

Election FAQs: Bulgaria

Parliamentary Elections
October 2, 2022

Europe and Eurasia

International Foundation for Electoral Systems

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Election Snapshot

Election Day: Sunday, Oct. 2, 2022

Registered voters: 6,661,774

Polling stations: 11,845 polling stations in Bulgaria

Seats: 240

Candidate lists: 867Candidates: 5,334

- Campaign expenditure and donation limits: 3 million Bulgarian Lev (BGN) (\$1.8 million) for a party or coalition and BGN 200,000 (\$120,964) for independent candidates
- Domestic and international observers: three international organizations and 14 local nongovernmental organizations

When is Election Day?

The Republic of Bulgaria will hold nationwide parliamentary elections Sunday, Oct. 2, 2022. Voting will take place from 7 a.m. until 8 p.m.¹ in 11,845 polling stations in Bulgaria² and at designated voting stations abroad. Officials may extend voting past 8 p.m., but no later than 9 p.m.³ These hours and rules will apply at polling stations abroad (local time).

Why are these elections important?

The Republic of Bulgaria faces ongoing issues concerning corruption, inflation, economics and energy policy, as well as balancing relations with Russia.⁴ Kiril Petkov, leader of the We Continue to Change party and former prime minister, resigned after a vote of no confidence June 22.⁵ On Aug. 1, 2022, President Rumen Radev announced snap parliamentary elections following the collapse of the government.⁶ As the Socialist Party failed to propose plans to form a new coalition government, the upcoming election will be the fourth parliamentary vote since April 2021 (previous snap elections were held in July and November 2021).⁷ Petkov's platform largely focused on fighting corruption and, following the invasion of Ukraine, took a "strong line" approach to Russia.⁸ Petkov led a "fragile" four-party coalition until⁹ the There is Such a People party withdrew from the coalition citing differences on the state budget and the direction of the government.¹⁰ Ultimately, former Prime Minister Boyko Borisov's Citizens for European Development of Bulgaria

¹ Election Code of the Republic of Bulgaria, Chapter 14, Section 5, Article 220.

² "Bulgaria's October 2022 parliamentary elections: Factfile," *The Sofia Globe*, September 1, 2022.

³ CEC Official Website. How long does voting last on election day? https://www.cik.bg/bg/ns02.10.2022/fag/q16

⁴ "Bulgarian President Calls Snap Polls For October 2, Appoints Caretaker Cabinet," Radio Free Europe/Radio Liberty, August 1, 2022.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ "Bulgarian president calls snap election on October 2," *Politico*, August 1, 2022.

⁹ Ibid.

¹⁰ "OSCE's Dilemma over Bulgaria's Parliamentary Elections," *Vindobona*, August 31, 2022.

or GERB party led the vote of no confidence. In accordance with the Constitution of Bulgaria, the president appointed a caretaker government, led by former Labor Minister Galab Donev.¹¹

The caretaker government under Donev government has taken a softer approach toward Russia, ¹² complicating Bulgaria's stance as a member of NATO and the European Union at a time when fears of division in the alliance and concerns over gas supplies are increasing. In the long term, this approach could have larger implications for the West's strategy to deter Moscow and strengthen a responsive NATO. This election, which will incite pro-western and pro-Russian ideologies, may also become a target for external interference or even domestic election tampering. Ahead of the Oct. 2 election, there have already been arrests across Bulgaria made for organized voting fraud. ¹³ Instances of fraud were not just limited to Sofia, but arrests were also made in Primorsko, Kozloduy and Burgas. ¹⁴ Although the police have conducted check-ins in other cities as well, the authorities have found evidence of individuals engaging in voting fraud activity, scamming with lists of personal date of people willing to sell their votes and voting for money. ¹⁵ Another area of concern is the overlap of energy politics and malign Kremlin influence. concerns due to Bulgaria's heavy dependency on Russian gas from Gazprom, raising the concern of pro-Russian entities, such as Donev, spurring rhetoric, especially as gas prices have risen due to the war in Ukraine.

Who are citizens voting for on Election Day?

