



Office for Democratic Institutions and Human Rights

REPUBLIC OF BULGARIA

EARLY PARLIAMENTARY ELECTIONS

5 October 2014

OSCE/ODIHR Limited Election Observation Mission
Final Report



Warsaw
7 January 2015

TABLE OF CONTENTS

I. EXECUTIVE SUMMARY	1
II. INTRODUCTION AND ACKNOWLEDGMENTS	3
III. BACKGROUND AND POLITICAL CONTEXT	4
IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM.....	4
V. ELECTION ADMINISTRATION.....	5
VI. NEW VOTING TECHNOLOGIES.....	7
VII. VOTER REGISTRATION	8
VIII. CANDIDATE REGISTRATION	10
IX. ELECTION CAMPAIGN.....	11
X. CAMPAIGN FINANCE.....	14
XI. MEDIA.....	15
A. MEDIA ENVIRONMENT.....	15
B. LEGAL FRAMEWORK.....	15
C. COVERAGE OF THE ELECTION CAMPAIGN	17
XII. PARTICIPATION OF NATIONAL MINORITIES	18
XIII. CITIZEN AND INTERNATIONAL OBSERVERS.....	19
XIV. COMPLAINTS AND APPEALS	20
XV. ELECTION DAY.....	21
XVI. RECOMMENDATIONS.....	22
A. PRIORITY RECOMMENDATIONS	23
B. OTHER RECOMMENDATIONS	23
ANNEX I: FINAL RESULTS.....	26
ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION	27
ABOUT THE OSCE/ODIHR	28

REPUBLIC OF BULGARIA
EARLY PARLIAMENTARY ELECTIONS
5 October 2014

OSCE/ODIHR Limited Election Observation Mission Final Report¹

I. EXECUTIVE SUMMARY

Following an invitation from the Ministry for Foreign Affairs of the Republic of Bulgaria, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) deployed a Limited Election Observation Mission (LEOM) for the 5 October 2014 early parliamentary elections. The OSCE/ODIHR LEOM assessed compliance of the electoral process against OSCE commitments, other international obligations and standards for democratic elections, as well as national legislation. For election day, the OSCE/ODIHR LEOM joined efforts with a delegation from the Parliamentary Assembly of the Council of Europe.

The elections were held against the backdrop of an economic and political crisis and in a climate of distrust by voters in politics and politicians. The election environment was characterized by electoral and political fatigue, this being the third election in 18 months. Once again, widespread and pervasive accusations of vote-buying, controlled voting and other election irregularities, from all sides, marred the campaign and negatively affected the public confidence in the integrity of the process.

At the same time, fundamental freedoms of expression, association and assembly were respected. A new mechanism to appoint the Central Election Commission (CEC), greater involvement of civil society organizations, and the interim government advocating the need for democratic elections contributed to inclusiveness and engagement on the part of stakeholders. Although the authorities took preventive measures to counter vote-buying, no high-level prosecutions followed, contributing to a sense of impunity and a lack of accountability.

A new Electoral Code (the Code) was used for the first time for parliamentary elections, after being adopted in March 2014 and subsequently amended in April. It generally provides a sound basis for the conduct of democratic elections, although a number of previous OSCE/ODIHR recommendations remain unaddressed. Certain provisions contravene OSCE commitments and international standards, including in regard to principles of universal and equal suffrage and the use of national minority languages to campaign.

The election administration overall conducted its work in a professional and transparent manner, contributing positively to the openness and inclusiveness of the electoral process. On a number of occasions, CEC members did not vote on decisions, thus leaving the CEC without the required qualified majority. The CEC could have assumed more of a leading role and provided greater guidance in overseeing all stages of the electoral process, including the use of technology and delivery of voter education.

The new Code provides for the possible use of new voting technologies (NVT) in polling stations. Following the first pilot using electronic voting machines in the 2014 European Parliament elections, the second pilot with the same equipment was carried out in 300 polling stations during these elections. The results of the pilot were not legally binding. The pilot was not comprehensive, as it did not include the transmission of results and lacked pre-defined criteria to evaluate key principles such as the secrecy of the vote, integrity of the results, and the transparency and accountability of the process. This,

¹ The English version of this report is the only official document. An unofficial translation is available in Bulgarian.

together with a lack of public testing and voter education, underscored the need for further pilots to be taken before a decision is made on whether to implement increased and binding usage of NVT.

Voter registration is passive and voter lists are compiled based on data from the population register. Voter lists were available for public scrutiny prior to election day. Voters were offered several alternative voting methods, including the use of absentee voting certificates, homebound voting, and voting abroad. Although OSCE/ODIHR LEOM interlocutors did not question the accuracy of the voter lists, concerns were raised about potential multiple voting due to the possibility to register at a polling station on election day and limited safeguards for out-of-country voting.

Candidate registration was inclusive, giving voters a wide choice between 18 parties and 7 coalitions with 5,280 candidates, as well as 3 independent candidates. Limited efforts were made to encourage women candidates and there are no temporary special legislative measures to promote women's participation. Following these elections, the percentage of women members of parliament decreased from 26 to 20 per cent. However, women were well represented in the election administration bodies, including the chairperson, two deputies, and secretary of the CEC.

There was inadequate voter education about the newly introduced single-preference vote, which led to a high number of invalid ballots. Limited campaigning for preference voting by political parties and candidates indicated that they did not want voters to interfere with the established order of candidates.

The campaign generally lacked substance and occasionally became negative and populist. Instances of non-compliance with campaign regulations were noted. Several parties used racist, xenophobic, and inflammatory rhetoric, especially against national minorities. The CEC banned some campaign materials on broadly interpreted grounds of a violation of "good morals". Some parties campaigned in municipal or state-owned premises, in violation of the law, or offered material benefits to voters.

The Code restricts the use of languages other than Bulgarian for campaigning, which is at odds with OSCE commitments and other international standards. Issues of interest to minorities were largely absent in the platforms of the contesting parties or coalitions. The public debate on vote-buying continues to stigmatize Roma, with the root causes of the phenomenon receiving little attention. While several parties nominated ethnic Turkish candidates, only a few fielded Roma candidates.

Reporting of campaign income through a public register provides partial transparency of campaign financing. However, campaign expenditures are not disclosed until after the elections and there is no deadline for the audit of reports submitted by parties. Some parties did not report any campaign income before election day despite visible campaigning. The sanctions for non-compliance with campaign finance regulations could be strengthened to deter potential violations.

The media provided contestants with an opportunity to present their views through numerous debates, talk shows and paid advertisements, although smaller parties and independent candidates complained of an uneven playing field when it came to media access. Limited coverage of the campaign in the news and editorial content of media significantly reduced the scope of information available to voters. The majority of the paid political advertisements were not clearly marked and were presented in a format indistinguishable from editorial content, potentially misleading voters.

Complaints and appeals were generally handled satisfactorily and within the established deadlines by the election commissions and the Supreme Administrative Court, resulting in timely and effective remedy. In a few cases, however, interpretation of legal provisions by the CEC was broad. Transparency and accountability was enhanced by regularly updated public online registers of

complaints received by election commissions. Contrary to international standards, the law does not provide candidates with an effective mechanism to appeal election results.

The CEC registered 36 citizen observer organizations with 23,476 observers. Some political parties applied to register their affiliates as citizen observers, and the lack of clear criteria for rejecting them resulted in inconsistent decision-making. The CEC's efforts to avoid registration of partisan citizen observers were welcomed by several OSCE/ODIHR LEOM interlocutors, but others accused the CEC of being politically biased.

In the limited number of polling stations and tabulation centres visited by international observers, election day was generally organized in a professional and efficient manner. The accessibility of polling stations for disabled persons was at times limited. Procedures were in general followed, however, several Precinct Election Commissions seemed to have difficulties in counting the preference votes and completing the results protocols. The election administration was unable to reconcile the numbers of used, unused and spoilt ballots with the number of ballots received and did not provide clear explanations for the discrepancies. Observers had limited access to the data input area at the CEC and in several tabulation centres, limiting the transparency of the process.

II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the Ministry of Foreign Affairs of the Republic of Bulgaria and based on the recommendation of a Needs Assessment Mission conducted between 18 and 20 August, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) on 9 September established a Limited Election Observation Mission (LEOM) for the 5 October early parliamentary elections. The LEOM was headed by Ambassador Audrey Glover and consisted of 13 experts based in Sofia and 10 long-term observers deployed throughout the country. Mission members were drawn from 13 OSCE participating States.

In line with the OSCE/ODIHR's standard methodology for LEOMs, the mission did not include short-term observers, and did not carry out comprehensive or systematic observation of election day proceedings. However, mission members visited a limited number of polling stations and followed the tabulation of results in some constituencies. The mission followed electoral proceedings on 5 October jointly with the delegation from the Parliamentary Assembly of the Council of Europe (PACE), headed by Doris Fiala. The OSCE/ODIHR LEOM remained in Bulgaria until 14 October and followed post-election developments.

The OSCE/ODIHR LEOM assessed these elections for compliance with OSCE commitments, other international obligations and standards for democratic elections, and with national legislation. This final report follows a Statement of Preliminary Findings and Conclusions released at a press conference in Sofia on 6 October 2014.²

The OSCE/ODIHR LEOM wishes to thank the authorities of the Republic of Bulgaria for the invitation to observe the elections, and the Ministry of Foreign Affairs, the Central Election Commission, national and local authorities, as well as candidates, political parties, and civil society organizations for their co-operation. The OSCE/ODIHR LEOM also wishes to express appreciation to diplomatic representations of OSCE participating States and international organizations for their co-operation throughout the course of the mission.

² Previous OSCE/ODIHR reports on Bulgaria are available at: <http://www.osce.org/odihr/elections/bulgaria>.

