

INTERIM REPORT
30 August – 15 September 2022

19 September 2022

I. EXECUTIVE SUMMARY

- On 22 June, after just eight months in office, the government fell after the no-confidence vote and on 2 August, following three returned mandates to form a government, President Rumen Radev dissolved the parliament, appointed a provisional government, and set early parliamentary elections for 2 October. These will be the third consecutive early parliamentary elections since 2021.
- These elections are held under the same legal framework as the last two early parliamentary elections with the most recent amendments to the Election Code introduced in May 2021. A number of long-standing ODIHR and Venice Commission recommendations remain unaddressed, including those related to candidate registration, campaign finance disclosure and auditing, effective sanctioning for electoral violations, challenging election results, and measures to promote the participation of women and minorities. Moreover, the legislation contains inconsistencies and ambiguous provisions.
- Parliamentary elections are administered by a three-level structure of election commissions, led by the Central Election Commission (CEC). Several political parties raised concerns over the lack of representation in the CEC as its members were last appointed in May 2021, and its current composition does not reflect the outgoing parliament elected in November 2021. To date, election-administration bodies carried out electoral preparations within the legal deadlines. The training programme for election personnel is yet to commence. The CEC and DEC held regular sessions, open to observers and live-streamed online. However, sessions are often interspersed by non-public working meetings to further discuss draft decisions and the live streams of sessions are at times muted without any justification provided.
- For these elections, some 11,000 electronic touchscreen voting machines will be used in some 9,400 polling stations in the country and some 290 abroad. Citing extremely short deadlines and logistical difficulties, the CEC did not launch a public procurement process to secure technical implementation of the electronic voting and corresponding logistical support, and the contract was directly awarded to the previous provider, a private vendor *Ciela Norma*.
- As of 22 August, the preliminary voter lists included 6,661,774 voters. The law retains restrictions on suffrage rights for those deprived of legal capacity by a final court decision, or serving a prison sentence, irrespective of the gravity of the crime. Voters can check their registration data on voter lists physically posted in the vicinity of their polling stations and online, and request corrections until 24 September.
- The CEC initially registered 24 political parties and 7 coalitions. Subsequently, one political party withdrew from the contest and one coalition was deregistered by the CEC for falling short of required number of supporting signatures. These early parliamentary elections will be contested by a total of 5,334 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 23.8 per cent. Three out

of 21 ministers of the provisional government are women. There are no gender requirements for candidate lists. There are 1,576 women contesting these elections, and 208 of them lead the candidate lists. Eight of the CEC members, including the chairperson, one deputy chairperson and the secretary, are women. A total of 250 of the 439 DEC members and 14 of the 31 DEC chairpersons are women.

- The official campaign period commenced on 2 September. Overall, campaign has limited visibility so far and issues stemming from the government’s energy policies, inflation and growing socio-economic concerns, and corruption feature prominently. Contestants rely heavily on social networks to promote their campaign messages. The legal framework contains few regulations aiming to prevent the misuse of administrative resources or office during the campaign. Most ODIHR EOM interlocutors noted that vote-buying remains a problem.
- Campaigns are financed by the contestants’ own funds, public subsidies, and donations from individuals. For parliamentary elections, campaign expenditure is capped at BGN 3,000,000 per party or coalition and BGN 200,000 per independent candidate. The law does not set limits on donations. Donations and expenditures under BGN 1,000 do not require a bank transfer. The National Audit Office is mandated to exercise party and campaign finance oversight, but it is not required to investigate unreported income and expenditure. The law does not require disclosure of campaign finances before election day.
- The media landscape is vibrant, with television and online media being the prime sources of news and The media legal framework guarantees freedom of expression. Cases of protracted litigation against journalists highlight their vulnerability. Several ODIHR EOM interlocutors pointed out long-standing concerns, including concentration of media ownership, symbiotic relationship between some media and political parties, that have reduced pluralism and decreases public’s trust in journalists’ work. The law prescribes balanced reporting and equal treatment of all candidates in the media. The CEC and political parties have signed a detailed agreement with public media on the allocation of free airtime and other types of campaign-related programming.
- The Election Code prescribes timely consideration of different types of complaints and appeals that can be filed by voters, citizen observers, political parties, agents and proxies of electoral contestants. The CEC and district election commissions maintain public registries on complaints and appeals. The Supreme Administrative Court has so far reviewed 17 appeals against CEC decisions.

