

INTERIM REPORT
9 June –23 June 2021

28 June 2021

I. EXECUTIVE SUMMARY

- On 12 May 2021, following an unsuccessful attempt to form a government after the 4 April parliamentary elections, the president dissolved the parliament, appointed a provisional government and called early parliamentary elections for 11 July. An overall perception of public disillusionment, mistrust in the political establishment, as well as the provisional government's claims of prevalent corruption at the highest level of the previous government have so far characterized the context of the elections.
- The Election Code was last amended in May 2021. The recent changes introduced mandatory machine voting for polling stations with at least 300 voters, removed limitations for formation of polling stations abroad, altered the composition of the Central Election Commission (CEC), and legalized the video recording by observers during the vote count and tabulation. Many ODIHR LEOM interlocutors welcomed these changes as a level of improvement, but some noted that the amendments were adopted hastily and without sufficient public consultations.
- The new CEC was formed on 12 May. Preparations to the elections are ongoing, and the CEC has so far met most legal deadlines. The CEC and District Election Commissions (DECs) hold regular sessions open to observers and broadcast online. However, the CEC frequently muted the live stream of its sessions. Several ODIHR LEOM interlocutors questioned the capacity of the election administration to efficiently implement the extended use of machine voting. The Ministry of Health introduced health protocols for election day.
- The voting machines will be used in regular polling stations with at least 300 voters. On 18 June, the CEC renewed its existing vendor contract for the software, support, logistics and training, following prolonged negotiations. The CEC is yet to issue relevant regulations for election-day proceedings. Some ODIHR LEOM interlocutors expressed an opinion that the short timeline for voter education and certification of the voting machines has a negative impact on the public trust in the implementation of machine voting.
- As of 21 May, the voter lists contain a total of 6,711,048 voters. Voters may verify the accuracy of their personal data online and in person, and may request corrections or transfer to a polling station at their current address. Voters in quarantine may request mobile voting by election day. Certain categories of voters may be added to the voter list on election day, which according to some ODIHR LEOM interlocutors could potentially lead to multiple voting.
- The CEC initially registered 19 political parties and 9 coalitions. Four political parties were subsequently deregistered by the CEC for an insufficient number of support signatures. Following the registration of contestants, the DECs registered 5,086 candidates on a total of 696 candidate lists and one independent candidate. There are no gender requirements for candidate lists.
- The official campaign period started on 11 June. On 15 June, the government imposed some limitations on in-person campaigning, in line with existing restrictions due to the pandemic.

Overall, the campaign has been active in traditional and social media and in bigger cities but less visible in public spaces in general.

- In April 2021, the Constitutional Court reversed the recently introduced possibility of legal entities to donate to campaign funds. Parties and coalitions are subject to the BGN 3 million campaign expenditure limits. The National Audit Office (NAO) is mandated to exercise party and campaign finance oversight, but it is not required to investigate unreported income and expenditure.
- The media landscape is dominated by television networks, online and print media outlets owned by two telecommunication companies. Most ODIHR LEOM interlocutors raised concerns about the concentration of media ownership, political influence over the media, and pressure on investigative journalists. By law, only the public broadcaster and radio are required to offer objective and fair coverage of the campaign and allot free time to the contestants evenly.
- Complaints may be filed with election commissions and the courts. The law provides for an expedited review of most types of complaints and, following the amendments of the Election Code, certain types of CEC decisions are also reviewed by lower administrative courts under an expedited process. Stakeholders, including contestants, do not have the right to directly challenge the election results. To date, the CEC received 11 complaints and 5 alerts, mostly related to DEC decisions on candidate registration and PEC formation.
- The Election Code guarantees unhindered access to citizen and international observers to all stages of the electoral process. As of 23 June, the CEC accredited a total of 232 observers from 17 civil society organizations.

II. INTRODUCTION

Following an invitation from the Ministry of Foreign Affairs of Bulgaria, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed a Limited Election Observation Mission (LEOM) on 9 June.¹ The ODIHR LEOM, led by Tana de Zulueta, consists of a 12-member core team based in Sofia and 14 long-term observers deployed to six locations across the country from 16 June. Mission members are drawn from 17 OSCE participating States and 54 per cent of mission members are women, including the head of mission.