The Oct. 2 early parliamentary elections will be contested by 5,334 candidates on 867 registered candidate lists. Two candidates are running as independents. As of Aug. 17, the official deadline for party or coalition registration, the Central Election Commission (CEC) had registered 24 political parties and seven coalitions. Since then, one political party has withdrawn, and the CEC deregistered one coalition for failing to collect the required number of supporting signatures. Currently there are a total of 29 party, coalition or initiative committees registered on the candidate list.

Voters have the option to choose not to support any candidate on their ballot. This choice will be counted when calculating turnout but has no impact on the distribution of seats in the National Assembly.¹⁸

¹¹ "Bulgarian President Calls Snap Polls For October 2, Appoints Caretaker Cabinet," *Radio Free Europe/Radio Liberty*, August 1, 2022.

¹² Ibid.

¹³ Svetoslav Todorov, Arrests for Voting Fraud in Bulgaria Rise Ahead of Elections, Balkan Insight, September 26, 2022.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Organization for Security and Cooperation in Europe (OSCE)/Office for Democratic Institutions and Human Rights (ODIHR) Interim Report, Bulgaria Early Parliamentary Election, October 2, 2022, page 7.

¹⁷ Central Election Commission (CEC) of the Republic of Bulgaria Official Website. Public Electronic Register of the Parties and Coalitions Registered to Participate in the Elections on October 2, 2022. https://www.cik.bg/bg/ns02.10.2022/registers/per

¹⁸ "Bulgaria's October 2022 parliamentary elections, op. cit.

What is the electoral system?

In Bulgaria, national representatives are elected through a proportional representation system, designated by party, coalition and nomination committee candidate lists. ¹⁹ The Oct. 2 snap elections will be held under the same legal framework as the last two early parliamentary elections in 2021. ²⁰ Early parliamentary elections are primarily regulated by the 1991 Constitution, the 2014 Election Code and the 2005 Political Parties Act, supplemented by decisions of the Central Election Commission. ²¹ The 48th National Assembly has 240 seats, ¹² and representatives are elected for four-year terms. ²² The seats are allocated through a single preference option in 31 multi-member constituencies established by population size, with a minimum of four seats each. ²³ To claim a seat in the National Assembly, parties and coalitions must receive at least 4 percent of valid votes cast. ²⁴ The seat allocation remains unchanged, per the 2011 census (the results of the 2021 census have not yet been published). ²⁵

Who is eligible to run as a candidate?

Any citizen over the age of 21 has the right to run for office as long as he or she does not hold citizenship in another country, is not serving a prison sentence and is not under judicial interdiction.²⁶

In order to register, parties and coalitions must deliver a deposit of BGN (Bulgarian Lev) 2,500 (\$1,512) to a designated bank account at the Bulgarian National Bank, as provided by the Central Election Commission²⁷; nomination committees must deliver BGN 100 (\$60.48).²⁸ Parties and coalitions must register with the Central Election Commission (CEC), submitting the signatures of at least 2,500 voters.²⁹ Nomination committees must register within the designated constituency election commission,³⁰ and their independent candidates must receive the signatures of at least 1,000 voters.³¹ Candidates are ranked by party, coalition or nomination committee on their respective candidate lists.³² Candidate lists are registered at least 32 days before Election Day.³³

²² OSCE/ODIHR Interim Report, op. cit., page 1.

¹⁹ Election Code of the Republic of Bulgaria, Chapter 15, Section 2, Articles 246–247.

²⁰ OSCE/ODIHR Interim Report, op. cit., Page 4.

²¹ Ibid., page 3.

²³ 13 OSCE/ODIHR Needs Assessment Mission Report, Bulgaria Parliamentary Elections April 4, 2021, page 5.

²⁴ "Bulgaria's October 2022 parliamentary elections, op. cit.

²⁵ OSCE/OHIR Interim Report, op. cit., Page 4.

²⁶ Constitution of Bulgaria, Chapter 3, Article 65.

²⁷ Central Election Commission of the Republic of Bulgaria, Decisions of the CEC, Decision No. 1212-NS, Section 3; Clause 8, August 5, 2022

²⁸ Election Code of the Republic of Bulgaria, Chapter 9, Section 1, Article 129(1).

²⁹ Ibid., Chapter 9, Section 2, Article 132(1) and 133(3) and Section 3, Article 139 and 140(2).

³⁰ Ibid., Chapter 9, Section 5, Article 151(2).