II. INTRODUCTION

Following an invitation from the authorities of the Republic of Bulgaria, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Observation Mission (EOM) on 29 August.¹ The EOM, headed by Nina Suomalainen, consists of an 11-member core team based in Sofia and 12 long-term observers deployed throughout the country from 7 September. Mission members are drawn from 16 OSCE participating States. ODIHR has requested participating States to second 200 short-term observers to observe the election day proceedings.

¹ See all previous ODIHR election [reports](#) on Bulgaria.

III. BACKGROUND AND POLITICAL CONTEXT

On 2 August, following three returned mandates to form a government, and in line with the Constitution, President Rumen Radev dissolved the parliament, appointed a provisional government, and set early parliamentary elections for 2 October. These will be the third consecutive early parliamentary elections since 2021. For nine of the last 17 months, Bulgaria has been governed by the appointed provisional governments.

Following the November 2021 early parliamentary elections, seven political parties and coalitions gained representation, further changing the political scene: 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). After obtaining the highest number of seats, PP formed a government led by Kiril Petkov with the BSP, ITN, and DB.

Tensions emerged during the eight-month the outgoing governing coalition was in power, most notably related to appointments of the high-level public officials and sending arms to Ukraine. Amid the government's shift of energy policies towards less dependence on the Russian Federation, ITN withdrew from the government, citing disagreement over a revised state budget and PP's attempt to lift the objections by Bulgaria on the start of the European Union (EU) accession talks with North Macedonia.² On 22 June, the government fell after the no-confidence vote tabled by GERB citing its inadequate financial and economic policies. On 27 June, Prime Minister Petkov resigned.

The pre-election environment is 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. Since its appointment, the provisional government replaced several high-level officials in key public institutions.³ One day after the appointment, caretaker Prime Minister Galab Donev created a "crisis headquarters in the energy sector" and the government took steps to resume negotiations with Gazprom.⁴

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 (23.8 per cent). Three out of 21 ministers of the provisional government are women.⁵ There are no gender requirements for candidate lists. There are 1,576 women contesting these elections, and 208 of them lead the candidate lists.

IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

Parliamentary elections are primarily regulated by the 1991 Constitution, the 2014 Election Code and the 2005 Political Parties Act, supplemented by provisions of other relative acts and by decisions of the

² On 24 June, the National Assembly conditionally mandated the Council of Ministers to approve a proposal to unlock Bulgaria's veto on the start to North Macedonia's EU accession talks.

³ 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.

⁴ Gazprom is a Russian majority state-owned energy corporation.

⁵ The country has not ratified the Council of Europe's Convention on preventing and combating violence against women and domestic violence, which was found anti-constitutional by the Constitutional Court in July 2018 for using the term "gender".

Central Election Commission (CEC).⁶ Bulgaria is party to major international and regional instruments related to the holding of democratic elections.⁷

The Election Code has undergone numerous amendments since its adoption, with most recent significant changes introduced in May 2021, including the reduced size of the CEC (from 20 to 15 members), mandatory machine voting for polling stations with at least 300 voters, adjustments to voting, counting and tabulation procedures, and to the establishment of polling stations abroad.⁸ In 2022, BSP, GERB and *Vazrazhdane* proposed a number of amendments, including reverting to mixed system of paper ballot or machine voting, video surveillance during the counting of votes, obligatory counting of the control receipts printed by voting machines, and changes to the composition of election administration. However, parliament did not consider any of the legislative proposals. In its annual report published on 2 June 2022, the CEC underlined numerous inconsistencies within the Election Code and other legislative acts and proposed addressing a number of issues, including unregulated aspects of machine voting, and state subsidies for media services.⁹ These elections are held under the same legal framework as the last two early parliamentary elections in 2021.

A number of long-standing ODIHR and Venice Commission recommendations remain unaddressed, including those related to candidate registration, campaign finance disclosure and auditing, effective sanctioning for electoral violations, challenging election results, and measures to promote the participation of women and minorities. Moreover, the legislation contains a number of inconsistencies and ambiguous provisions.