III. BACKGROUND AND POLITICAL CONTEXT

Bulgaria is a parliamentary republic with legislative power vested in the 240-member National Assembly (parliament), which is elected for a four-year term. The last (early) parliamentary elections were held in May 2013, when the Bulgarian Socialist Party (BSP)-led Coalition for Bulgaria, with 84 seats, and the Movement for Rights and Freedoms (MRF), with 36 seats, formed a minority government. The centre-right party Citizens for European Development of Bulgaria (GERB) won 97 seats, and the far-right *Ataka* party won 23 seats.

Following a prolonged political and economic crisis, which included five no-confidence votes in the parliament, the government led by Plamen Oresharski submitted its resignation on 23 July 2014. President Rosen Plevneliev dissolved the parliament, set the date for early elections and appointed an interim government led by Georgi Bliznashki, which set its main task as the “organization of free and fair elections”. This, together with the involvement of civil society organizations in the electoral process and the signing of an integrity pact by the majority of electoral contestants, initially contributed to a sense of inclusiveness and engagement on the part of stakeholders.³ However, the pre-election environment was characterized by electoral and political fatigue, this being the third election in the last 18 months.

IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

The legal framework primarily comprises the Constitution and the Electoral Code (the Code), as well as other laws including the Law on Political Parties, the Law on Assemblies, the Law on Administrative Violations and Sanctions, and the Criminal Code. Legislative provisions were supplemented by decisions of the Central Election Commission (CEC).

The Constitution guarantees universal and equal suffrage by secret ballot, as well as freedoms of assembly, association, expression, and media. The new Code was adopted in March 2014 and amended one month later.⁴ It was used for the first time in parliamentary elections. The amendments addressed some recommendations made by the OSCE/ODIHR and the Council of Europe’s Commission for Democracy through Law (Venice Commission) by introducing the right to appeal all election-related decisions to a competent body; reducing the number of support signatures for registration of independent candidates; and extending the deadline for appealing decisions related to the registration of candidates. A number of recommendations remain unaddressed, such as creating an effective mechanism for challenging election results, allowing campaigning in minority languages, and reviewing the legal framework for the media.

The legal framework generally provides a sound basis for the conduct of democratic elections. However, greater clarity is needed to ensure consistent application of the law. Provisions that require further clarification include requirements for the registration of citizen observers, reasoning of election commission decisions, and restrictions related to campaigning.

³ Civil society representatives met with CEC and government officials through the Civil Board for Free and Transparent Elections, a platform established before the 2013 elections. The integrity pact was initiated by Transparency International Bulgaria:

www.transparency.bg/media/cms_page_media/141/Obshtestven_Dogovor_Parlamentarni_Izbori_TI-BG.pdf.

⁴ Section II.2.b of the 2002 Venice Commission’s Code of Good Practice in Electoral Matters recommends that “the fundamental elements of electoral law... should not be open to amendment less than one year before an election”.

The 240 members of parliament (MPs) are elected through a proportional system from 31 multi-mandate constituencies. The CEC allocated the number of mandates per constituency according to the population size as established by the 2011 census, with a minimum of four mandates per constituency. The number of votes required for a candidate to be elected in each constituency varied significantly, contradicting the principle of equality of the vote, as guaranteed by the Constitution, as well as OSCE commitments and other international standards.⁵ For these elections, discrepancies in constituency size frequently exceeded the recommended permissible deviation of 10 per cent from the average.⁶

In line with previous OSCE/ODIHR recommendations, constituency boundaries should be reviewed in accordance with OSCE commitments and other international standards in order to uphold the principle of equality of the vote.

The threshold to enter the parliament for parties and coalitions is four per cent of the valid votes at the national level, while independent candidates have to pass an electoral quota at the constituency level.⁷ The new Code introduced the possibility of single-preference voting. In case a voter does not use this option, the preference is counted for the first candidate on the list. To win a preferential seat, a candidate must be marked by at least seven per cent of the voters who voted for his or her candidate list.

V. ELECTION ADMINISTRATION

The responsibility for organizing the elections was shared between the election administration, central government and local authorities. The three-level election administration included the CEC, 31 District Election Commissions (DECs) and 12,177 Precinct Election Commissions (PECs).

Composition of the election administration at all levels is based on political party nominations.⁸ No party or coalition may have a majority in a commission, and the chairperson and secretary cannot be from the same party or coalition. The CEC is the only permanent election administration body, and its 20 members serve five-year terms. The parliament elects the chairperson, two deputies and the secretary of the CEC, while the president, based on party nominations, appoints the remaining members. The current CEC was appointed in March 2014. Women were well represented at all levels of the election administration. Out of 20 CEC members, 11 are women, including the chairperson, the two deputies and the secretary. Out of 31 DECs, 21 had a majority of women members and 20 were chaired by women.

⁵ Paragraph 7.3 of the 1990 OSCE Copenhagen Document provides that participating States will “guarantee universal and equal suffrage to adult citizens”. Paragraph 21 of the 1996 General Comment No. 25 to Article 25 of the International Covenant on Civil and Political Rights (ICCPR) provides that “the principle of one person, one vote, must apply, and within the framework of each State’s electoral system, the vote of one elector should be equal to the vote of another”. Article 10 of the Constitution states that “elections...shall be held on the basis of universal, equal and direct suffrage by secret ballot.”

⁶ Section 2.2.iv of the 2002 Code of Good Practice in Electoral Matters of the Council of Europe’s Commission for Democracy through Law (Venice Commission) recommends that “the permissible departure from the norm should not be more than 10% and should certainly not exceed 15%, except in special circumstances”. In Lovech, Shumen, Sofia city (DEC 23), and Sofia region the deviation was more than 10 per cent, while in Kardzhali, Kyustendil, Razgrad and Vidin the deviation exceeded 15 per cent.

⁷ The electoral quota in a constituency is the ratio of the number of the valid votes cast divided by the number of mandates in the constituency.

⁸ Political parties represented in the national parliament or the European Parliament (*Ataka*, BSP, Bulgaria without Censorship (BWC), GERB, MRF, and Reformist Bloc (RB)) could nominate members to the DECs and PECs.

The DEC and PECs should be appointed by the respective higher-level commission based on consensus between the political parties. For parliamentary elections, the number of DEC members is either 13 or 17 depending on the number of mandates allocated to the constituency. The PECs are composed of five to nine members, depending on the number of voters allotted to them. However, the CEC itself had to select the members of 21 DEC members, as well as of 202 PECs in Stara Zagora, because the political parties failed to agree on their composition. Changes in the composition of numerous PECs in the run-up to election day resulted in the appointment of a number of untrained poll workers.⁹

Logistical preparations were undertaken by a range of central and local authorities.¹⁰ In addition, the Information Services Company (ISC), a mostly government-owned enterprise, was contracted to tally the results protocols and to transmit this data to the CEC, as well as to provide electronic tabulation of the results at the central level.

In general, the election administration conducted its work in a professional and transparent manner and met most legal deadlines. The CEC is explicitly mandated to exercise control over the implementation of the Code and provide guidance in organizing all stages of the electoral process. Nevertheless, the CEC appeared not to assume its leading role and often depended on information provided by other agencies and the ISC. Consequently, before election day, essential statistical data about the electoral process was either not available to the CEC, not published, or delayed in being presented to the public.¹¹ This affected the transparency of the process. The CEC was supported by a ten-person secretariat. Several CEC members noted that the commission would benefit from additional support staff.

Consideration should be given to strengthen the role of the CEC as the lead institution responsible for the whole electoral process, as prescribed by the Electoral Code.

The CEC and DEC sessions were public and streamed online, and their decisions were published promptly. However, the excessive length of the daily CEC sessions affected the productivity of its operation.¹² Before the elections the CEC adopted over 540 decisions. CEC and DEC decisions not supported by the necessary two-thirds majority were presumed to be ‘declined’. Upon appeal, the Supreme Administrative Court (SAC) returned such acts to the CEC for a reasoned decision, without reviewing them on substance on the grounds that they lacked legal reasoning.

All CEC and DEC decisions, including ‘declined’ ones, should be reasoned, to enable effective legal redress.

⁹ For example, 12 per cent of the polling staff was replaced ahead of the election day in DEC members 15, 16 and 31. Section II.3.1.g of the 2002 Venice Commission Code of Good Practice in Electoral Matters states that “members of electoral commissions must receive standard training”.

¹⁰ The Ministry of Regional Development was responsible for preparing voter lists; the Ministry of Internal Affairs was in charge of public order in polling stations; the Ministry of Foreign Affairs co-ordinated out-of-country voting; and local authorities established polling stations, amended voter lists, and provided logistical support to the election administration.

¹¹ Consolidated statistical data was published by the CEC only a month after election day. The number of voters after verification of preliminary voter lists was published only on election day. No statistical data on polling stations was published before election day. Similarly, the compiled list of candidates was not available, neither was a gender breakdown of candidates until after the elections. The CEC obtained the number of absentee voting certificates from DEC members only after a request from the OSCE/ODIHR LEOM for this data. Although not required by law, the list of elected MPs published by the CEC did not identify the candidates elected by the preference vote.

¹² Section II.3.1.79 of the 2002 Venice Commission Code of Good Practice in Electoral Matters recommends that “the rules of procedure should provide for an agenda and a limited amount of speaking time for each member”.

The CEC conducted a voter education campaign, which included six different videos and seven radio clips broadcast in media and on the Internet.¹³ Printed material was limited to leaflets quoting extensive legal provisions. Overall voter education activities appeared insufficient,¹⁴ as they did not effectively explain the newly introduced rules regarding preference voting and the testing of new voting technologies (NVT).¹⁵ The CEC informed the OSCE/ODIHR LEOM that it had difficulties initiating voter education programmes due to its budget being approved only 60 days prior to the elections as well as the protracted procurement procedures.

Voter education should be enhanced in scope, timeliness and quality. It could focus on new elements of the electoral process, including preference voting and new voting technologies. It could be facilitated by the election administration, as well as political parties, media, and civil society.