³¹ Ibid., Chapter 15, Section 5, Article 257(1).

³² Ibid., Chapter 10, Section 1, Article 156(2).

³³ Ibid., Chapter 15, Section 5, Article 255(2).

What are the campaign expenditure and donation limits?

The election campaign officially began 30 days before Election Day³⁴ (in this case, Sept. 2, 2022).³⁵ The campaign will end on Sept. 30 at midnight.³⁶ During the official campaign period, Bulgarian law requires the media to publish public opinion polls that include information about the polling agency, methodology, sample size and how each poll was funded.³⁷

Amendments to the legal framework on campaign finance in 2019 removed the donation ceiling, allow donations from legal entities and reduce government funding for political parties.³⁸ Although the overall public funding for political parties decreased, these amendments make it easier for parties to obtain.³⁹ Parties that have received 1 percent to 4 percent of the votes nationwide in the previous election are eligible to receive public funding. The annual amount of the state subsidy per valid vote received is BGN 8 (\$4.84).⁴⁰ While legal entities are now permitted to make donations to political parties, nonresidents, religious institutions and foreign states cannot donate to campaigns.⁴¹

Campaign finance is overseen by the National Audit Office⁴² and regulated by the Election Code, the Law on Political Parties and the State Budget Act.⁴³ For National Assembly elections, the expenditure limit is BGN 3 million (\$1.8 million) for a party or coalition and BGN 200,000 (\$120,964) for independent candidates.⁴⁴ Candidates are not required to disclose campaign expenditures before Election Day, but a representative must submit a report on revenues, expenditures and commitments for payments⁴⁵ within 30 working days after the election..⁴⁶

Parties that do not otherwise receive state funding are provided BGN 40,000 (\$24,192) to spend on paid media advertisements, and nomination committees receive BGN 5,000 (\$3,024).⁴⁷ A political party or coalition may finance its campaign through its own or candidates' resources and/or those of legal entities and sole traders, if in compliance with the Election Code (2021).⁴⁸

What is the election management body? What are its powers?

Bulgaria has three primary levels of election management bodies (EMBs): the Central Election Commission (CEC), 31 district (or constituency) election commissions (DECs) and precinct election commissions (PECs).⁴⁹ PECs will be appointed to administer polls at 11,845 regular

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<sup>34</sup> Ibid., Chapter 12, Section 1, Article 175.
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³⁵ "Bulgaria's October 2022 parliamentary elections, op. cit.

³⁶ Ibid.

³⁷ Ibid.

³⁸ OSCE/ODIHR Needs Assessment Mission Report, op. cit., page 2.

³⁹ OSCE/ODIHR Interim Report, op. cit., page 7.

⁴⁰ Ibid., page 8.

⁴¹ OSCE/ODIHR Needs Assessment Mission Report, op. cit., page 2.

⁴² Ibid.

⁴³ Ibid., page 8.

⁴⁴ Election Code of the Republic of Bulgaria, Chapter 11, Article 165.

⁴⁵ Chronograph for the elections for Members of the National Assembly on April 4, 2021 (adopted by Decision № 1949-NA of 21 January 2021).

⁴⁶ Election Code of the Republic of Bulgaria, Chapter 11, Article 172.

⁴⁷ Ibid., Chapter 12, Article 178(1).

⁴⁸ Ibid., Chapter 11, Article 162.

⁴⁹ OSCE/ODIHR Interim Report, op. cit., page 4.

polling stations.⁵⁰ In addition, section election commissions and mobile election commissions oversee specific voting sections in Bulgaria.⁵¹

The CEC is the only permanent EMB in Bulgaria.⁵² The CEC is an independent body that is responsible for conducting and administering elections.⁵³ In line with changes to the electoral code approved by the National Assembly, the CEC was reduced from 20 members to 15 in May 2021.⁵⁴ Member of all levels of the election commissions, including EMB leadership, are appointed following nomination by political entities, in proportion to representation in the National Assembly. While CEC members were appointed in May 2021 reflecting results of the April 2021 elections, composition of DECs and PECs are based on the November 2021 distribution and outgoing parliament. Currently, the CEC includes eight women.⁵⁵ CEC members hold five-year terms, which they may leave early only through resignation or if they are removed for violating the rules of their appointment.⁵⁶