The National Assembly comprises 240 members elected for a four-year term, under a proportional representation system in 31 multi-member constituencies (MMCs).¹⁰ Of these, 26 MMCs correspond to the administrative districts, while three MMCs in Sofia and two in Plovdiv are delineated by the president before each parliamentary elections, without any legally established criteria.¹¹ The number of mandates in each MMC, which cannot be lower than four, is based on the last population census. The seat allocation for these elections remained unchanged and is based on the results of the 2011 census, as the 2021 census final data has not yet been published.¹² Parties and coalitions must pass the threshold of four per cent of the valid votes cast nationwide to be eligible for seat allocation. Independent candidates must surpass a constituency electoral quota.¹³ Voters may mark a preference for one candidate in open lists; when no such preference is indicated the vote goes to the candidate listed in the top position.

⁶ Other applicable legislation includes the 1968 Criminal Code, the 1969 Administrative Violations and Penalties Act, and the 1990 Assemblies, Rallies and Manifestations Act.

⁷ Including the 1966 [International Covenant on Civil and Political Rights](#), 1979 [Convention on the Elimination of All Forms of Discrimination Against Women](#), 1965 [International Convention on the Elimination of All Forms of Racial Discrimination](#), 2003 [Convention against Corruption](#), and the 2006 [Convention on the Rights of Persons with Disabilities](#), and the 1950 [European Convention on Human Rights](#).

⁸ Several amendments, notably related to the establishment of an out-of-country voting constituency and the powers of the CEC, are due to take effect after the official announcement of the results of the 2021 census.

⁹ See the CEC 2021 annual [report](#) (in Bulgarian).

¹⁰ The May 2021 amendments foresaw the replacement of the proportional representation system with a different electoral system following the July 2021 elections, however, without specifying the system to be used. In July 2021, the Constitutional Court declared this provision unconstitutional due to its lack of clarity and being practically unenforceable. The electoral system remains the same.

¹¹ By law the names, boundaries and numbering of the constituencies are determined by the president not later than 56 days from election day. The delineation of constituencies for these elections was determined by presidential decree of 5 August 2022.

¹² The census scheduled to take place in early 2021 was delayed due to the COVID-19 and held between 7 September and 10 October 2021. The National Statistics Institute announced that its final data will be published soon after the 2 October elections.

¹³ This quota is defined as a number of valid votes cast divided by the number of seats in a given MMC.

V. ELECTION ADMINISTRATION

Parliamentary elections are administered by a three-level structure of election commissions, comprising the CEC, 31 District Election Commissions (DECs), and some 13,000 Precinct Election Commissions (PECs).¹⁴ Members of all election commissions, including for leadership positions, are to be appointed upon nominations by political entities, in proportion to their representation in the parliament. The CEC members were appointed in May 2021. While the CEC composition reflects the political representation after the April 2021 parliamentary elections, the composition of DECs and PECs is based on the seat distribution in the outgoing parliament elected in November 2021. Two political parties raised concerns over the lack of their representation in the CEC.

The CEC is a permanent body composed of 15 members appointed for a five-year term. Eight of the CEC members, including the chairperson, one deputy chairperson and the secretary, are women. For technical and organizational matters, the CEC is assisted by the government and various state and local authorities.

The DECs and PECs are appointed for each election by the respective upper-level commissions, following the consultations among nominating parties and coalitions on their composition within the constituency or municipality.¹⁵ Consensus among local political representatives was not reached in 26 of the 31 districts and the respective DECs were therefore appointed directly by CEC decisions. Thirteen of such CEC decisions were appealed by PP, asserting that the distribution of the leadership positions had not respected the required ratio. All appeals were dismissed by the Supreme Administrative Court, leaving the composition unchanged. All DECs were appointed by the deadline of 12 August.¹⁶ A total of 250 of the 439 DEC members and 14 of the 31 DEC chairpersons are women.