III. BACKGROUND AND POLITICAL CONTEXT

On 12 May 2021, following an unsuccessful attempt to form a government after the 4 April parliamentary elections, and in line with the Constitution, the president dissolved the parliament, appointed a provisional government and set early parliamentary elections for 11 July.² The 4 April elections brought significant changes to the political scene marked by the dominance of the two major parties for the past 15 years. The ruling party Citizens for European Development of Bulgaria

¹ While ODIHR originally requested 200 short-term observers (STOs) to be deployed prior to the 11 July early parliamentary elections, the deployment of STOs was not possible due to a significant shortfall in the number of observers seconded by the OSCE participating States. However, recognizing the importance of an impartial assessment of the electoral process, ODIHR took the decision to change the format of the observation activity from an Election Observation Mission (EOM) to a Limited Election Observation Mission (LEOM). In line with ODIHR's methodology for LEOMs, the Mission will not engage in systematic observation of voting, counting or tabulation of results on election day, but will instead visit a limited number of polling stations.

² The provisional government is mandated to organize early elections and manage the current domestic and foreign policy.

(GERB), and the opposition Bulgarian Socialist Party (BSP), each received significantly less mandates than in previous elections.³ One new political party, There Is Such A People (ITN), and two new coalitions, Democratic Bulgaria (DB) and Rise Up! Thugs Out! (ISMV), entered the parliament, and initiated several key amendments to the election legislation before the dissolution of the parliament.⁴

An overall perception of public disillusionment, mistrust in the political establishment, as well as the provisional government's claims of prevalent corruption at the highest level of the previous government have so far characterized the context of the elections. Since its appointment, the provisional government replaced several high-level officials to key public institutions.⁵ Prolonged public protests that included a number of judicial professionals requesting the resignation of the previous prime minister and dismissal of the Prosecutor General have taken place since July 2020 and continued in May 2021.⁶

On 2 June, the United States government imposed sanctions on six prominent Bulgarian public officials and business persons for acts of significant corruption, also targeting associated legal entities.⁷ In response to this action, the provisional government issued a decision to form an interagency working group to establish a list of persons and legal entities that fall under the scope of these sanctions, and terminate any relation of state institutions with these persons and entities.⁸ An extended list of such persons and entities was published on 15 June.

Women are generally underrepresented in elected and appointed office. The representation of women in the outgoing parliament was 26 per cent. While women accounted for 40 per cent of ministers in the GERB-led government, only 2 of the 18 interim ministers are women.

IV. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The 240 members of the National Assembly are elected for four-year terms, under a proportional representation system in 31 multi-member constituencies (MMCs). By law, 26 MMCs correspond to the administrative districts and the remaining five MMCs, in Sofia and Plovdiv, are delineated by the president before each parliamentary election.⁹ The number of mandates in each MMC is based on the last census, but, by law, must comprise at least four mandates, which may affect the equality of suffrage across MMCs.¹⁰ Parties and coalitions are eligible for seat allocation if they obtain at least four per cent of the valid votes cast nationwide. Candidates are elected from open lists in which voters may mark a preference vote for one candidate.¹¹ Independent candidates must surpass a constituency electoral quota.¹²

³ GERB obtained 75 and BSP 43 seats, respectively 20 and 37 less than previously; Movement for Rights and Freedoms (DPS) won 30 mandates; ITN, DB and ISMV obtained 51, 27 and 14 seats, respectively. The United Patriots, *Volya* and *Ataka*, previously represented in the parliament, did not win any seats.

⁴ The amendments were passed with some support of the BSP and DPS MPs on specific proposed items, while GERB MPs generally voted against the proposals or abstained.

⁵ These include for instance heads of regional police, National Revenue Agency, National Customs Services, Agency for Road Infrastructure and Motorways and some public healthcare institutions.

⁶ In September 2020, the Union of judges officially requested the Supreme Judicial Council to assess the activities of the Prosecutor General and to consider initiating his dismissal.

⁷ See the U.S. Department of the Treasury [press release](#).

⁸ According to the representatives of the newly established Citizens' Platform Bulgarian Summer (GPBL), the party's bank account was frozen by the bank on 8 June, in response to a government decision.

⁹ For these elections, the constituencies were defined by the Presidential decree on 14 May 2021.

¹⁰ The last census was conducted in 2011, and a new census planned for early 2021 was postponed due to the COVID-19 pandemic.

¹¹ If the preference is not indicated, the vote goes to the candidates listed in the top position (list carrier).

¹² This quota is defined as a number of valid votes cast divided by the number of seats in a given MMC.

Bulgaria is party to major international and regional instruments related to the holding of democratic elections.¹³ Elections are primarily regulated by the 1991 Constitution, the 2014 Election Code and the 2005 Political Parties Act, which are supplemented by provisions of other acts and by decisions of the CEC.¹⁴ The Election Code has undergone numerous amendments, most recently in May 2021.