According to the Election Code of the Republic of Bulgaria, the duties of the CEC include:

- Implementing activities in line with the Election Code;
- Guiding the operation of and appointing lower-level election commissions;
- Registering parties, coalitions and candidate lists for elections:
- Establishing terms and procedures for election observers;
- Determining the locations of voting sections abroad;
- Overseeing the conduct of the election campaign;
- Examining all complaints regarding election irregularities; and
- Processing and publishing election results.⁵⁷

Members of the public can view CEC meetings via livestream or on the CEC website, and certain outside observers may attend meetings in person. The CEC also receives input from a public council composed of representatives of Bulgarian civil society.⁵⁸

CEC members appoint and train DEC members, who are nominated by political parties and coalitions based on composition with the respective constituency or the CEC if no consensus can be found (as was the case for 26 of the 31 DECs).⁵⁹ DECs in turn nominate members of PECs. The number of members in a DEC reflects the district size. Like the CEC, each DEC is led by a chairperson; however, DECs may not have a single party majority.⁶⁰ Once appointed, members of the DEC have authority until two weeks after the election is completed. Many of the powers, functions and checks established for the CEC are the same at the district level.⁶¹ The functions

⁵⁰ Ibid., page 5

⁵¹ Election Code of the Republic of Bulgaria, Chapter 5, Section 4, Article 89.

⁵² OSCE/ODIHR Needs Assessment Mission Report, op. cit., page 5.

⁵³ Election Code of the Republic of Bulgaria, Chapter 5, Section 1, Article 46.

⁵⁴ "Bulgaria's October 2022 parliamentary elections, op. cit.

⁵⁵ CEC Official Website. Composition of the CEC. https://www.cik.bg/bg/about_us/members

⁵⁶ Election Code of the Republic of Bulgaria, Chapter 5, Section 1, Article 51.

⁵⁷ Ibid., Chapter 5, Section 1, Article 57.

⁵⁸ Ibid., Chapter 5, Section 1, Article 55.

⁵⁹ OSCE/ODIHR Needs Assessment Mission Report, op. cit., page 5.

⁶⁰ Election Code of the Republic of Bulgaria, Chapter 5, Section 2, Article 61.

⁶¹ Ibid., Chapter 5, Section 1, Articles 56, 72 and 87.

of PECs are similar to those of DECs and the CEC, but at the precinct level; PECs administer voting processes on Election Day.⁶² There are a total of 439 district chairpersons and approximately 13,000 PECs for the upcoming election.⁶³

Who can vote in these elections, and how many registered voters are there?

The Constitution of Bulgaria grants citizens over the age of 18 years the right to vote in state and local elections, except prisoners and people who are severely mentally ill and unable to care for themselves. There is no permanent voter register. Before each election, the Ministry of Regional Development and Public Works (GRAO) compiles information about eligible voters from the National Population Register into an electoral roll that it provides to the Central Election Commission (CEC). The executive leadership of medical or detention facilities, specialized social services institutions and Bulgarian naval vessels are responsible for compiling additional electoral rolls and providing them to relevant municipal administrations. Voters will be able to cast their ballots so long as there are 10 or more eligible voters in these locations.

Voter lists are compiled by the municipal administrations before each election. As of Sept. 16, the preliminary voter list included 6,661,774 names.⁶⁸ For the Nov. 14, 2021, early parliamentary elections, the CEC considered 6,665,534 people eligible to vote with a voter turnout of 38 percent. This turnout was significantly lower than the April 2021 election which had 49.1 percent of eligible voters participate.⁶⁹ Voter turnout was 38 percent. As a comparison, the April 2021 election had a voter turnout of 49.1 percent.

For voting abroad, the heads of Bulgaria's diplomatic missions and consular posts compile voter lists consisting of the names of the voter, and the number and address of the polling station⁷⁰ which is then shared with the Ministry of Foreign Affairs and also published no later than 18 days before Election Day.^{71,72} Voters abroad may vote at any diplomatic mission or consular post voting section upon presentation of Bulgarian identification.⁷³ As of Sept. 16, 50,877 applications were confirmed for out-of-country voting in 77 countries.⁷⁴

⁶² Election Code of the Republic of Bulgaria, Chapter 5, Section 2, Article 8

⁶³ OSCE/ODIHR Interim Report, op. cit., page 2 and 5

⁶⁴ Constitution of Bulgaria, Chapter 2, Article 42(1).