The CEC trained the DEC's, which in turn trained the PEC's. The training sessions observed by the OSCE/ODIHR LEOM were generally conducted professionally but were at times poorly attended and formalistic. The written instructions for PEC members were limited to extracts from the law rather than user-friendly manuals. The OSCE/ODIHR LEOM also noted that not enough time was dedicated to training polling staff in completing the results protocols.¹⁶

VI. NEW VOTING TECHNOLOGIES

The new Code provides for the use of Direct Recording Electronic (DRE) voting machines in polling stations. Following the pilot during the May 2014 European Parliament elections, the second pilot using the same DRE touch-screen machines equipped with Voter Verified Paper Audit Trails was carried out in 300 polling stations in 5 multi-mandate constituencies. The results of these pilots were not legally binding and voters were required first to cast the vote by paper ballot and then repeat the vote via a DRE machine.

No feasibility study was undertaken to identify the most appropriate NVT prior to the pilot. The procurement process for the lease of the equipment was carried out by the Council of Ministers in September 2014 in an expedited manner. The technical specifications for the bidding process were published on the Procurement Agency website for seven days and on the online version of the 'Supplement to the Official Journal of the European Union' for only two days. An additional condition, as compared to the tender for previous elections, required "previous expertise in the same or similar provision of goods". As a result, only one type of machine from one vendor met the technical specifications, raising questions as to whether the process was conducted in line with public procurement principles, including timeliness, inclusiveness and competitiveness.

Consideration could be given to undertake a formal feasibility study before the selection and implementation of any NVT, including clear reasons for adoption, evaluation of previous pilots and a cost-benefit analysis. The procurement of NVT should be subject to the established timeframes and rules for public tenders and completed well in advance of elections.

¹³ This included videos on: voter list verification, voting procedures, use of new voting technologies, and specific arrangements for voters with disabilities and students.

¹⁴ Paragraph 11 of the 1996 General Comment No. 25 to Article 25 of the ICCPR states: "Voter education and registration campaigns are necessary to ensure the effective exercise of article 25 rights by an informed community".

¹⁵ The number of invalid ballots in these elections was 6.2 per cent, as compared to 2.5 per cent during the 2013 parliamentary elections.

¹⁶ During the tabulation of results, the CEC had to correct technical errors in results protocols from 1,135 polling stations (or 9 per cent of all polling stations).

The pilot included the configuration of the equipment and the casting and counting of votes in polling stations. The vendor was responsible for the implementation of the pilot, including transportation of the equipment to polling stations and testing of the equipment, training of DEC and PEC (under the supervision of the CEC), elaboration of printed instructions for the voters, and technical support to the commissions on election day.

The pilot, however, was not comprehensive as it lacked pre-defined criteria to evaluate the effectiveness of the pilot and did not fully consider key principles such as the secrecy of the vote, integrity of the results, transparency and accountability of the process. The direct transmission of the results to a higher-level commission and the tabulation component were also not included in the pilot.

Further pilots should be undertaken before a decision is made on whether to implement increased and binding usage of NVT. Pilots should be conducted on the basis of clear and comprehensive criteria to evaluate effectiveness and integrity of the NVT system, including the transmission of results. Any subsequent increase in the use of NVT should be contingent on addressing recommendations of evaluations and inclusive public consultation.

There was no public testing or certification of the NVT, limiting transparency and leaving stakeholders uninformed as to whether the technology complied with legal requirements and standards for democratic elections. No audit of hardware, software, storage mechanisms, or protection and destruction of the data was requested by the authorities or performed by any third party. Thus, important aspects such as the integrity of the process and accuracy of the data were not assessed.

Testing, certification, and audit requirements should be outlined well ahead of implementing NVT and the results should be made publicly available so as to ensure transparency and public confidence.

The first public presentation of the NVT was carried out six days before election day. The voter education campaign on the NVT use lasted only five days and was mainly limited to a 42-second video, failing to provide citizens with a meaningful understanding of the system. Media monitored by the OSCE/ODIHR LEOM barely covered the pilot, with less than five minutes of total coverage during the week before the elections. Although the instructions for voters were visibly posted in polling stations, public awareness of the pilot seemed inadequate. Many voters expressed their concern to the PECs about voting both by paper ballot and DRE machine, reinforcing the need for enhanced voter education.

The electronic ballot did not list all the voting options on one screen. This forced voters to scroll through screens to see the full range of choices, potentially confusing voters and creating bias in favour of contestants that were displayed first.

The results protocols produced by the DRE machines were presented in a different format compared to standard PEC results protocol, which caused confusion among some polling staff. The pilot did not envisage automatic tabulation of the machine results. These results were transferred without encryption from the machines to a memory stick for further tabulation. Interfaces between the machines and tabulation software were ineffective, prone to error with regard to data integrity, and not designed to facilitate an audit.

VII. VOTER REGISTRATION

Citizens above the age of 18 have the right to vote, except those serving a prison sentence, regardless of the severity of the offence committed, as well as individuals whose legal capacity has been limited by a

court decision.¹⁷ Blanket restrictions of voting rights for these two groups are not in line with OSCE commitments and international standards for democratic elections.¹⁸

As outlined in previous OSCE/ODIHR recommendations, restrictions on voting rights for prisoners should be reviewed to ensure that any limitation is proportionate to the crime committed and clearly outlined in the law.

In line with international obligations, restrictions on the suffrage rights of persons with mental disabilities should be removed or be decided on a case-by-case basis, depending on specific circumstances.

Voter registration is passive. The CEC is required to maintain an updated list of people with voting rights based on data from the National Population Register maintained by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development (GRAO). The GRAO is responsible for printing voter lists, which are compiled for each municipality on the basis of a voter's permanent address. The law does not provide for a permanent voter register.¹⁹

The preliminary voter lists were posted by municipalities for verification and voters could request amendments to their records between 25 August and 27 September. They could also apply for inclusion based on a temporary address. CEC and DEC members, candidates and citizen observers could apply for absentee voting certificates and vote at any polling station on election day.²⁰ During voting, 68,883 voters were added to the supplementary pages of the voter lists, including voters with disabilities that were allowed to vote in a polling station of their choice, students voting at the location of their education facility, as well as voters not found on the voter lists of their permanent address. Although OSCE/ODIHR LEOM interlocutors did not question the accuracy of the voter lists, concerns were raised about potential multiple voting due to the possibility to register at a polling station on election day. The registration of voters at polling stations on election day is contrary to good practice.²¹ According to the CEC protocol, the final number of voters was 6,858,304.

Voters abroad were able to register for out-of-country voting.²² Based on requests from voters and heads of diplomatic and consular offices, 167 polling stations were established abroad. An additional 261 stations were set up in out-of-country locations where at least 100 voters had voted in any election during the previous five years. Voters abroad could be included in voter lists and vote without prior registration and the only mechanism against possible multiple voting was a declaration by voters that they would not vote a second time. This appears an insufficient safeguard against possible multiple

¹⁷ This prohibition does not distinguish between people whose legal capacity is partially limited and those fully incapacitated by a court decision (Article 5 of the Persons and Family Act).

¹⁸ Paragraph 14 of the 1996 UN Human Rights Committee General Comment 25 on Article 25 of the ICCPR states that "if a conviction for an offence is a basis for suspending the right to vote, the period of such suspension should be proportionate to the offense and the sentence." Article 29 of the 2006 Convention on the Rights of Persons with Disabilities (CRPD) requires states to "guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others." Paragraph 24 of the 1990 OSCE Copenhagen Document provides that "[a]ny restriction on rights and freedoms must, in a democratic society, relate to one of the objectives of the applicable law and be strictly proportionate to the aim of that law". See also the judgments of the European Court of Human Rights (ECtHR) in *Hirst v. The United Kingdom (No. 2)* (2005), *Alajos Kiss v. Hungary* (2010).

¹⁹ Section I.1.2.i of the 2002 Venice Commission Code of Good Practice in Electoral Matters states that "electoral registers must be permanent".

²⁰ A total of 1,111 such certificates were issued.

²¹ Section I.1.2.iv of the 2002 Venice Commission Code of Good Practice in Electoral Matters recommends that "there should be an administrative procedure - subject to judicial control - or a judicial procedure, enabling electors not on the register to have their names included; [...] In any event polling stations should not be permitted to register voters on election day itself".

²² All voters registered abroad were to be removed from in-country voter lists before election day.

voting. Several OSCE/ODIHR LEOM interlocutors questioned the integrity of out-of-country voting.

As recommended previously, consideration could be given to introducing judicial oversight for election day voter registration.

Special voter lists were compiled for voters in health care facilities, detention and pre-trial centres, nursing homes, and other social institutions based on information provided by the heads of the respective institutions. Apart from a possibility to vote at any polling station, voters with disabilities could also request mobile voting. Several OSCE/ODIHR LEOM interlocutors questioned the accessibility of polling premises for persons with disabilities and voiced a demand for improved access to polling stations rather than the use of mobile ballot boxes.²³

VIII. CANDIDATE REGISTRATION

A citizen above the age of 21, who is eligible to vote and does not hold another citizenship, has the right to stand as a candidate. Denial of the right to be elected to dual citizens challenges international standards for democratic elections.²⁴

As recommended previously, Bulgarian citizens that hold dual citizenship should not be prevented from standing for office.

The Code provides a two-stage registration of candidates: firstly, the registration of political parties or coalitions by the CEC and nominating committees for independent candidates by the DEC; secondly, the registration of candidate lists and independent candidates by the DEC.²⁵ While candidates nominated by parties and coalitions could stand in up to two constituencies, independent candidates could stand in only one constituency. Individuals prohibited by law to be members of political parties could contest elections only as independent candidates.²⁶

A party or coalition had to submit to the CEC a financial deposit of BGN 2,500 and supporting signatures of at least 2,500 voters.²⁷ The new Code simplified the process of registration of independent candidates in line with previous OSCE/ODIHR recommendations. Independent candidates had to submit to the respective DEC a financial deposit of BGN 100 and supporting signatures from no less than one per cent but no more than 1,000 voters from the constituency.