The recent changes introduced mandatory machine voting for polling stations with at least 300 voters and numerous adjustments to voting, counting and tabulation procedures, reduced the CEC composition from 20 to 15 members, removed any limitations of a total number of polling stations that can be formed abroad and changed the criteria for establishing polling stations abroad, and changed the method of nomination for all levels of election commissions.¹⁵ Additionally, these amendments permit video streaming and recording by observers in PECs and DEC's during the counting and tabulation, and clarified the method of appealing certain CEC decisions.¹⁶ On 5 May, GERB challenged the constitutionality of most of the recent amendments in the Constitutional Court. The case was admitted for consideration on 20 May but no judgment has yet been pronounced and there is no obligation for the Court to make a decision prior to the elections.

While many ODIHR LEOM interlocutors welcomed the amendments as an improvement, some noted that the hastily adoption process lacked sufficient public consultations, which might undermine stakeholders' understanding of the newly introduced procedures, particularly related to the use of machine voting. A number of ODIHR and Venice Commission recommendations are yet to be addressed in the legal framework; these mainly relate to candidate registration, campaign finance reporting, measures to promote the participation of women and minorities, sanctions for electoral violations, and mechanisms to dispute the election results.¹⁷

V. ELECTION ADMINISTRATION

Elections are managed by a three-tiered administration comprising the CEC, 31 District Election Commissions (DEC's) and some 13,000 Precinct Election Commissions (PEC's). Political parties and coalitions may nominate members of all election commissions in proportion to their parliamentary representation.¹⁸ The law prescribes that the election administration is assisted in the implementation of the election process by the government, local authorities and other state institutions.

¹³ Including the [1966 International Covenant on Civil and Political Rights](#), [1979 Convention on the Elimination of All Forms of Discrimination Against Women](#), [1965 International Convention on the Elimination of All Forms of Racial Discrimination](#), [2003 Convention against Corruption](#), [2006 Convention on the Rights of Persons with Disabilities](#), and the [1950 European Convention on Human Rights](#).

¹⁴ Provisions of the 1968 Criminal Code, the 1969 Administrative Violations and Sanctions Act, the 1990 Assemblies, Rallies and Demonstrations Act are also applicable, as well as the 2020 Act on the Measures and Actions during the State of Emergency and relevant regulations from the Ministry of Health.

¹⁵ Political parties and coalitions represented in the European Parliament but not in the National Assembly lost the right to nominate members in any of the election commissions (CEC, DEC's and PEC's).

¹⁶ The replacement of the current proportional representation system with a different electoral system is postponed until the next regular parliamentary elections, however, the amendments do not specify what electoral system will be used in the future. A number of other amendments notably related to the 32nd constituency for the out-of-country voting and the powers of the CEC will only take effect after the official announcement of the results of the 2021 census.

¹⁷ See previous [ODIHR election reports on Bulgaria](#).

¹⁸ No party or coalition may have a majority in any commission; the chairperson, the deputy chairperson and secretary cannot be from the same party or coalition.

The May 2021 amendments to the Election Code dissolved the CEC, prescribed the appointment of a new CEC and reduced its membership from 20 to 15.¹⁹ The new CEC was formed on 12 May, and seven of its members, including the chairperson, are women. Technical preparations for the elections are ongoing, and the CEC has met most legal deadlines despite the contracted timeframe for the early elections. Several ODIHR LEOM interlocutors raised concerns about the capacity of the election administration to efficiently implement the legally mandated extended use of machine voting for these elections (see *Voting Technologies*).

All DEC and most PEC were appointed by the upper-level commissions within the legal deadlines, following discussions between local branches of political parties, facilitated by district governors and municipal mayors.²⁰ A total of 270 of the 439 DEC members and 19 of the 31 DEC chairpersons are women. The May 2021 amendments lifted the limitation of a maximum of 35 polling stations in countries outside the EU, which led to a significant increase of polling stations in Turkey, United Kingdom and United States to 112, 135 and 58, respectively.²¹ In total, 784 PECs were established abroad, an increase of some 69 per cent compared to the 4 April 2021 parliamentary elections.

The CEC and DEC hold regular sessions that are open to observers and are broadcast online. The decisions of the CEC and DEC, together with the minutes of their sessions, are posted on the respective websites in a timely manner.²² However, the CEC frequently employs a practice to mute the live stream of its sessions. The CEC explained that this practice is due to practical and operational reasons, but some ODIHR LEOM interlocutors described a negative impact on the transparency of the CEC's work, as deliberations on important issues of contention remain unreported. The CEC is yet to start a voter education campaign including on preferential voting, machine voting, and information for voters with disabilities. The CEC and DEC, have not yet organized any training sessions for commission members. On 15 June, the Ministry of Health adopted an instruction outlining health protocols on election day, include mandatory physical distancing, use of personal protection equipment and a prohibition to stay at the polling station for those with symptoms of infection.

