives for their co-operation.

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***The English version of this report is the only official document.
Unofficial translation is available in Bulgarian.***