Political parties and candidates that receive more than one per cent of the valid votes nationwide and nominating committees whose independent candidate receives at least one-quarter of the constituency electoral quota are entitled to a refund of their electoral deposits.

²³ Article 29 (a) of the 2006 CRPD obliges States to “ensure that persons with disabilities can effectively and fully participate in political and public life on equal basis with others ... *inter alia*, by ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use”. Paragraph 41.5 of the 1991 OSCE Moscow Document calls on participating States “to encourage favourable conditions for the access of persons with disabilities to public buildings and services”.

²⁴ In *Tănase v. Moldova* (2010), the ECtHR states that “where multiple nationalities are permitted, the holding of more than one nationality should not be a ground for ineligibility to sit as an MP”. The ECtHR also emphasized “the need to “individualise” measures, to take account of the actual conduct of individuals rather than a perceived threat posed by a group of persons”. See also Article 17.1 of the 1997 European Convention on Nationality.

²⁵ A nominating committee has three to seven voters from a constituency; a voter can be part of only one committee.

²⁶ Such as military, intelligence service, police personnel, diplomats, judges, and prosecutors.

²⁷ The exchange rate for BGN 1 is EUR 0.51.

The supporting signatures were checked by the GRAO. Voters could verify on the CEC website whether their name featured on any of the supporting signature lists. A voter could sign in support of the registration of only one candidate or party/coalition.²⁸ Such a provision might also undermine voter confidence in the secrecy of their vote, as signing for a candidate could be potentially seen as supporting that candidate.

The restriction that citizens may sign for only one candidate for each election could be reconsidered. The process would be more open and inclusive if citizens could sign for as many candidates as they choose to support.

The CEC registered 18 political parties and 7 coalitions in an inclusive manner, and denied registration to 3 parties due to an insufficient number of valid signatures. A total of 5,280 candidates were registered on lists, including 1,706 women, as well as 3 independent candidates; an average of 22 contestants per seat.

Limited efforts were made to promote women candidates. There are no temporary special legislative measures, such as candidate quotas, to promote women's participation and few political parties have internal policies to promote women.²⁹ While women are represented on the boards of a number of parties, only 3 out of 18 contesting parties' chairpersons were women. The UN Committee on the Elimination of Discrimination against Women previously noted "that women, in particular Roma women, continue to be underrepresented... in the National Assembly" and expressed concern at "the lack of proactive and sustained measures taken to promote and accelerate an increase in such representation".³⁰ The total representation of women in parliament decreased to 20 per cent compared to 26 per cent after the 2013 elections.

Consideration could be given to introducing temporary special legislative measures to promote women candidates, including gender quotas and placing women in winnable positions. Political parties could consider nominating a minimum number of candidates of each gender.

IX. ELECTION CAMPAIGN

The official campaign started on 5 September and ended on 3 October. It was followed by a silence period on 4 and 5 October. Political parties cancelled their campaign events on 3 October as this was a national day of mourning, following a tragic explosion in a factory. The silence period was breached by the publication of an interview on the presidential website on 4 October.³¹

²⁸ The 2010 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation state that "in order to enhance pluralism and freedom of association, legislation should not limit a citizen to signing a supporting list for only one party".

²⁹ Paragraph 40.4 of the 1991 OSCE Moscow Document committed participating States "to achieve not only de jure but de facto equality of opportunity between men and women and to promote effective measures to that end." See also Article 4 of the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which states that the adoption "of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination."

³⁰ UN Committee on the Elimination of Discrimination against Women, Concluding Observations on Bulgaria, 2012: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/BGR/CO/4-7&Lang=En.

³¹ The posting was a translation of a 4 October interview with President Plevneliev in the *Frankfurter Allgemeine Zeitung* where political appointments and the "secret policy behind the scenes" of the BSP/MRF government were criticized. See: www.president.bg/interviews-president2188/intervyu-na-prezidenta-rosen-plevneliev-pred-frankfurter-almgayne-tsaytung-vremeto-na-taynata-politika-tryabva-da-otmine.html.

The elections were held in a calm environment and fundamental freedoms of assembly, association and expression were respected. Contestants campaigned mainly through face-to-face events, leaflets, billboards, media, and social networks. Their messages focused on the economy, public infrastructure, energy sector, healthcare, poverty, and unemployment. However, the campaign generally lacked substance, was low-key, and took place in a climate of disappointment and mistrust in politics and political parties.

Instances of non-compliance with campaign regulations were noted. Some political parties campaigned at municipal or state-owned premises, including kindergartens and schools.³² Others offered gifts to supporters.³³ Some smaller parties informed the OSCE/ODIHR LEOM about other candidates pasting posters over theirs and of a shortage of the space allocated by municipalities for all contestants to post campaign materials. The CEC and DEC did not take actions to stop or sanction the majority of these infringements.

The authorities should issue clear and comprehensive guidelines on the use of public and private space for campaign purposes to ensure equal opportunity and sufficient access for all electoral contestants. Any breaches of the campaign rules should be sanctioned.

At times the campaign of some parties became negative and populist, especially against the Turkish and Roma minorities and regarding the set-up of polling stations abroad.³⁴ Several contestants used racist, xenophobic, and inflammatory rhetoric. This violates the principles enshrined in the 1990 OSCE Copenhagen Document, the Framework Convention for the Protection of National Minorities (FCNM), and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).³⁵

The CEC banned four campaign videos of the Bulgarian National Union-New Democracy (BNS-ND), MRF, *Ataka* and The Greens on the grounds of violating “good morals”.³⁶ The CEC interpreted this term widely, from banning videos with the footage of children to banning videos with a gay couple kissing. The latter decision is at odds with the national legislation, as Articles 4.1 and 5 of the Protection against Discrimination Act prohibit any direct or indirect discrimination on the basis of sexual orientation.³⁷

³² Article 182.1 of the Code provides that “the election campaign shall not be allowed at state or municipal agencies and institutions”. Article 11.4 of the Law on Child Protection states that “every child is entitled to protection against involvement in political, religious and trade union activities”. GERB, BSP Left Bulgaria, MRF, *Ataka* and BWC campaigned in a number of hospitals, community centres and schools. For example, the GERB campaign website showed campaigning at a number of inauguration events in kindergartens and schools.

³³ Candidates from the RB and Alternative for Bulgarian Renaissance offered voters free tickets for the 1 October Champions League football match between PFC Ludogorets Razgrad and Real Madrid while campaigning.

³⁴ On 1 October, BWC symbolically blocked three check-points at the border with Turkey “in order to stop the import of voters from Turkey”. The coalition Patriotic Front filed a complaint to the SAC against opening polling stations in Turkey and other countries, while their representatives picketed the SAC chanting “CEC are Turkish buffoons”.

³⁵ For example, paragraph 40 of the 1990 OSCE Copenhagen Document calls on participating States to “clearly and unequivocally condemn totalitarianism, racial and ethnic hatred, anti-semitism, xenophobia and discrimination against anyone as well as persecution on religious and ideological grounds”. See also Article 6 of the FCNM and Article 7 of the ICERD.

³⁶ The grounds for the bans were featuring of children (*Ataka*, BNS-ND and MRF), “gestures and statements undermining public decency” (*Ataka*), and “containing a direct appeal for the authorization of drugs (cannabis)” (The Greens). The CEC cited Article 183.4 of the Code which prohibits campaigners “to use campaign materials ... which are contrary to good morals and damaging the honor and reputation of the candidates”, as well as Article 5.1 of the Political Parties Act, Article 11.4 of the Law on Child Protection, and Articles 28 and 70 of the Law on Control of Narcotic Substances and Precursors, which are not specifically related to the election campaign.

³⁷ The decision is also at odds with Recommendation CM/Rec(2010)5 of the Council of Europe’s Committee of Ministers to Member States on Measures to Combat Discrimination on Grounds of Sexual Orientation or Gender Identity. See: <https://wcd.coe.int/ViewDoc.jsp?id=1606669>.

In order to prevent potentially arbitrary decisions, consideration should be given to clarify the term ‘good morals’ and specify permissible restrictions in Article 183.4 of the Electoral Code.

The Criminal Code prohibits vote-buying and vote-selling. All OSCE/ODIHR LEOM interlocutors stated that the long-standing issue of vote-buying/selling and ‘controlled’ voting is a widespread phenomenon involving almost all political parties. While Roma communities remain most vulnerable to potential electoral irregularities, interlocutors noted that the issue of vote-buying is not limited to a specific group but affects particularly low-income voters.³⁸ Some voters openly admitted to the OSCE/ODIHR LEOM that they were willing to sell their votes. The Ministry of Internal Affairs (MoIA) identified regions with a high risk of vote-buying and ordered the police to take preventive measures. However, the Minister of Internal Affairs and his Deputy publicly stated that the MoIA’s structure is “deeply politicized” and that not all regional police departments followed the instructions.³⁹

The MoIA, the Prosecutor’s Office, and the National Security Agency set up an inter-agency task force to counter electoral crimes at the national and regional levels. The MoIA introduced a hotline for reporting election-related irregularities. By 6 October, the Prosecutor’s Office reported over 670 ongoing investigations and 71 pre-trial proceedings. However, at the time of writing, there were only four prosecutions on vote-buying charges and none of them were against high-level organizers. Insufficient law enforcement to counter illegal practices was noted by almost all OSCE/ODIHR LEOM interlocutors as a key reason for their lack of trust in the work of state institutions.

In order to restore public confidence in the electoral process, additional efforts are needed to address the persistent issue of vote-buying/selling and ‘controlled’ voting through strong political commitment and action, voter education and, as required, high-level prosecutions.