⁶⁵ "Elections in Bulgaria: 2021 Parliamentary Elections," IFES, March 31, 2021.

⁶⁶ Election Code of the Republic of Bulgaria, Chapter 4, Section 2.

⁶⁷ Ibid., Chapter 2, Section 2, Article 9(6-9).

⁶⁸ OSCE/ODIHR Interim Report, op. cit., page 5

⁶⁹ Center for Strategic and International Studies. Bulgaria: Parliamentary Elections.

https://www.csis.org/programs/european-election-watch/2021-elections/bulgaria

⁷⁰ Election Code of the Republic of Bulgaria, Chapter 4, Section 3, Art. 31

⁷¹ Election Code of the Republic of Bulgaria, Chapter 4, Section 3, Art. 32

⁷² Election Code of the Republic of Bulgaria, Chapter 4, Section 3, Article 31.

⁷³ OSCE/ODIHR Interim Report, op. cit., page 6.

⁷⁴ CEC Official Website. List of confirmed applications for voting in the out-of-country section. https://www.cik.bg/bg/ns02.10.2022/registered

What provisions are in place that support the equal rights of women, persons with disabilities and other marginalized groups?

Although Bulgaria's electoral framework was recently amended, the current laws do not include measures to promote the participation of women, and they still prohibit the formation of political parties along ethnic, racial or religious lines. There are no quotas for gender or national minority representation on candidate lists. While the Constitution prohibits discrimination on ethnic or religious grounds and guarantees the right to self-identification, it makes no reference to national minorities. Campaigns may only be conducted in the Bulgarian language.⁷⁵

The Central Election Commission (CEC) has disseminated informational videos on machine voting and accessibility for persons with disabilities. The Election Code includes provisions to protect the rights of persons with disabilities. At least seven days before Election Day, the relevant election management bodies must announce measures that are in place to help voters with ambulatory difficulties or visual impairments to vote. To One such required measure is ensuring that a polling station has a designated voting section on the first floor for accessibility and the construction of sidewalks and stair ramps with a slope no more than 5 percent. Voters with difficulties or impairments may be assisted by an companion if the commission allows. Polling booths must be wide enough to accommodate those with ambulatory difficulties or visual impairments. Voters with permanent disabilities who are unable to access their polling site may be visited by a mobile polling team on Election Day if they submitted the proper paperwork at least 14 days before the election. Persons with disabilities may vote at any polling station of their choice and do not need to submit a request beforehand.

Who can observe during Election Day? How can they get accreditation?

In accordance with the Election Code, observers must register with the Central Election Commission (CEC) in order to conduct observation activities. The law allows observers to register up until Election Day.⁸⁴ Election monitors from Bulgarian civil society and international observers must submit confirmation and authorization of their legal status.⁸⁵ The CEC will then publish a list of officially accredited observers on its website.⁸⁶ According to the OSCE Interim Report, the CEC has registered 278 observers from civil society organizations and two international observation

⁷⁵ Election Code of the Republic of Bulgaria, Chapter 12, Section 2, Article 181(2).

⁷⁶ CEC Official Website. Awareness Campaign. https://www.cik.bg/bg/ns02.10.2022/campaign

⁷⁷ Election Code of the Republic of Bulgaria, Chapter 14, Section 8, Article 234.

⁷⁸ CEC Official Website. Decision No. 1238-NS. https://www.cik.bg/bg/decisions/1328/2022-08-25

⁷⁹ Election Code of the Republic of Bulgaria, Chapter 14, Section 8, Article 236.

⁸⁰ Ibid., Chapter 14, Section 9, Article 218.

⁸¹ Ibid., Chapter 14, Section 9, Article 237.

⁸² Ibid., Chapter 4, Section 6, Article 37.

⁸³ OSCE/ODIHR Interim Report, op. cit., page 6.

⁸⁴ Election Code of the Republic of Bulgaria, Chapter 6, Articles 111 and 112.