There is no general requirement for accessibility of premises used by the election administration bodies, except that some polling stations in each constituency should be accessible for voters with physical disabilities.²³ Most of the election materials are not specifically designed to be accessible to voters with hearing, vision or cognitive impairments.

VI. VOTING TECHNOLOGIES

The May 2021 amendments provide for the exclusive use of the voting machines in regular polling stations, in-country and abroad, with at least 300 registered voters, whereas only paper ballots will be used in smaller and special polling stations and for mobile voting.²⁴ According to the CEC data, paper ballots will be used in some 18.5 per cent of the in-country polling stations, by some 4.16 per cent of

¹⁹ Four members were nominated by GERB, three by ITN (including the chairperson) and BSP, two by Democratic Bulgaria and DPS, and one by ISMV.

²⁰ DEC have 13 or 17 members, depending on the number of seats in the respective electoral constituency. A consensus on DEC nominations was reached only in eight constituencies out of 31. Regular PECs have 5 to 9 members, depending on the number of registered voters.

²¹ PECs abroad will be formed at diplomatic representations and additional locations where no fewer than 100 voters voted in any election of the past five years, in addition to places where at least 40 voters have requested to vote.

²² In general, citizen observers and party agents/proxies follow the sessions online rather than through physical presence.

²³ For the 4 April 2021 parliamentary elections, the 31 DEC set up a total of 911 accessible polling stations.

²⁴ In the 4 April 2021 elections, in the polling stations where machine voting was available, voter had a choice between machine voting and traditional paper-based voting; a total of 23.6 per cent of all votes were submitted electronically.

the registered voters. By law, the PECs will revert to issuing paper ballots to voters in case of technical problems or machine malfunction.²⁵ The CEC has not yet established detailed guidelines on election day procedures and tabulation at district level. Several ODIHR interlocutors raised concerns about the delayed voter education related to machine voting.

On 18 June, the CEC renewed its contract with the previous vendor of the machine voting technology to provide the software, IT support, logistics and training for DEC and PECs. In addition to 9,600 devices procured for the 4 April elections, the CEC purchased 1,637 voting machines of the same type, from the device manufacturer, through the state company *Information Services*. Some ODIHR interlocutors noted that the short timeline for the implementation of voting technologies increased the CEC's dependence on the vendor, raising some concerns related to the election administration's effective control of the election process. Some ODIHR LEOM interlocutors expressed an opinion that the short timeline for voter education and certification of the voting machines has a negative impact on the public trust in the implementation of machine voting.

After a vote is cast, the voting machine prints a paper receipt containing the voter's choice, allowing for a possibility to verify the electronically stored votes, but such checks during vote count are not stipulated in the law.²⁶ Some ODIHR LEOM stakeholders raised concerns about insufficient verification of the machine-based counting of votes, and no possibility to detect errors before the results are determined.

The compliance of the voting machines with the legal requirements is to be certified by the State Agency for Electronic Government, the Bulgarian Institute for Standardization, and the Bulgarian Institute of Metrology. Due to the late handover of the devices, documentation and source code by the CEC to the certifying agencies, the re-certification process is yet to commence for the early parliamentary elections. The Election Code stipulates that party representatives, observers and experts of the Academy of Sciences may access the machines, their documentation and source code during the certification process. On 22 June, the CEC passed an instruction regulating access of observers and other stakeholders to scrutinize the certification process. The CEC has published a general technical specification of the voting machines, but this document omits many critical details about the functionality of the system.²⁷

VII. VOTER REGISTRATION

All citizens aged at least 18 years on election day have the right to vote, except for prisoners, irrespective of the gravity of the crime, and those deprived of legal capacity by a court decision. Voter registration is passive, and voter lists are compiled prior to each election, based on data extracted from the permanent National Population Register by the Directorate General of Civil Registration and Administrative Services (GRAO) of the Ministry of Regional Development. As of 21 May 2021, the preliminary voter lists contained 6,711,048 voters.

²⁵ The CEC reported its plans to install two voting machines in several bigger polling stations to reduce potential queuing of voters. It is unclear what procedure will be implemented if only one of the machines malfunctions.

²⁶ For the 4 April 2021 elections, the CEC instructed the DECs to organized the count of the machine-printed slips from three randomly selected polling stations in each constituency. However, the CEC did not set a deadline for verifying the outcome of these counts and the outcome of this verification was not made public yet.

²⁷ The technical description does not specify the composition of the data stored on the smartcards and the protocols related to the use of this data. Furthermore, it does not specify where the keys for digital signing of the votes are stored in the deployed machine voting solution. The specification mandates that the order of storing of the votes on an external memory device should be impossible to determine, but it is not specified how to achieve this.