Serious efforts should be made by law enforcement agencies to hold accountable those responsible for organizing vote-buying. Citizens should be encouraged to report and provide evidence of any vote-buying or pressure, for example, by providing immunity from prosecution to those reporting vote-buying offences.

In general, political parties did not inform voters about the single-preference voting option, or left it to the candidates to decide whether to encourage the use of preferential voting in their individual campaigns.⁴⁰ In some cases this seemed to be a deliberate policy to leave the voters uninformed so that they would not interfere with the order of the candidates decided by the parties.

According to the CEC, around 34 per cent of the voters used the single-preference vote. A high number of ballots were invalidated due to lack of voters’ understanding how to mark the ballot. Analysis of the final allocation of seats showed that 20 MPs were elected by this method. In addition, six of them seemed to have profited from the fact that they had the same number on the candidate list as their party had on the ballot paper.⁴¹

³⁸ OSCE/ODIHR LEOM interlocutors mentioned new forms of vote-buying, for example, moneylenders who promised lower interest rates for debtors voting for a specific party.

³⁹ See the Minister’s statement at: <http://www.novinite.com/articles/163572/Bulgaria%E2%80%99s+Interior+Ministry+Is+Deeply+Politicized+%E2%80%93+Caretaker+Minister>. See the Deputy Minister’s statement at: <http://www.mediapool.bg/dps-upravlyava-mvr-po-mesta-news225899.html>.

⁴⁰ For example, some candidates of the RB, The Greens and BSP Left Bulgaria ran individual campaigns, while GERB and MRF decided not to use the preference vote for individual campaigns.

⁴¹ According to analysis of the Institute for Public Environment Development, nine GERB candidates were directly elected by this “9/9 phenomenon”, as they were on the 9th place of the lists, and GERB was 9th on the ballot. Four of the GERB “nines” stepped down shortly after the elections. See: <http://iped.bg/bg/publication/mats7c>.

X. CAMPAIGN FINANCE

Campaign finance is regulated by the Electoral Code, which generally provides a sound basis for transparency.⁴² Political parties may be funded from both public and private sources.

Parliamentary parties and coalitions are entitled to public funding in proportion to the number of the valid votes received in the last parliamentary elections.⁴³ The same applies to parties which received at least one per cent of the valid votes nationwide in the last elections, but not for coalitions. Contestants not entitled to public funding receive funds for media advertisements. The new Code establishes these 'media packages' at BGN 40,000 for parties/coalitions, and BGN 5,000 for independent candidates. Private donations from individuals may not exceed BGN 10,000, while contributions from legal entities and anonymous sources are prohibited. Campaign expenditure by a political party or a coalition is limited to BGN 3 million and by an independent candidate to BGN 0.2 million.

The National Audit Office (NAO) is responsible for the oversight of campaign finance rules. In line with a previous OSCE/ODIHR recommendation, parties, coalitions and nominating committees must submit financial information to the NAO within five days of the start of the campaign and are obliged to regularly update the information throughout the campaign. This information is made public on the NAO website and should include all monetary and in-kind donations, as well as the names of contracted public relations, advertising and opinion-polls agencies. Most parties and coalitions provided this information to the NAO during the campaign. A number of contestants did not report any campaign income, although their campaign was visible.⁴⁴ Transparency of campaign finance is limited by the absence of reporting requirements on campaign expenditures before election day. In addition, the sanctions for non-compliance with campaign finance regulations could be strengthened to deter potential violations.⁴⁵

Final reports on campaign funding and expenses were submitted by all contestants to the NAO within 30 days after election day for audit, and the NAO published the financial data on its website within 15 days. The NAO does not have a legal deadline for completion of its audits and publication of their results.⁴⁶ Political parties are also obliged to submit to the NAO annual financial reports by 31 March, which the NAO publishes by 15 April.

To enhance transparency and accountability, the law should require that results of audits of the campaign finance reports are made public in a timely manner. Consideration could also be given to requiring electoral contestants to provide interim reports on expenditures prior to election day.

⁴² In November 2014, the Group of States against Corruption of the Council of Europe (GRECO) published its second compliance report of the third evaluation round on transparency of party funding, commending Bulgaria for improving its regulatory framework on the transparency of political financing. See the GRECO compliance report at: [http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoRC3\(2014\)12_Second_Bulgaria_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoRC3(2014)12_Second_Bulgaria_EN.pdf).

⁴³ Public financing in 2014 was BGN 11 per valid vote.

⁴⁴ For example, by election day BNS-ND and Movement 21 did not report any campaign income.

⁴⁵ Under the Code, violations of reporting requirements are punishable by fines of BGN 3,000 to 10,000; violations of financing prohibitions and exceeding the expenditure limit are punishable by fines of BGN 3,000 to 15,000.

⁴⁶ Results of audits from the May 2014 EP elections were not made public at the time of writing of this report. Article 7.3 of the 2003 UN Convention against Corruption obliges states "to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties". Paragraph 200 of the 2010 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulations provides that "in an effort to support transparency, it is good practice for such financial reports to be made available on the Internet in a timely manner".

XI. MEDIA

A. MEDIA ENVIRONMENT

While pluralistic, the media environment is largely defined by the corporate interests and lacks transparency, effective self-regulation and professionalism. Many OSCE/ODIHR LEOM interlocutors stated that the editorial policy of private media outlets followed short-term financial goals, with the quantity of the content presiding over its quality. Interlocutors further indicated that the large number of outlets competing in a limited advertising market encouraged the media to avoid controversial topics in order to keep good relations with potential advertisers. All of these trends limit the diversity of editorial content and provide few opportunities for analytical reporting and investigative journalism.

The transition to digital broadcasting was concluded in 2013, but questions were raised at the national and international levels regarding its transparency and inclusiveness. The Bulgarian government was taken to the European Union Court of Justice by the European Commission after the latter had concluded that the allocation of the digital frequencies was “based on disproportionately restrictive award conditions, leading to the exclusion of potential candidates”.⁴⁷

Media ownership and funding lacks transparency and several OSCE/ODIHR LEOM interlocutors raised concerns about considerable media concentration.⁴⁸ Although there are legal requirements for the disclosure of the local owners of broadcast and print media, such information is not always up to date.⁴⁹ Moreover, there is no requirement for foreign owners to register their details on the company register. As a result, prominent media outlets often name offshore companies, whose owners and funding are not disclosed.

Measures should be taken to ensure full transparency of media ownership in order to clearly identify the ultimate media owners. More stringent controls and sanctions should be imposed to ensure that outlets publicly provide the required ownership and funding information in a comprehensive and timely manner.

B. LEGAL FRAMEWORK

The Code regulates in detail the coverage of the campaign by the public service broadcasters, Bulgarian National Television (BNT) and Bulgarian National Radio (BNR), both on national and regional levels. The campaign coverage of private broadcasters is largely unregulated. Only the BNT and BNR are required to cover candidates in accordance with the principles of equitability and objectivity. In addition, the BNT and BNR are obliged to allocate 40 seconds of free airtime both at the beginning and at the end of the campaign to each contestant. The BNT and BNR are also obliged to organize and broadcast campaign debates, free of charge, for at least four hours on national channels and for at least one hour on regional television and radio stations.

⁴⁷ *European Commission v. Republic of Bulgaria*, European Court of Justice, 2013. See: <http://curia.europa.eu/juris/document/document.jsf?text=&docid=140251&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=43041>.

⁴⁸ In the 2009 joint statement on media and elections by UN Special Rapporteur on Freedom of Opinion and Expression and OSCE Representative on Freedom of the Media, the transparency of media ownership was defined as one of the principles for the development of a pluralistic media sector.

⁴⁹ The Radio and Television Act requires that information on media ownership is submitted to the Council for Electronic Media. The Compulsory Deposition of Printed and Other Publications Act mandates disclosure of the actual owners of print media before the Ministry of Culture.

All media outlets have to provide time/space for paid political advertisements under equal conditions to all contestants. The prices for paid political advertisements must be published on the website of each media outlet. Although the media are obliged to publish basic information on the contracts (for example, the total contract value per contestant), the Code does not require the media to provide detailed information on the services and types of advertisements purchased, thus reducing transparency.

The Council for Electronic Media (CEM) regulates broadcast media and is tasked with overseeing the compliance of the broadcast media with the legal framework. The CEM indicated in its interim monitoring report that while most media outlets published the required information on paid political advertisements, this information did not always cover all forms of paid political advertising.

Publication of the results of public opinion polls should indicate the contracting authority or agency that conducted the poll and the source of financing. The OSCE/ODIHR LEOM media monitoring results indicated that this information was published only in 12 per cent of cases. The Code does not require the media to publish other key details (such as the period of the poll, poll sample and margin of error), as outlined by the Recommendation of Council of Europe's Committee of Ministers on Measures Concerning Media Coverage of Election Campaigns.⁵⁰

In order to provide the public with sufficient information, consideration could be given to expanding the list of the background information required to accompany the results of public opinion polls. Such information could include the sample, the margin of error, the polling period and the methodology applied.

During the campaign period the CEM conducted media monitoring of 22 television and 22 radio stations. It has no authority to sanction media for election-related violations, but should report such violations to the CEC which can decide whether to impose sanctions. Based on its media monitoring and other information, the CEM reported 18 violations to the CEC, mainly related to the content of paid political advertising. The CEC sent the materials in 16 such cases to competent local authorities to impose sanctions.

The CEM published its final media monitoring report on 21 October, identifying a number of violations related to the publication of contracts for paid political advertisements and public opinion polls, as well as to the lack of proper identification of paid political advertisements.⁵¹ At the time of writing, the CEC had not reviewed nor passed a decision based on the CEM media monitoring report.