To date, election-administration bodies carried out preparations within the legal deadlines. The CEC and DECs held regular sessions, open to observers and live-streamed online, with recordings also made publicly available. However, the CEC continued to mute live streams of their sessions without any justification provided; a practice previously criticized by ODIHR. The CEC sessions are often interspersed by non-public working meetings to discuss the draft decisions. As required by law, decisions and sessions' minutes have been published in a timely manner. The technical preparations for elections are underway. The CEC launched an initial voter information campaign on the election administration websites and in broadcast media, primarily focusing on the use of voting devices, out-of-country voting, voter registration options, and accessibility of polls for voters with disabilities. The training programme for election personnel is yet to start.

VI. VOTING TECHNOLOGIES

The Election Code requires the use of with electronic touchscreen voting machines in all polling stations, in the country and abroad, with the minimum of 300 registered voters. Paper ballots will be in use only in polling stations with fewer than 300 registered voters, in special polling stations and in case

¹⁴ PECs will be appointed to administer the polls in 11,845 regular polling stations. Additional PECs will be formed to conduct mobile voting and for special polling stations set up in hospitals, other social institutions, and pre-trial detention centres. Out-of-country voting will be conducted in some 755 polling stations. Polling stations abroad will be formed at diplomatic representations and additional localities where no fewer than 100 voters voted in any election of the past five years, in addition to places where at least 40 voters have requested to vote.

¹⁵ DECs have either 13 or 17 members, depending on the number of mandates elected in the respective constituency; PECs have 5 to 9 members, depending on the number of registered voters.

¹⁶ Appointment deadlines for PECs vary according to the type of the polling station, with most PECs to be appointed by 6 September.

of machine malfunction.¹⁷ For these elections, some 11,000 voting machines will be used in some 9,400 polling stations in the country and some 290 abroad.¹⁸ The CEC announced that some 400 voting machines with a demo version of the software will be dispatched to the regional administrations to allow voters to familiarize themselves with the voting method. Additional machines will be provided to the election contestants for the same purpose.

The CEC is mandated by law with determining the arrangements for machine voting and supervising its implementation. Citing extremely short deadlines and logistical difficulties, the CEC did not launch a public procurement process to secure technical implementation of the voting machines and corresponding logistical support, and the contract was directly awarded to the previous provider, a private vendor *Ciela Norma*.

Ministry of E-Government, the Bulgarian Institute for Standardization, and the Bulgarian Institute of Metrology will certify the compliance of the voting machines with the legal requirements and technical specifications on a limited sample of devices. This process will be carried out in accordance with the updated methodology adopted on 1 September following consultations with experts, representatives of political parties, and civil society organizations. The Election Code stipulates that party representatives, observers and experts of the Bulgarian Academy of Sciences may access the machines, their documentation and source code during the certification process. The Election Code entrusts the result data processing and tabulation to a state-owned company Information Services, however, it does not provide for disclosure of information concerning the components of the results transmission system nor a certification process for this phase of the election data management.

VII. VOTER REGISTRATION

Citizens over the age of 18 have the right to vote. The legislation retains restrictions on suffrage rights for those deprived of legal capacity by a final court decision, or serving a prison sentence, irrespective of the gravity of the crime. 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 maintained by the Directorate General of Civil Registration and Administrative Services (GRAO) of the Ministry of Regional Development and Public Works. As of 22 August, the preliminary voter lists included 6,661,774 voters.

The preliminary voter lists are to be made available for public scrutiny no later than 40 days prior to election day. Since 22 August, voters can check their registration data on voter lists physically posted in the vicinity of respective polling stations or online, via websites of the municipality administrations or GRAO webpage. The municipalities are also required to publish lists of all citizens removed from the voter lists by 21 September, indicating the reason. Corrections and amendments to the voter lists can be requested by voters until 24 September.

Until 14 days prior to election day, voters are entitled to request inclusion in the voter lists at the place of their current address, while certain categories of voters may apply for absentee voting certificates to vote at any polling station of their choice.¹⁹ Special voter lists are compiled for voters who requested mobile voting or would vote in special polling stations in healthcare and social-service institutions and

¹⁷ The voting machines provide a paper receipt containing the voter's choice, allowing for a possibility of a control manual count of these receipts.

¹⁸ In polling stations with more than 350 registered voters, two voting machines shall be available.

¹⁹ The latter option is given to registered candidates, CEC and DEC members, and accredited observers.

pre-trial detention centres, as well as for voters abroad.²⁰ In addition, certain categories of voters may be added to the voter list on election day, without submitting a prior request.²¹

VIII. CANDIDATE REGISTRATION

Citizens of at least 21 years of age and eligible to vote have the right to stand as candidates, provided they do not hold another citizenship. Candidates for members of parliament may be nominated on the lists of registered political parties or coalitions, or run independently in a single constituency, supported by nomination committees.²² Individuals prohibited from joining a political party, such as military, intelligence service and police personnel, diplomats, judges and prosecutors, may contest the elections as independent candidates.

Registration of election contestants takes place in two stages. By 17 August, the CEC received requests to register political parties and coalitions. These were accompanied by a minimum of 2,500 supporting signatures from eligible voters and a deposit of BGN 2,500.²³ By 22 August, respective DEC's registered the nomination committees, upon submission of 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. Candidate lists could be registered with the DEC's until 30 August. The registration documents and candidate lists were verified by the respective election commissions and the GRAO. Within the registration deadlines, prospective contestants had the possibility to remedy any deficiencies identified, within a three-day period, or replace candidates found not meeting nomination requirements.

Within the legal deadline of 17 August, the CEC initially registered 24 political parties and 7 coalitions.²⁴ Subsequently, one political party withdrew from the contest and one coalition was deregistered by the CEC for falling short of required number of supporting signatures after verification by the GRAO.²⁵ These early parliamentary elections will be contested by a total of 5,334 candidates on 867 registered candidate lists, including two independent candidates.²⁶

²⁰ The mobile ballot box is offered for voters with permanent disabilities upon submission of justifying documents. Voters may request mobile voting until 5 days before election day. Voting in special polling stations may be requested until 48 hours prior to election day. Voters who wish to vote abroad could request inclusion in voter lists abroad until 6 September; however, prior registration to vote in a particular polling station abroad is not obligatory. According to the CEC, some 50,900 applications were submitted by voters abroad.

²¹ 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.

²² A nomination committee is established by three to seven eligible voters in order to nominate an independent candidate in a respective constituency.

²³ 1 EUR is approximately 1.95 Bulgarian Lev (BGN). Deposits are refunded to political parties and coalitions which obtained at least one per cent of valid votes, and independent candidates who obtained valid votes of at least one quarter of the constituency electoral quota.

²⁴ One party failed to submit candidate lists in any of the constituencies but remained officially registered.

²⁵ On 10 August, following an appeal by DB of the CEC decision requesting candidate registration documents to be manually signed, the Supreme Administrative Court ruled that these could also be submitted by electronic signature.

²⁶ A candidate may appear on up to two lists, and in these elections 1,297 do so. Following the verification process, seven candidates were deregistered from the candidate lists due to holding another citizenship and two for not complying with the age requirement. In nine cases, candidates were nominated in more than two constituencies, hence their registration was cancelled in the constituencies following the second registration.

IX. CAMPAIGN ENVIRONMENT

The official campaign started on 2 September, 30 days before election day, and will end at midnight on 30 September.²⁷ All campaign materials must identify the issuer and contain a statement that vote-buying and selling are criminal offenses. In order to address the longstanding concerns of vote-buying, the Minister of Interior announced that building on accumulated experience, greater resources would be put in use against vote-buying.²⁸ Most ODIHR EOM interlocutors noted that while the use of voting machines mitigates certain risks, vote-buying remains an ongoing problem. The legal framework contains few regulations aiming to prevent the misuse of administrative resources or office during the campaign.²⁹

During the first days of the campaign, most contestants organized a series of in-person opening events, most of them outside of the capital.³⁰ The early days of the campaign coincided with the floods in parts of the country and resulted in reduced campaign activities, as well as with the celebration of the national holiday Unification Day.³¹ Overall, the usage of traditional campaign materials is so far scarce, and there is limited campaign visibility in public spaces in most parts of the country. Contestants rely heavily on social networks to promote their campaign messages.³²

To date, the campaign predominantly focused on the divisions among the election contestants on energy policies, inflation and growing socio-economic concerns, and corruption.³³ The president and the provisional government are visible in the pre-election environment with critical statements towards previous government's decisions.³⁴ During the first week of the campaign, the Ministry of Economy issued two statements on alleged wrongdoings of two former high-level public officials affiliated with the BSP.³⁵ The campaign tone has been often divisive, further politicising the issues of gas and oil prices and with occasional accusations of corruption.

²⁷ A silence period applies on election day and the day before, which applies also to the publication of opinion polls related to the election results, including online.

²⁸ In addition, the Prosecutor's Office and the State Agency "National Security" created a National Inter-Institutional Unit tasked to coordinate the efforts of the two institutions to ensure the lawful conduct of the elections and the quick and adequate response to crimes during the election campaign.

²⁹ The Election Code prohibits the use of state and municipality-owned public transportation as well as campaigning in state and municipal agencies and institutions, as well as in companies with more than 50 per cent state or municipal ownership. Furthermore, the Political Parties Act prohibits parties to use state and municipal resources free of charge.

³⁰ The Minister of Health is authorized to enforce short-term anti-epidemic measures relevant to the election process.

³¹ During the celebrations of the Unification Day on 6 September, president gave a speech in Plovdiv. The presence of the Russian Ambassador at the event resonated in the pre-election environment, featuring prominently in the media, with DB's and Union of Democratic Forces' public disagreement.

³² Among the key contestants, five parties and four party leaders actively advertise on Facebook, the key platform with adds reaching up to 60 per cent of Bulgaria's adult population; two parties have a well-established network of regional Facebook groups, that share centrally prepared campaign messages. The Election Code does not define social networks (Facebook, Twitter and other) and personal blogs as media services.

³³ Since June, there have been occasional protests of varying size in Sofia in support of Mr. Petkov's government, against the potential continuation of gas supplies from Russia and the caretaker government's energy policies.

³⁴ On 2 September, the president stated that the "shocking" new gas price is a result of gas contracts signed in July.

³⁵ One press release is related to the potential conflict of interest of the chief of staff of the former Deputy Prime Minister and Minister of Economy who is also the BSP chairperson. 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.

X. CAMPAIGN FINANCE

Political and campaign finance are regulated by the 2014 Election Code, the 2005 Political Parties Act and the 2015 National Audit Office Act. Political parties and coalitions that respectively received at least one and four per cent of total valid votes in the previous elections are entitled to annual public funding. For the current year, four political parties and four coalitions are entitled to the state subsidy in proportion to the valid votes received.³⁶ Political parties and independent candidates not entitled to annual public funding receive a subsidy of BGN 40,000 and BGN 5,000, respectively, for the media coverage.³⁷

The campaign may be financed by the party's or candidate's own funds and donations from individuals.³⁸ Anonymous donations and donations from foreign sources or religious institutions are prohibited by law. Donations or contestants' own funds exceeding one minimum monthly salary must be supported by a declaration on the origin of funds.³⁹ The law does not provide for limits to donations. Transactions over BGN 1,000 have to be conducted via bank transfer and contestants are required by law to maintain a dedicated campaign fund account. For parliamentary elections, campaign expenditure is capped at BGN 3,000,000 per party or coalition and BGN 200,000 per independent candidate.

Oversight of political and campaign finance is exercised by the National Audit Office (NAO). By law, contestants are required to regularly disclose to the NAO their income and contracts concluded with the media prior to the elections, but have no obligation to report on campaign expenditure before the election.⁴⁰ As of 13 September, the public registry on the NAO's website contained details on donations, information on the advertisement and public relation agencies for less than half of the contestants. Within 30 days after the elections, contestants must submit a detailed report of their campaign income and expenses to the NAO, to be published within 15 days from submission and audited within six months. The NAO is then required to verify the reported information against the financial documentation.⁴¹

XI. MEDIA

The media landscape is vibrant. Television and internet-based outlets are the prime sources of news, followed by social networks, most notably Facebook and TikTok. A quarter of Bulgarians consider information published on social networks reliable, hence, several ODIHR EOM interlocutors flagged the perils of disinformation for the campaign environment.⁴² Freedom of expression is constitutionally guaranteed, and national laws are aligned with the key international standards for protection of media freedom. However, recent cases of protracted civil and criminal litigation against independent

³⁶ Namely DPS, Revival, VMRO, ITN and BSP, GERB-SPS, PP, BSP, DB, respectively. The annual subsidy is paid in four equal instalments and the amount per valid vote is determined each year in the State Budget Act. For 2022 the state subsidy equaled BGN 8 for each vote received in the November 2021 early parliamentary elections.