The law requires that the preliminary lists are made available for public scrutiny starting from 40 days before elections. Voters may check their entries online or view the respective precinct voter lists at easily accessible public places determined by the municipalities. Any requests for corrections may be submitted no later than seven days before election day. In addition, voters who have registered temporarily under a different address can request to vote at a polling station in the respective municipality by a deadline of 14 days prior to election day. To date, the ODIHR LEOM interlocutors did not raise concerns over the inclusiveness and accuracy of the voter lists. A total of 71,218 citizens were added to out-of-country voter lists; however, voters with Bulgarian ID documents may vote at any polling station set up abroad.²⁸

Special voter lists are compiled for health care facilities, detention centres and social institutions, based on information provided by the heads of the respective facilities. Contestants, CEC and DEC members and observers may request absentee voting certificates to vote at any polling station of their choice. Voters with permanent disabilities may request to vote by mobile voting by 5 July. Voters in quarantine due to COVID-19 will have a possibility to request a mobile ballot box by election day.

Certain categories of voters may be added to the voter list on election day without a prior request, a process which some ODIHR LEOM interlocutors noted lacks safeguards against multiple voting.²⁹ The law instructs the GRAO to examine all voter lists after election day, only after the finalization of the election process, and it does not set a deadline for such an examination.³⁰

VIII. CANDIDATE REGISTRATION

Citizens at least 21 years of age, eligible to vote and not holding another citizenship, have the right to stand as candidates. Individuals prohibited by law to be members of a political party may not stand as candidates on lists of political parties and coalitions but may contest the elections as independent candidates after taking a leave of absence.³¹

Starting from 54 days before the elections, the CEC registered political parties and pre-electoral coalitions. DECs registered nomination committees, ad-hoc bodies comprising three to seven voters, who formally submit applications of candidates running independently. To register, all political parties and coalitions needed to submit a minimum of 2,500 support signatures and a proof of deposit of BGN 2,500.³² Nomination committees needed to submit support signatures from one per cent of the registered voters in a given constituency, or 1,000 signatures, whichever is lower. The May 2021 amendments introduced the possibility for citizens to submit a digital signature to support candidates. Citizens could sign in support of only one contestant.

²⁸ A total of 180,566 voters voted abroad during the 4 April 2021 parliamentary elections.

²⁹ PEC members and security officers are allowed to vote at the polling station of their duty; students are entitled to vote in the municipality where they study; and persons with disabilities may vote in any suitable polling station of their choice without submitting a prior request. Voters not found on the voter list of their permanent address may be added to the voter list on election day, provided they can present residency documentation issued by the respective municipality.

³⁰ According to the GRAO, the verification of the voter lists following the 4 April 2021 parliamentary elections was concluded by the end of May. It established that 37 voters voted twice and 80 persons not eligible to vote were added to the voter lists on election day (including those without legal capacity to vote, under-aged, or non-citizens).

³¹ These include military personnel, those in diplomatic, national intelligence or national security service, police officers, judges, prosecutors and investigators.

³² 1EUR is 1,96 Bulgarian Lev (BGN).

The GRAO is mandated to check the support signatures to establish whether the number of valid signatures has reached the threshold.³³ By the deadline of 26 May, the CEC received applications from 19 political parties and 9 coalitions and initially registered all of them. The law does not foresee a mechanism for rectifying registration documents if problems are identified after the deadline. On 27 and 28 May, the GRAO informed the CEC that the number of support signatures of four political parties fell short of the quota and the CEC deregistered them.³⁴

Following the registration of contestants, the DEC registered candidate lists and independent candidates and published the lists on their websites. Overall, some 5,086 candidates were registered on 696 candidate lists, and one candidate runs as independent.³⁵ There are no gender requirements for candidate lists; 29 per cent of candidates are women. Women lead 153 (22 per cent) of the lists.

IX. ELECTION CAMPAIGN

The official campaign started on 11 June, 30 days before the elections, in line with the law. A campaign silence period is foreseen a day before the polls and on election day. All campaign materials should contain a statement that vote-buying and selling are criminal offences. Many ODIHR LEOM interlocutors raised concerns about vote-buying and stressed the importance of addressing such practice. The law also prohibits the use of campaign materials that may harm public decency or reputation of candidates.³⁶ The legal framework contains very few regulations aiming to prevent the misuse of administrative resources or office during the campaign.³⁷

On 15 June, due to the ongoing COVID-19 pandemic, the government stipulated some limitations on in-person campaign events, in line with existing restrictions on public gatherings.³⁸ Most electoral contestants met by the ODIHR LEOM expressed their readiness to meet voters and regarded the legal limitations on gatherings as adequate. During the first days of the campaign, most contestants organized a series of in-person opening events in the capital and other parts of the country. Overall, the campaign has been active in traditional and social media and in bigger cities but less visible in public spaces in general. To date, the campaign predominantly focused on tackling corruption, post-pandemic economic recovery measures, and judicial reform. While instances of hate speech have not been reported, the campaign tone has been occasionally confrontational.³⁹ Exchange of accusations over corruption and wrongdoing between the provisional government officials and GERB representatives has thus far dominated the public discourse.