The Code obliges the CEC to react to media-related complaints within 24 hours during the campaign period and within one hour on election day. According to the CEC's online register, it received 122 media-related complaints and "signals" of possible violations, mainly regarding the omission of the required public opinion poll information, violation of "good morals", and breaches of the campaign silence period. However, the CEC failed to review and verify the majority of them within the tight legal deadlines. The Civil Initiative for Free and Democratic Elections informed the OSCE/ODIHR LEOM that only 33 out of 54 media-related "signals" it sent to the CEC were published in the electronic register before election day. This raises concerns regarding the transparency and efficiency of the CEC in handling media-related complaints and "signals".

⁵⁰ See Principle I.8 of Recommendation CM/Rec(2007)15 of the Council of Europe's Committee of Ministers.

⁵¹ While the law does not provide explicit sanctions for the media not clearly identifying paid political advertisements, the National Assembly informed the OSCE/ODIHR LEOM that such violations are subject to fines under Article 495 of the Law on Administrative Violations and Sanctions as 'other violations'.

C. COVERAGE OF THE ELECTION CAMPAIGN



The media provided contestants with a platform to present their views through debates, talk shows and paid advertisements. However, the OSCE/ODIHR LEOM media monitoring showed a limited coverage of the campaign in the broadcast news and editorial content of the print media, and a lack of political investigative and analytical reporting which limited the information available to voters.⁵²

Independent candidates and smaller parties informed the OSCE/ODIHR LEOM about inequitable access to media in comparison to larger contestants as a significant share of the media campaign had to be paid for, thus creating an unequal playing field for candidates.⁵³ The OSCE/ODIHR LEOM media monitoring showed that 80 per cent of political advertisements on broadcast media and 87 per cent in print media were purchased by the eight parties that received public funding.

Despite the legal requirement for BNT and BNR to provide a spectrum of political information and reflect a diversity of ideas on political subjects in their news and current affairs programmes, they chose to provide very limited coverage of the activities of contestants. During the monitored period, the BNT devoted only 14 minutes and BNR only 7 minutes to all contestants in their prime time newscasts.⁵⁴

The private broadcasters monitored had a similar approach and coverage of contestants was usually limited to reports on public opinion polls and a few non-election-related activities. The contestants received a combined total of 156 minutes (or about 8 per cent of all campaign-related coverage) of news coverage during the period monitored by the OSCE/ODIHR LEOM.

The legal framework should be reviewed with a view to encouraging public broadcasters to provide editorial coverage of the campaign activities of candidates. Having such information in the news and current affairs programs would help voters in making informed choices.

Both the BNT and BNR complied with their legal obligations to host campaign debates, however, the debates were broadcast outside primetime.⁵⁵ The BNT also aired numerous political talk-shows (80 per cent of its primetime election-related content), to which contestants were invited. The BNR, however, limited the campaign coverage to the mandatory debates and a few current affairs programs. Moreover, it suspended a popular political current affairs programme until after election day.

Paid advertisements were the main source of campaign information on all broadcast media, with the exception of the BNT. The OSCE/ODIHR LEOM media monitoring results showed that 71 per cent of the prime time coverage of the contestants by BNR and 44 per cent by private broadcasters was paid for. The paid advertisements were of two types: direct advertisement (27 per cent) and information coverage of campaign activities (73 per cent). The latter was often undistinguishable from editorial content.

⁵² From 11 September until 3 October, the OSCE/ODIHR LEOM monitored the primetime coverage of four television channels (BNT, *bTV*, *Nova* and *TV7*) and two radio stations (BNR and *Darik*), as well as four daily newspapers (*Telegraf*, *24 Chasa*, *Standart*, and *Kapital*). The OSCE/ODIHR LEOM also reviewed 30 editions of 23 regional newspapers for their compliance with requirements for publication of paid political advertisements.

⁵³ Several OSCE/ODIHR interlocutors noted that the newly introduced 'media packages' are too small to provide sufficient access to media.

⁵⁴ The BNR agreed with the contestants that it would not cover in their regular information programmes any activities of the contestants that could be interpreted as election-related.

⁵⁵ The BNT aired debates from 16:30 until 18:00, while the BNR aired debates from 14:05 until 16:30.

The print media also provided limited coverage of the campaign. Paid advertisements, which were not clearly marked as such, comprised 85 per cent of all coverage in *24 Chasa* and 82 per cent in *Standart*. *Telegraf* and *Kapital* chose not to publish paid advertisements. In its editorial content *Telegraf* clearly favoured the MRF and GERB and displayed bias against the RB and to a lesser extent *Ataka*. *Kapital*, while focusing on economic topics, provided a more extensive and balanced coverage of contestants. The paid advertisements in the regional print media outlets assessed by the OSCE/ODIHR LEOM also did not contain any indication that the content is paid, as required by the law, thereby potentially misleading the audience about the nature of reporting.⁵⁶

XII. PARTICIPATION OF NATIONAL MINORITIES

According to the 2011 census, ethnic Turks are the largest national minority with 8.8 per cent of the population, followed by Roma with 4.9 per cent.⁵⁷ Other national minorities fall below one per cent of the population.

The Constitution provides for the right of self-identification but prohibits the formation of political parties along “ethnic, racial or religious lines”, which is not in line with international obligations and good practice.⁵⁸ The Code further restricts campaigning to the Bulgarian language only, which is at odds with OSCE commitments and other international standards that refer to the right to use minority languages in elections and to have access to election-related information in minority languages.⁵⁹ The MRF leader criticized the ban at the opening of the MRF campaign. Several candidates of the MRF and the People’s Party Freedom and Dignity (PPFD) stated that they would not hesitate to address their electorates in their mother tongue, should that be necessary in order to be understood. The OSCE/ODIHR LEOM is aware of three occasions when the Turkish language was used, which led to complaints.⁶⁰

Individuals who identify themselves as belonging to national minorities should be allowed to use their mother tongue in an election campaign in order to promote effective participation in public affairs. Consideration should also be given to providing voters with information and other official election materials in minority languages, which would enhance their understanding of the electoral process.

⁵⁶ The OSCE/ODIHR LEOM reviewed editions of the following regional newspapers: *100 Vesti*, *Bobra*, *Bryag*, *Burgas Dnes* *I Utre*, *Chernomorski Far*, *Dobrudzhanska Tribuna*, *Gabrovo Dnes*, *Gradski Vesnik*, *Kompas*, *Lovech Press*, *Maritsa*, *Maritsa Haskovo*, *Nie*, *Nov Jivot*, *Otzvuk*, *Posoki*, *Posrednik* (Pleven), *Sapernik Struma*, *Utro* (Ruse), *Viara*, *Yantra Dnes*, and *Zapad Yug*.

⁵⁷ The results of the census reflect the answers of the 91 per cent of the population who answered the optional question about ethnic groups. See: http://www.nsi.bg/census2011/PDOCS2/Census2011final_en.pdf. Unofficial estimates put the number of Roma significantly higher, at some 800,000 or 10 per cent.

⁵⁸ Freedom of association includes the freedom to establish political parties based on communal identities. See Article 7 of the FCNM, Article 2 of the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities, paragraph 7.6 of the 1990 Copenhagen Document, and Section I.2.4.a of the 2002 Venice Commission Code of Good Practice in Electoral Matters.

⁵⁹ Paragraph 32.5 of the 1990 OSCE Copenhagen Document states that persons belonging to national minorities have the right “to disseminate, have access to and exchange information in their mother tongue”. Paragraph 12 of the 1996 UNHRC General Comment to Article 25 of the ICCPR states that “information and materials about voting should be available in minority languages”. See also, Article 9.1 of the FCNM and Article 27 of the ICCPR.

⁶⁰ In one case, GERB candidates complained to DEC 28 that an MRF candidate and the mayor of Omurtag used Turkish language at a campaign event. The DEC decision urging the candidate to respect the Code was upheld by the CEC. In the second case, a complaint was filed against three MRF representatives for using Turkish language at a campaign event in Dolni Chiflik. The CEC sent the materials to the regional governor to impose an administrative sanction in this case. In the third case, Turkish language was used at an MRF campaign event in Cherna. The CEC ruled that it was a violation and sent the materials to the regional governor to issue a penal sanction. Some other cases about the use of Turkish language were brought to the attention of the CEC.

While the MRF is commonly perceived as representing the interests of the Turkish community and had ethnic Turkish candidates on its list, the PPF, running in the RB coalition, competed for the same electorate. Several other parties also had ethnic Turkish candidates on their lists. According to the information available to the OSCE/ODIHR LEOM, 5 of the 25 political parties or coalitions fielded a total of 13 Roma candidates, generally placed on lower positions on the candidate lists.⁶¹ Two of them secured seats in the new parliament.⁶²

The effective participation of national minorities in public and political life, in particular of Roma, remains limited. In general, issues of interest to national minorities were largely absent in the platforms of the parties or coalitions and any references made were usually negative. The public debate on vote-buying tends to portray Roma as the source of the problem, thus reinforcing intolerance and negative stereotypes.⁶³ Furthermore, some measures taken by the authorities to tackle the situation could have adversely affected campaigning or voting in the respective Roma neighbourhoods.⁶⁴

Minority women's political participation is often more difficult than that of women belonging to the majority population. These elections resulted in three ethnic Turkish female MPs, whereas none of the five female Roma candidates were elected.

Political parties could consider ways to identify minority representatives, particularly women, through dialogue with local communities. Political parties could promote nominations from national minorities on candidate lists and encourage their participation in party structures.

XIII. CITIZEN AND INTERNATIONAL OBSERVERS

The Code provides for citizen and international observation, as well as for the presence of contestants' proxies and representatives in polling stations. The Code contains detailed provisions on the rights and responsibilities of observers and grants them access to all stages of the electoral process. Observers and proxies are entitled to receive copies of results protocols in polling stations. The CEC registered 36 citizen observer organizations with 23,476 observers upon submitting an application and a legal status certificate.⁶⁵ At least two organizations fielded citizen observers in Roma areas.