⁸⁵ Ibid., Chapter 6, Article 112

⁸⁶ Ibid., Chapter 6, Article 113

missions as of Sept. 13.87 The website of the CEC states three international organizations and 14 local non-governmental organizations are registered to observe the election.88

According to the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR), the state has invited 12 long-term observers based in Bulgaria and 200 short-term (Election Day) observers.⁸⁹ The short-term observers will be deployed throughout the country <u>before</u> the elections and will monitor and assess the conduct of the election based on adherence to OSCE commitments and other domestic and international obligations and standards.⁹⁰

When will official results be announced?

Official election results will be announced no later than four days after Election Day ⁹¹ (in this case, by Oct. 6, 2022). By this time, the Central Election Commission (CEC) will declare the votes received and the allocation of seats to parties and coalitions. ⁹² The CEC will announce the names of the elected national representatives no later than seven days after Election Day ⁹³ (by Oct. 9). After the election, the CEC will also create a publicly accessible database of voting data. ⁹⁴ Specialized software will compare the results and document discrepancies. ⁹⁵ In case of errors or discrepancies, the CEC will address the issue(s) and update the database. ⁹⁶

How will election disputes be adjudicated?

Following the election, the president has up to one month to convene the National Assembly. If the president does not do so, the National Assembly may be convened by at least one-fifth of its members. If the prime minister is unable to form a government within seven days, the mandate is transferred to the second largest party. Should the second attempt fail, the mandate then goes to a parliamentary group of the president's choosing. If there is no agreement on the formation of the government, the president should appoint a caretaker government, dissolve the National Assembly and schedule new elections.

Complaints and appeals can be filed by voters, domestic observers, political parties and representatives of candidates. Decisions of election commissions can be raised to the next highest commission following appeals procedures. Additionally, depending on the issue, compliant may be raised to local administrative courts and finally the Supreme Administrative

⁸⁷ OSCE/ODIHR Interim Report, op. cit., Page 12

⁸⁸ CEC Official Website. Register of registered observers. https://www.cik.bg/bg/ns02.10.2022/registers/ nabludateli

⁸⁹ Early Parliamentary Elections, October 2, 2022, Bulgaria, ODIHR

⁹⁰ Ibid.

⁹¹ Election Code of the Republic of Bulgaria, Chapter 15, Section 10, Article 300(1).

⁹² Ibid., Chapter 15, Section 10, Article 297(1).

⁹³ Ibid., Chapter 15, Section 10, Article 300(2).

⁹⁴ Ibid., Chapter 15, Section 10, Article 301(2).

⁹⁵ Ibid., Chapter 15, Section 10, Article 301(3).

⁹⁶ Ibid., Chapter 15, Section 10, Article 301(4).

⁹⁷ Bulgaria's October 2022 parliamentary elections, op. cit.

⁹⁸ Ibid.

⁹⁹ Ibid.

Court. A registry of election disputes and appeals are maintained in a public registry by the CEC and ${\rm DEC}.^{100}$

¹⁰⁰ OSCE/ODIHR Interim Report, op. cit., Page 11

Resources

- IFES FAQs Elections in Bulgaria: 2021 Parliamentary Elections
- Central Electoral Commission of the Republic of Bulgaria
- Election Code of Bulgaria
- Constitution of Bulgaria
- Early Parliamentary Elections, 2 October 2022, OSCE/ODIHR
- OSCE/ODIHR Election Observation Mission Interim Report (August 30-September 15)

About IFES in Bulgaria

In Bulgaria, IFES partners with the Bulgarian Institute for Legal Initiatives in implementing the Effective Combat Against Corruption project, funded by the U.S. Department of State's Bureau for International Narcotics and Law Enforcement. This project focuses on preventing abuse of state resources in elections and improving training for auditors and political party financial managers in coordination with the National Audit Office. The project also works to clarify criteria for judicial remunerations in cooperation with the Supreme Judicial Council and strengthen judicial mentorship programs and judicial ethics training in coordination with the National Institute of Justice.

Through IFES' Regional Europe program funded by the United States Agency for International Development, Bulgarian election professionals and civil society actors are also engaged in a number of activities designed to support democratic resilience, especially related to cybersecurity, information integrity and anti-corruption.

Disclosure

These FAQs reflect decisions made by the EMB as of Sept. 27, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.

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