³³ Signatures were declared invalid if the signatory was not a registered voter, if voters' data was incomplete or the voter supported multiple lists.

³⁴ Two of these parties appealed to the Supreme Administrative Court, which on 1 and 8 June, respectively, upheld the CEC decisions. Also, the CEC deregistered a two-party coalition that had split after its registration.

³⁵ Eleven candidates were removed from the lists by GRAO, due to the dual citizenship and the age requirement. The state-owned company Information Services concluded that three candidates appear on more than two candidate lists. By law, these can only run on the first two lists where they were registered. Out of four nomination committees, only one submitted complete documentation to support an independent candidate.

³⁶ In case of violations, a fine within the range of BGN 500 to BGN 2000 is foreseen.

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

³⁸ The Ministry of Health issued instructions requiring that both indoor and outdoor events can be organized with the compulsory use of face masks and respecting the distance of 1.5m between participants. Venues used for indoor campaign events should be filled up to a maximum 50 per cent of the seating capacity.

³⁹ The beginning of the campaign coincided with holding of the Sofia Pride parade, organized on 12 June. On 15 June, the Facebook profile of Internal Macedonian Revolutionary Organisation (VMRO) featured a campaign video with anti-LGBTI rhetoric and negative references to the parade.

X. CAMPAIGN FINANCE

Campaign finance is regulated by the Election Code and the Political Parties Act. Political parties and coalitions that respectively received at least one and four per cent of valid votes nationwide in the previous elections are entitled to annual public funding. Election contestants that are not entitled to public funding receive BGN 40,000 for media coverage, while independent candidates receive BGN 5,000. The campaign may be financed by the party's or candidate's own funds and donations from private individuals. On 27 April 2021, the Constitutional Court reversed the possibility for legal entities to donate to election campaigns, underlining the need to ensure political pluralism and equal opportunities for contestants. The law does not provide a ceiling for donations but prohibits anonymous donations and donations from non-residents, religious institutions as well as foreign sources.

Donations over BGN 1,000 as well as campaign-related payments must be conducted via bank transfer to a campaign fund. Parties and coalitions are subject to BGN 3 million expenditure limits and independent candidates to BGN 200 thousand. Although this ceiling is to be applied individually for different types of elections held within a calendar year, the law lacks clarity on how this limit should be treated in case the same type of election is held twice within the same year.⁴⁰ In May 2021, the CEC issued a clarification that the limits as prescribed in the Election Code apply separately to early and regular elections, considering them as two different types of elections.

The National Audit Office (NAO) is mandated to exercise party and campaign finance oversight. By law contestants are required to disclose to the NAO their income prior to the elections but have no requirement for interim reporting on campaign expenditure.⁴¹ Within 30 days after the elections, electoral contestants must submit a detailed report of their campaign revenues and expenses to the NAO, to be published within 15 days from submission and audited within six months. The NAO is then required to verify the correspondence of the reported information with the financial documentation and contract conditions, establish potential violations and impose fines.⁴² However, the NAO is not required to identify unreported income and expenditure and some ODIHR LEOM interlocutors expressed significant concern in this regard.

XI. MEDIA

Television remains the main source of political information, followed by online media, while the reach of print media has declined since the closure of the largest private distribution network in 2020. Two television networks, *bTV* and *Nova*, have a combined viewership of 64 per cent and, from January to October 2020, received over 87 per cent of all television advertisement revenue.⁴³ The media landscape is dominated by television networks, online and print media outlets owned by two telecommunication companies. At least four national television stations are owned by a party leader

⁴⁰ The law prescribes that in case of holding of different types of election within a calendar year, the expenditure ceiling shall be applied separately for each election.

⁴¹ Contestants must report to the NAO the origin of donations received during the official campaign period, on a weekly basis, with the first report due on 16 June. As of 21 June, the public registry on the NAO's website contained information on donations, declarations and/or contracts from 15 of the 24 electoral contestants.

⁴² Including submission of donors' declarations on income and donations, income and assets declarations of contestants, compliance of the reported costs with those reported by service providers, identifying impermissible donations and correspondence of the reported donations to transferred funds. The NAO is entitled to request information from the databases of the National Revenue Agency, the National Social Security Institute and other competent institutions.

⁴³ See the Nielsen Admosphere viewership [measurements](#).

or legal entities affiliated with political parties.⁴⁴ The ultimate ownership of both television networks changed in the past year. This resulted in a number of senior editors and journalists being fired from or departing both networks, citing pressure from the new management.

Most ODIHR LEOM interlocutors raised concerns about the concentration of media ownership, political influence over the media, and pressure over investigative journalists, including due to criminal proceedings for defamation.⁴⁵ The OSCE Representative for Freedom of the Media (RFoM) repeatedly raised concerns over cases of intimidation and physical assaults against journalists on a number of occasions, including by police officers, and lack of investigation about these assaults.⁴⁶

The public Bulgarian National Television (*BNT*) is the third most popular television network. *BNT* is funded from the state budget, with the government having broad discretion over the funding amounts; five days after the 4 April 2021 elections, the outgoing government allotted to *BNT* an additional BGN 20 million to cover the TV's accumulated debts for electronic communication services. However, a number of ODIHR LEOM interlocutors perceived this as a reward for favourable editorial policy.⁴⁷

The Election Code requires *BNT* and the Bulgarian National Radio (*BNR*) to provide objective and fair coverage of the campaign.⁴⁸ In line with the law, *BNT* plans to organize 13 debates, each 45 minutes long; however, these are scheduled outside of prime-time.⁴⁹ While the Election Code requires *BNT* to provide contestants only with 40 seconds of free time on the first and last day of the campaign, *BNT* decided to provide each contestant with 10 minutes in a format of a live interview during prime-time. To date, the *BNT* has significantly limited the political prime-time programming during the campaign in order to accommodate extensive coverage of the UEFA European football championship.⁵⁰

By law, public and private media can provide for paid political advertising under equal conditions and prices. In addition to political advertisement spots, the major media outlets are also offering paid participation in talk-shows and interviews, as well as paid coverage of party activities in the news and regular programmes. The public broadcaster *BNT* has created a special daily current affairs programme devoted to the elections, which features paid reports about the contestants.

⁴⁴ According to publicly available [data](#), the owner of *Alfa* Television is Volen Siderov, the leader of the Ataka Party. *Skat* Television is owned by Valeri Simeonov, the leader of NFSB. The leader of ITM Slavi Trifonov owns the TV 7/8, the *BSTV* is owned by Duma foundation, affiliated with the BSP.

⁴⁵ On February 2021, the former head of the state Bulgarian Development Bank and a former GERB MP initiated two defamation cases against the editor of *Capital* weekly Nikolai Stoyanov, which followed the publication of the investigatory reports that alleged abuse of office and conflict of interests by the head of this commission. See also the 2020 country [report](#) of the Council of Europe Commissioner for Human Rights.

⁴⁶ Most recently, on 15 February 2021, the OSCE RFoM, [noted](#) the refusal by the Bulgarian Prosecutor General's office to fully investigate the reported beating of a freelance journalist by the police in September 2020. See other [statements](#) of the OSCE RFoM on Bulgaria.

⁴⁷ After the *BNT* [aired](#) live the press conference of GERB in May 2021 within a morning programme, the Minister of Culture of the provisional government questioned such practice, inquiring if other parties will be covered in the same manner. The general director of *BNT*, a former politician and a member of parliament, accused the minister of interfering in the TV's editorial independence.

⁴⁸ The recent amendments to the Election Code also mandate the *BNT* and *BNR* to provide equal participation to all parties and coalitions registered in all constituencies.

⁴⁹ Some contestants pointed to the unsatisfactory format of the televised debates, with limited time for answers and the frequent exchange of personal attacks, preventing a genuine exchange of political views.

⁵⁰ According to the authorities, this reduction is the result of the broadcasting rights contract requirement signed by the *BNT* prior to the elections.

Upon the official start of the campaign on 11 June, the ODIHR LEOM commenced quantitative and qualitative monitoring of morning and evening prime-time programming on *BNT-1*, *bTV* and *Nova* and the evening prime-time of *Nova News*. The mission also monitors political coverage in six online media outlets (*24 Chasa*, *Blitz.bg*, *dir.bg*, *Dnevnik*, *OffNews*, *Vesti.bg*).