Observers may not receive remuneration from political parties, coalitions, nominating committees or candidates. However, the law is unclear as to whether this extends to any political affiliation, as well as the process for establishing the existence of such affiliations. The lack of clear criteria resulted in inconsistent decision-making. Initially the CEC did not explore political affiliations of observer organizations. However, after civil society representatives expressed concerns, the CEC started to examine such ties and denied registration of 10 organizations based on their affiliations with political parties, as well as to some observers of already registered organizations. The CEC adopted some 220 decisions on observer registration, which consumed considerable time and resources.

⁶¹ Many Roma candidates were actively advocating for the preference vote, but at the same time expressed concerns that there was not enough awareness and understanding of that option among the electorate.

⁶² No candidate of Roma origin was elected to the last parliament, but one replaced an MRF MP, who resigned.

⁶³ See the OSCE Ministerial Council Decision No. 8/09 on "Enhancing OSCE Efforts to Ensure Sustainable Roma and Sinti Integration", and the European Commission's "Report on implementation of the EU framework for the National Roma Integration Strategies".

⁶⁴ The OSCE/ODIHR LEOM was informed, however, about a number of cases of police questioning or issuing 'warning' to campaign workers and relatives of Roma candidates. Such preventive actions, reportedly, were at times based on anonymous "signals", and caused fear and insecurity among Roma voters.

⁶⁵ The CEC also registered 65 international observers from 5 organizations.

Several decisions were appealed to the SAC, which agreed with the CEC decisions that citizen observers should be non-partisan and that partisan observers should register as proxies of the contestants. The CEC's efforts to avoid registration of partisan citizen observers were welcomed by several OSCE/ODIHR LEOM interlocutors, but others accused the CEC of being politically biased.

The law should establish clear criteria, procedures, and timeframes for registration of citizen observers.

XIV. COMPLAINTS AND APPEALS

Complaints and “signals” about electoral violations may be submitted by voters, electoral contestants, and other stakeholders to election commissions.⁶⁶ Appeals against decisions, actions and inaction by election commissions are submitted to the higher-level commission, while CEC decisions can be appealed to the SAC. Decisions on appeals by DEC, CEC and SAC must be made within three days.⁶⁷ Decisions of local administration related to voter registration can be appealed to a district administrative court.

The CEC and DECs maintained online registers of complaints and “signals”, contributing to the transparency and accountability of the electoral process. The CEC registered some 160 complaints and “signals” by election day, and the DECs some 135. Most were related to campaign infringements, media violations, registration of citizen observers, and the establishment of polling stations.

Pre-election complaints and appeals were generally handled satisfactorily by the CEC and DECs. They mostly provided reasoned decisions on complaints and appeals, within the established timelines.⁶⁸ However, not all complaints and “signals” were published in the online registers and some were left without a decision, in some cases due to the lack of the required two-thirds majority. The law does not provide complainants with an opportunity to present their case before election commissions; however, some DECs did invite complainants to attend their sessions.⁶⁹

Complainants and respondents should be entitled by the law to be heard before election commissions.

On election day, DECs received over 190 complaints on a range of issues including irregularities in procedures by PECs, illegal campaigning, and vote-buying. The CEC received 187 “signals” and 75 complaints and appeals. Most responses and decisions were posted online, with the exception of a number of DECs.⁷⁰

The SAC adjudicated some 70 appeals within the required deadlines. Most of these appeals concerned observer registration, establishment of polling stations, and campaign violations. Applicants were able

⁶⁶ Individuals and organizations can ‘signal’ potential irregularities to election commissions without claiming a violation of individual rights.

⁶⁷ Media-related complaints and appeals should be filed within 24 hours, and the DECs and the CEC have 24 hours to decide on them. The PECs are obliged to pronounce decisions on election day complaints immediately, and the DECs within one hour of receipt but before the closure of polls.

⁶⁸ Some DEC decisions did not contain references to their legal basis. CEC reasoning was sometimes limited to quoting legal provisions without an explanation how they were applied to the facts at hand.

⁶⁹ Section II.3.3.h of the 2002 Venice Commission Code of Good Practice in Electoral Matters advises that “[t]he applicant’s right to a hearing involving both parties must be protected”.

⁷⁰ As of 8 October, the election day complaints and “signals” were not published in online registers by DECs 3, 7, 21, 23- 29, and 31.

to present their cases and the decisions were reasoned. However, a few decisions appeared to limit effective remedies for the complainants.⁷¹

The CEC registered over 35 complaints and “signals” after election day, primarily related to violations of election day procedures by the PECs and DEC’s and challenges to election results. The law does not provide a possibility for the CEC or the SAC to order a recount of ballots. All challenges of the results, including 10 requests for recounts, were dismissed by the CEC and the SAC, with reference to the jurisdiction of the Constitutional Court to deal with such challenges.

Election results can be appealed to the Constitutional Court only by the President, the Council of Ministers, the Supreme Court of Cassation, the SAC, the Prosecutor General or at least one-fifth of MPs.⁷² The SAC transferred five challenges from different political parties regarding the election results to the Constitutional Court, which declined to admit them on procedural grounds.⁷³ Such a mechanism, in which contestants cannot initiate proceedings directly but must petition authorities to contest election results, does not constitute an effective remedy.⁷⁴

As previously recommended by the OSCE/ODIHR, the law should provide candidates with an effective mechanism to appeal election results, both nationwide and at the constituency level. This mechanism should include direct recourse to effective judicial remedies for candidates and other stakeholders.

XV. ELECTION DAY

In line with standard OSCE/ODIHR methodology for LEOMs, the mission did not undertake a comprehensive and systematic observation of election day proceedings. However, mission members followed opening, voting and counting in a limited number of polling stations in some constituencies.

In the stations visited, election day was generally organized in a professional and efficient manner. The stations were well set-up, but many did not provide access for persons with disabilities. Posters of candidate lists were not always easily readable or even posted, while the design of the ballot itself did not include the names of the candidates for the single-preference vote. This limited voters’ awareness of available preference options. During the counting, several PECs seemed to have difficulties in counting the preference votes.

The international observers visited a limited number of DEC’s and District Tabulation Centres (DTCs). Where observed, the tabulation process was generally conducted in an orderly and efficient manner. Transparency was limited in some DTCs as observers were confined to a designated area which did not allow them to see data input. During DTC data entry, numerous PEC protocols had to be reconciled as

⁷¹ The SAC denied legal right to a registered citizen observer organization to appeal against CEC instructions for PECs abroad, thus narrowing interpretation of the law. In another case, the SAC upheld the denial of registration of an independent candidate in Sofia despite evidence of the DEC’s non-compliance with the legal requirement to give candidates an opportunity to remedy shortcomings in their applications.

⁷² The Code does not specify whether the right to petition is granted to the outgoing or newly elected MPs.

⁷³ The Constitutional Court returned all five challenges to the SAC on 28 October and declined to initiate proceedings. It stated that the SAC must carry its own verification of the complainants’ allegations and submit a reasoned petition to the Constitutional Court to open proceedings.

⁷⁴ Section II.3.3.f of the 2002 Venice Commission Code of Good Practice in Electoral Matters recommends that “all candidates and all voters registered in the constituency concerned must be entitled to appeal. A reasonable quorum may be imposed for appeals by voters on the results of elections”. See also paragraphs 82-83 in *Petkov and others v. Bulgaria* judgment, ECtHR, 2009.

they contained errors in the preference vote results. The PEC and DEC protocols were published online in a timely manner after their processing.

In parallel to the district tabulation, the CEC conducted a central tabulation based on the PEC results protocols. This central tabulation was the basis for determining the official election results, but the CEC denied access of international observers to its tabulation centre.⁷⁵ In line with a previous OSCE/ODIHR recommendation, the results were published by polling station, which increased the transparency of the process.

The OSCE/ODIHR LEOM analysis showed that the number of used, unused, and spoiled ballots did not reconcile with the number of ballots handed over to the DEC in all 31 DEC results protocols as well as at the national level.⁷⁶ While the CEC members acknowledged the problem, no clear explanation for the discrepancies was provided to the OSCE/ODIHR LEOM and the CEC pointed out that as an institution it had no competence for ordering the recount of ballots.

In order to contribute to the transparency, additional efforts should be made to enable observers to follow the tabulation process fully, particularly during data entry. The lack of reconciliation of the data in result protocols with the numbers of ballot papers issued should be addressed.

According to the official results, 3,500,585 voters (or 51.1 per cent) participated in the elections, including 144,208 voters who cast their ballots abroad. The number of invalid ballots was very high, amounting to 218,125 (or 6.2 per cent of all ballots cast).⁷⁷

The CEC should analyse the cause of the high number of invalid ballots. Possible changes to the design of the ballot that reflect the system of an open list, including featuring the names of the candidates on the ballot itself, should be considered.

XVI. RECOMMENDATIONS

These recommendations, as contained throughout the text, are offered with a view to enhance the conduct of elections in Bulgaria and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with the past OSCE/ODIHR recommendations, in particular from the 2011 and 2013 observation missions, which remain to be addressed. The OSCE/ODIHR stands ready to assist the authorities of Bulgaria to further improve the electoral process and to address the recommendations contained in this and previous reports.⁷⁸

⁷⁵ Section II.3.1.81 of the explanatory report of the 2002 Venice Commission Code of Good Practice in Electoral Matters, states: “Any computer rooms, telephone links, faxes, scanners, etc. should be open to inspection”.

⁷⁶ For example, according to the DEC 9 protocol the number of all ballots handed over to the DEC exceeded the total number of used, unused, and spoiled ballots in the constituency by 11,290. According to the DEC 30 protocol, the number of used, unused and spoiled ballots in the constituency was more by 3,191 than the number of ballots originally received. The CEC, based on the PEC protocols, put these numbers at 11,107 and 4,089, respectively. According to the CEC protocol, the total number of ballots produced nationwide exceeded the number of used, unused, and spoiled ballots by 27,445.

⁷⁷ The highest percentages of invalid ballots were 10.1 in DEC 17 and 8.7 in DEC 13.