³⁷ As per CEC Decision of 31 August 2022, 17 political parties, three coalitions and two independent candidates were entitled to this so called "media package". To be eligible for media package, political parties and coalitions must have registered candidate lists in all electoral districts. Media packages are also provided proportionally to coalitions, if any of the parties forming the coalition are not entitled to annual public funding.

³⁸ In April 2021, the Constitutional Court repealed the possibility for legal entities to donate to election campaigns, underlining the need to ensure political pluralism and equal opportunities for contestants.

³⁹ The monthly minimum salary as defined by the Council of Ministers was BGN 710 for the first semester of 2022.

⁴⁰ Contestants must report to the NAO the origin of donations received during the official campaign period, within seven days from receipt thereof.

⁴¹ The NAO is entitled to request information from the databases of the National Revenue Agency, the National Social Security Institute, and other competent institutions. In implementing its oversight functions, the NAO issued 30 sanctions under the Election Code and 9 sanctions under the Political Parties Act for various administrative violations identified for the 2021 calendar year.

⁴² Surveys by Reuters and Eurobarometer.

investigative media, with damages sought up to BGN 1 million, showcase journalists' vulnerability to harassment through courts.⁴³ ODIHR EOM interlocutors pointed out long-standing concerns, including concentration of media ownership, and symbiotic relationship between some media and political parties, that continue to reduce pluralism and decrease public's trust in journalists' work.⁴⁴

Two holdings (*bTV Group* and *Nova Broadcasting Group*) dominate the national offline and online media market, jointly accounting for more than two thirds of audience and commercial revenues. The third most popular media houses are public Bulgarian National Radio and Bulgarian National Television (BNT), who also are among the most trusted outlets.⁴⁵ Since July 2022, the BNT is led by acting director general who has not been re-elected following the expiration of his mandate. This situation, according to several ODIHR EOM interlocutors, creates uncertainty and discourages analytical reporting, as well as journalistic scrutiny of electoral contestants. Print media has largely moved online, while investigative, data-driven journalism, even though reaching smaller audiences, upholds a pluralistic, fact-based debate and calls for political accountability.

The Election Code prescribes balanced reporting and equal treatment of all candidates in broadcast, print and online media, guarantees free airtime in public media. On 2 September, the CEC and political parties have signed a detailed and prescriptive agreement with public media on the allocation of free airtime and other types of campaign-related programming. Given the high number of parties contesting the elections, a number of media experts have publicly questioned the meaningfulness of public media prime-time debates featuring only candidates with hardly any popular support.

By law, editorial output and paid-for material shall be clearly separated and labelled. In line with the law, major media houses have published their pricelists for various formats of paid campaign. Those include short spots, paid reports and participation in daytime talk-shows. Paid political publicity is also available on news websites; discount packages are offered. The Council for Electronic Media (CEM) is mandated to monitor media coverage and alert the CEC about infringements of the law.

With the beginning of the campaign, the ODIHR EOM started quantitative and qualitative monitoring of a sample of broadcast media and qualitative monitoring of several online media outlets.⁴⁶ Observations to date show that all outlets have created special election-related TV and radio shows, podcasts and dedicated online news sections. Key news stories are also systematically posted on their Facebook pages, with up to 0.5 million active followers each.

XII. PARTICIPATION OF MINORITIES

The Constitution guarantees the right of self-identification but does not define national minorities. While it prohibits discrimination on ethnic or religious grounds, it also does not allow the formation of political parties on an "ethnic, racial or religious" basis. Previous ODIHR missions noted that there were no legal provisions fostering the participation of minorities in the elections.

⁴³ 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.

⁴⁴ The *bTV* group (owned by a Czech investment group PPF) and *NOVA* group (by a Serbian company United Group) alongside with TV channels, own several highly popular radio stations and news websites each. Since 2020 several public protests called for the BNT director general's resignation due to his interference with editorial decisions on political shows. Several smaller media are owned by political parties, party leaders or persons affiliated with them.

⁴⁵ According to [Digital News Report](#) 2022 by Reuters Institute.

⁴⁶ The ODIHR EOM monitors prime time hours of BNT and BTR, and private broadcasters *Nova TV*, *bTV* and *Darik Radio*.

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.⁴⁷ However, the law allows campaigning only in Bulgarian.⁴⁸ Movement for Rights and Freedoms (DPS), which held 34 seats in the outgoing parliament and also won in 19 municipalities in the last local elections, is perceived as representing the interests of the Turkish and Muslim communities. No Roma was elected in any previous parliamentary elections since 2009.

XIII. COMPLAINTS AND APPEALS

The Election Code prescribes timely consideration of different types of complaints and appeals that can be filed by voters, citizen observers, political parties, agents and proxies of electoral contestants.⁴⁹ Complaints against administrative acts or decisions may be filed to election commissions by subjects who can substantiate their legal interest, while alerts about any other potential violation may be submitted by anyone.⁵⁰ Complaints submitted by subjects who cannot substantiate their legal interest are left without consideration. Decisions of election commissions can be appealed to higher-level commissions, and, depending on the nature of the complaint, further to the local administrative courts or to the Supreme Administrative Court (SAC) as the final instance.⁵¹ The law does not provide for the possibility to file a complaint against election result protocols at any level of election commissions. According to the Constitution and the Election Code, election results may only be indirectly challenged by petition before the Constitutional Court after their official announcement by the CEC, by a limited number of institutions either upon request, or on their own initiative.⁵² The Constitutional Court has two months to consider the matter and issue a judgment.

The CEC and DEC's maintain a public registry of complaints and appeals. As of 15 September, six complaints and appeals were registered with the CEC, and, according to the registry, one alert on campaign violations was considered, while several other were referred to the competent bodies during CEC sessions. The SAC has so far reviewed 17 appeals against CEC decisions. Thirteen appeals brought by PP against CEC decisions related to formation of DEC's were rejected on the merits, one appeal brought by DB on electronic signature was upheld, overturning the CEC decision, and another appeal by DB on the source code of the voting machines was dismissed. Also, an appeal on the sample ballot and another appeal against the registration of the BSP were dismissed.

XIV. CITIZEN AND INTERNATIONAL OBSERVERS

The Election Code provides for citizen and international observation of the entire election process, both in the country and abroad. Non-governmental organizations registered to carry out public benefit activities with the objective of protection of political rights may apply for accreditation with the CEC

⁴⁷ 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.

⁴⁸ The 1995 Council of Europe's [Framework Convention for the Protection of National Minorities](#) stipulates in Article IX that "the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities".

⁴⁹ The law provides for expedited decision-making procedures, with tight deadlines varying from three days to one hour on election day.

⁵⁰ When a complaint or alert does not involve a violation of the Election Code or if the nature of the violation does not require the CEC to take any action, the commission issues 'protocol decisions' as part of the session minutes.

⁵¹ Appeals against some CEC decisions and actions, including the regulation of certain electoral procedures and those upholding rejections of complaints by the DEC's, are reviewed by local administrative courts.

⁵² Within 15 days of the announcement of the election results, elections may be challenged in the Constitutional Court by one-fifth of members of the parliament, the President, the Council of Ministers, the Supreme Court of Cassation, the Supreme Administrative Court, and the Prosecutor General.

of as many observers as there are polling stations established, until the day before election day.⁵³ Further, registered contestants are also entitled to appoint their agents to follow the electoral process at all levels of the election administration and proxies to observe at polling stations. As of 13 September, the CEC registered a total of 278 observers from civil society organizations and two international observation missions.

XV. ODIHR EOM ACTIVITIES

The ODIHR EOM commenced its work on 30 August. The Head of the ODIHR EOM met with the President, Ministry of Foreign Affairs, CEC members, political parties, and members of the diplomatic community. The ODIHR EOM has also established contacts with civil society, representatives of the media, government agencies, and other electoral stakeholders.

The Parliamentary Assembly of the Council of Europe (PACE) intends to deploy a delegation for election day observation.

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

⁵³ According to law, one observer organization is allowed to have a maximum of two observers per polling station, with only one observer present at the polling station at a time.