XII. COMPLAINTS AND APPEALS

The Election Code prescribes timely consideration of different types of complaints and appeals that can be filed by voters, citizen observers, and agents and proxies of electoral contestants. Complaints and alerts on potential electoral violations can be submitted to the CEC and to DEC⁵¹. The CEC and DEC⁵¹ are required to decide on complaints with a two-thirds majority, otherwise the complaints are rejected. Decisions of election commissions can be appealed to higher-level commissions, and further to the Supreme Administrative Court (SAC) as the final instance.

The law provides expedited decision-making procedure, with deadlines varying from three days to one hour on election day. Following the May 2021 amendments to the Election Code certain types of CEC decisions are reviewed by lower-level administrative courts in an expedited process. However, the Election Code does not explicitly prescribe the right to file complaints against election results at any level of election commissions. Election results may only be challenged before the Constitutional Court after their official announcement, by a limited number of institutions.⁵²

By 22 June, the CEC received 11 complaints and 5 alerts, mostly related to DEC decisions on candidate registration and PEC formation. The SAC reviewed four appeals against CEC decisions which were all dismissed on procedural grounds.⁵³ On 7 June, GPBL appealed the 4 June government decision to establish a working group to undertake actions in response to imposed foreign sanctions before the SAC.⁵⁴ On 22 June, the SAC dismissed the case as inadmissible. On 21 June, the Bulgarian Patriots appealed the CEC decision to the SAC on application of the rules on establishment of polling stations abroad, claiming an excessive number of them at some locations in Turkey. On 23 June, the SAC dismissed the appeal holding that the CEC acted in compliance with the Electoral Code.

XIII. CITIZEN AND INTERNATIONAL OBSERVERS

The Election Code provides for citizen and international election observation. Electoral contestants have the right to nominate agents and proxies. The law guarantees observers, agents, and proxies are granted unhindered access to all stages of the process. Civil society organizations registered as holding objectives related to the protection of political rights may nominate observers. Individual candidates on electoral lists may observe the opening of polling stations and the vote count. The May 2021 amendments extended the right of candidates to observe the results tabulation at the district level. As of 23 June, the CEC accredited a total of 232 observers from 17 civil society organizations and 97 international observers from 4 organizations.

⁵¹ Complaints are only admissible if the complainant has a legal interest and can be filed against administrative acts or decisions while alerts can be submitted against any other violation.

⁵² The relevant articles of the Election Code and the Constitution stipulate that within 15 days of the announcement of the election results, the legitimacy of the elections may be challenged to the Constitutional Court by one-fifth of the MPs, the president, the Council of Ministers, the Supreme Court of Cassation, the Supreme Administrative Court, and the Prosecutor General, upon receipt of a request from another subject, or on their own initiative.

⁵³ The appeals concerned CEC decisions on deregistration of political parties and candidates and the appointment of the CEC Deputy Chairperson.

⁵⁴ The party disputes the legality of the decision and opposes the fact that it has been included in the list of persons subjected to financial sanctions as well as the applicability of such sanctions in Bulgaria.

XIV. PARTICIPATION OF MINORITIES

The Constitution does not define national minorities but guarantees a right of self-identification. While it prohibits discrimination on ethnic or religious grounds, it also does not allow the formation of political parties on an “ethnic, racial or religious” basis. Bulgaria has a diverse population of which minorities represent some 15 per cent, however, the election campaign may be conducted only in the Bulgarian language, contrary to a long-standing ODIHR and Venice Commission recommendations.⁵⁵

While DPS is perceived as representing the interests of the Turkish and Muslim communities, its leadership presents it as a mainstream party. In the outgoing parliament, DPS was represented with 30 MPs and it also won in 19 municipalities in the last local elections. According to the information available to the ODIHR LEOM, several parties and coalitions fielded some Roma and other minorities candidates, generally placed lower on the candidate lists.

XV. ODIHR LEOM ACTIVITIES

The ODIHR LEOM formally opened in Sofia with a press conference on 9 June. The ODIHR LEOM established regular contacts with the CEC Chairperson, the Permanent Secretary of the Ministry of Foreign Affairs and other high-level state officials, political party representatives, media, civil society, and members of the diplomatic and international community.

The OSCE Parliamentary Assembly (OSCE PA), and the Parliamentary Assembly of the Council of Europe (PACE) intend to deploy delegations for election day observation. Artur Gerasymov (Ukraine) has been nominated to serve as Special Co-ordinator of the short-term observers, and Elona Hoxha Gjebrea (Albania) has been appointed as Head of the OSCE PA delegation.

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

⁵⁵ According to the 2011 census, ethnic Turks are the largest minority group with 8.8 per cent of the population, followed by Roma with 4.9 per cent; other minorities include Armenians, Jews, Karakachani, Macedonians, Romanians, Russians, Vlach (Aromani), Ukrainians and others, all together below one per cent of the population.