⁷⁸ In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations”.

A. PRIORITY RECOMMENDATIONS

1. In order to restore public confidence in the electoral process, additional efforts are needed to address the persistent issue of vote-buying/selling and ‘controlled’ voting through strong political commitment and action, voter education and, as required, high-level prosecutions.
2. Consideration should be given to strengthen the role of the CEC as the lead institution responsible for the whole electoral process, as prescribed by the Electoral Code.
3. Consideration could be given to introducing temporary special legislative measures to promote women candidates, including gender quotas and placing women in winnable positions. Political parties could consider nominating a minimum number of candidates of each gender.
4. Further pilots should be undertaken before a decision is made on whether to implement increased and binding usage of NVT. Pilots should be conducted on the basis of clear and comprehensive criteria to evaluate effectiveness and integrity of the NVT system, including the transmission of results. Any subsequent increase in the use of NVT should be contingent on addressing recommendations of evaluations and inclusive public consultation.
5. Measures should be taken to ensure full transparency of media ownership in order to clearly identify the ultimate media owners. More stringent controls and sanctions should be imposed to ensure that outlets publicly provide the required ownership and funding information in a comprehensive and timely manner.
6. Individuals who identify themselves as belonging to national minorities should be allowed to use their mother tongue in an election campaign in order to promote effective participation in public affairs. Consideration should also be given to providing voters with information and other official election materials in minority languages, which would enhance their understanding of the electoral process.
7. To enhance transparency and accountability, the law should require that results of audits of the campaign finance reports are made public in a timely manner. Consideration could also be given to requiring electoral contestants to provide interim reports on expenditures prior to election day.
8. As previously recommended by the OSCE/ODIHR, the law should provide candidates with an effective mechanism to appeal election results, both nationwide and at the constituency level. This mechanism should include direct recourse to effective judicial remedies for candidates and other stakeholders.

B. OTHER RECOMMENDATIONS

LEGAL FRAMEWORK

9. In line with previous OSCE/ODIHR recommendations, constituency boundaries should be reviewed in accordance with OSCE commitments and other international standards in order to uphold the principle of equality of the vote.

ELECTION ADMINISTRATION

10. Voter education should be enhanced in scope, timeliness and quality. It could focus on new elements of the electoral process, including preference voting and new voting technologies. It could be facilitated by the election administration, as well as political parties, media, and civil society.
11. The CEC should analyse the cause of the high number of invalid ballots. Possible changes to the design of the ballot that reflect the system of an open list, including featuring the names of the candidates on the ballot itself, should be considered.
12. All CEC and DEC decisions, including 'declined' ones, should be reasoned, to enable effective legal redress.
13. In order to contribute to the transparency, additional efforts should be made to enable observers to follow the tabulation process fully, particularly during data entry. The lack of reconciliation of the data in result protocols with the numbers of ballot papers issued should be addressed.

NEW VOTING TECHNOLOGIES

14. Consideration could be given to undertake a formal feasibility study before the selection and implementation of any NVT, including clear reasons for adoption, evaluation of previous pilots and a cost-benefit analysis. The procurement of NVT should be subject to the established timeframes and rules for public tenders and completed well in advance of elections.
15. Testing, certification, and audit requirements should be outlined well ahead of implementing NVT and the results should be made publicly available so as to ensure transparency and public confidence.

VOTER REGISTRATION

16. As outlined in previous OSCE/ODIHR recommendations, restrictions on voting rights for prisoners should be reviewed to ensure that any limitation is proportionate to the crime committed and clearly outlined in the law.
17. In line with international obligations, restrictions on the suffrage rights of persons with mental disabilities should be removed or be decided on a case-by-case basis, depending on specific circumstances.
18. As recommended previously, consideration could be given to introducing judicial oversight for election day voter registration.

CANDIDATE REGISTRATION

19. As recommended previously, Bulgarian citizens that hold dual citizenship should not be prevented from standing for office.
20. The restriction that citizens may sign for only one candidate for each election could be reconsidered. The process would be more open and inclusive if citizens could sign for as many candidates as they choose to support.

CAMPAIGN

21. The authorities should issue clear and comprehensive guidelines on the use of public and private space for campaign purposes to ensure equal opportunity and sufficient access for all electoral contestants. Any breaches of the campaign rules should be sanctioned.
22. In order to prevent potentially arbitrary decisions, consideration should be given to clarify the term 'good morals' and specify permissible restrictions in Article 183.4 of the Electoral Code.
23. Serious efforts should be made by law enforcement agencies to hold accountable those responsible for organizing vote-buying. Citizens should be encouraged to report and provide evidence of any vote-buying or pressure, for example, by providing immunity from prosecution to those reporting vote-buying offences.

MEDIA

24. The legal framework should be reviewed with a view to encouraging public broadcasters to provide editorial coverage of the campaign activities of candidates. Having such information in the news and current affairs programs would help voters in making informed choices.
25. In order to provide the public with sufficient information, consideration could be given to expanding the list of the background information required to accompany the results of public opinion polls. Such information could include the sample, the margin of error, the polling period and the methodology applied.

PARTICIPATION OF NATIONAL MINORITIES

26. Political parties could consider ways to identify minority representatives, particularly women, through dialogue with local communities. Political parties could promote nominations from national minorities on candidate lists and encourage their participation in party structures.

CITIZEN AND INTERNATIONAL OBSERVERS

27. The law should establish clear criteria, procedures, and timeframes for registration of citizen observers.

COMPLAINTS AND APPEALS

28. Complainants and respondents should be entitled by the law to be heard before election commissions.

ANNEX I: FINAL RESULTS

Party/Coalition	Valid votes	Share of votes, %	Invalid votes	Mandates	Share of mandates, %
GERB	1,072,491	32.67	11,923	84	35.00
BSP Left Bulgaria	505,527	15.4	8,814	39	16.25
Movement for Rights and Freedoms	487,134	14.84	15,093	38	15.83
Reformist Bloc	291,806	8.89	2,170	23	9.58
Patriotic Front	239,101	7.28	2,833	19	7.92
Bulgaria Without Censorship	186,938	5.69	2,516	15	6.25
<i>Ataka</i>	148,262	4.52	3,667	11	4.58
Alternative for Bulgarian Renaissance	136,223	4.15	1,202	11	4.58
Movement 21	39,221	1.19	479		
People's Voice	37,335	1.14	411		
The Greens	19,990	0.61	392		
Republic BG	18,901	0.58	438		
New Bulgaria	12,628	0.38	590		
New Alternative	11,583	0.35	272		
United Bulgaria	10,831	0.33	358		
Bulgarian Social Democracy	9,431	0.29	450		
NDSV	7,917	0.24	458		
Party of the Greens	7,456	0.23	273		
The Rights	7,234	0.22	370		
Left and Green Party	7,010	0.21	303		
Bulgarian National Union - ND	5,559	0.17	270		
New Force	5,553	0.17	315		
Social Democratic Party	5,398	0.16	359		
Society for New Bulgaria	4,615	0.14	280		
New Time	3,836	0.12	269		
Independent candidates		<i>district %</i>			
Nikola Nikolov Vaptzarov (DEC 1)	425	0.25	14		
Oktay Hasanov Enimehmedov (DEC 2)	474	0.27	16		
Gospodin Tonchev Tonev (DEC 29)	286	0.31	8		
Total	3,283,165	100	54,543	240	100

Number of voters in the voter list: 6,858,304
 Number of voters who voted: 3,500,585 (turnout 51.04%)
 Number of ballots found in the ballot boxes: 3,501,269
 Number of invalid votes: 218,125 (6.23%)

Source: Central Election Commission (www.cik.bg/reshenie/?no=1300&date=09.10.2014)

ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

Short-Term Observers

Parliamentary Assembly of the Council of Europe

Doris Fiala	MP	Switzerland	Head of Delegation
Fatma Pehlivan	MP	Belgium	
Thomas Feist	MP	Germany	
Olga-Nantia Valavani	MP	Greece	
Aleksandar Nikoloski	MP	the former Yugoslav Republic of Macedonia	
Luis Alberto Orellana	MP	Italy	
Andrea Rigoni	MP	Italy	
Lukasz Zbonikowski	MP	Poland	
Tudor-Alexandru Chiuariu	MP	Romania	
Andreas Gross	MP	Switzerland	
Oliver Kask		Estonia	Venice Commission
Ivi-Triin Odrats		Estonia	Secretariat
Danièle Gastl		France	Secretariat
Gaël Martin-Micallef		France	Secretariat
Anne Godfrey		United Kingdom	Secretariat

Long-Term Observers

OSCE/ODIHR LEOM Core Team

Audrey Glover	United Kingdom	Head of Mission
Vasil Vashchanka	Belarus	
Salome Mirjam Hirvaskoski	Finland	
Marina Schuster	Germany	
Jurga Lukšaitė-Roehling	Lithuania	
Bartosz Filip Lech	Poland	
Raul Mureşan	Romania	
Roman Railean	Romania	
Yury Ozerov	Russian Federation	
Jelena Stefanović	Serbia	
Yegor Tilpunov	Ukraine	
Kyle Bowers	United States of America	
Yulimar Alexandra Quintero Trumbo	United States of America	

OSCE/ODIHR LEOM Long-Term Observers

Megi Llubani	Albania
Tatevik Ohanyan	Armenia
Hanne Bang	Denmark
Lars Hollaender	Denmark
Daniela Malijanska-Mitevaska	the former Yugoslav Republic of Macedonia
Christoph Freiherr von Feilitzsch	Germany
Andreas Kunert	Germany
Filip Pejovic	Montenegro
Erdoğan Kök	Turkey
Harold Wayne Otto	United States of America

ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

The OSCE/ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

The OSCE/ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it coordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the OSCE/ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. The OSCE/ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

The OSCE/ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, the OSCE/ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. The OSCE/ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

The OSCE/ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All OSCE/ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihr).