



Elections in Bulgaria

2021 Parliamentary Elections

Frequently Asked Questions

Europe and Eurasia

International Foundation for Electoral Systems

2011 Crystal Drive | Floor 10 | Arlington, VA 22202 | USA | <u>www.IFES.org</u>

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Frequently Asked Questions

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When is Election Day?

The Republic of Bulgaria will hold parliamentary elections on Sunday, April 4, 2021, across the country and in designated voting locations abroad. Voting will take place from 7:00 a.m. until 8:00 p.m.¹ in 11,888 polling stations in Bulgaria² and from 7:00 a.m. until 8:00 p.m. local time in 464 diplomatic missions and consular posts abroad.³ Polling stations in Bulgaria will be staffed by more than 80,000 poll workers. Voters in medical and detention facilities, nursing homes, specialized social services institutions or aboard Bulgarian sea vessels can cast their ballots in these locations so long as there are 10 or more eligible voters.⁴

What is at stake in these elections?

These elections for the National Assembly of Bulgaria will be the first in a decade that are not held as a result of a snap vote, and they will take place amid the ongoing COVID-19 pandemic and just months before a critical presidential election.⁵ The elections will follow last year's extensive anti-government protests, organized in response to a series of government scandals that revealed the widespread corruption among and incompetent response to the pandemic by the ruling party, the Citizens for European Development of Bulgaria (GERB).⁶ Despite these setbacks, GERB is leading in the polls. The political opposition, the Bulgarian Socialist Party, is trailing GERB by a wider margin than in the last elections in 2017.⁷ Furthermore, most parties have publicly rejected forming or joining a coalition, demonstrating extensive polarization ahead of the elections.

These elections may also have broader implications for the wider region. GERB's leader and Bulgaria's Prime Minister, Boyko Borissov, has held up neighboring North Macedonia's European Union (EU) accession, demanding that the country recognize its national language as a regional dialect of Bulgarian.⁸ This obstacle has angered European Union member states and outraged political leadership in North Macedonia. Should GERB or Borissov lose footing in the elections, North Macedonia may see a reversal, permitting its eventual path to accession.

Furthermore, these are the first parliamentary elections in which voting machines will be used in full implementation, the result of a 2019 amendment that faced heavy controversy from civil society and international interlocutors.⁹ Machine voting through direct-record electronic devices will be available in nearly 9,400 of the polling stations, and voters will have a choice in whether to use them or traditional paper ballots. Due to this provision, the results process will be further complicated as election officials

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

² Addresses of polling stations, Central Election Commission.

³ Decision No. 2212-NS, Central Election Commission, March 12, 2021.

⁴ Election Code of the Republic of Bulgaria, Chapter 2, Section 2, Article 9(6-9).

⁵ Bankov, P., "What to expect from the 2021 Bulgarian parliamentary election," London School of Economics, March 24, 2021.

⁶ Tsoneva, J., "What is happening with the Bulgarian protest movement?" AlJazeera, September 10, 2020.

⁷ Bankov, 2021.

⁸ Hajdari, U, "Tongue-tied: Bulgaria's language gripe blocks North Macedonia's EU path," *Politico*, December 9, 2020.

⁹ Organization for Security and Co-operation in Europe (OSCE)/Office for Democratic Institutions and Human Rights (ODIHR) Needs Assessment Mission Report, Bulgaria Parliamentary Elections April 4, 2021, page 6.

must tabulate results using both machines and paper ballots, which has been criticized for the potential to increase mistakes in completing protocols and finalizing results.

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.¹⁰ The electoral system is governed by the Bulgarian Constitution, the Election Code and the Law on Political Parties and is further regulated by Central Election Commission decisions, if necessary.¹¹ There are 240 seats in the National Assembly, and representatives are elected for four-year terms.¹² The seats are allocated through a single-preference option in 31 multi-member constituencies, which are established by the population size of the constituency, with a minimum of four seats each.¹³ Parties and coalitions must receive at least 4 percent of valid votes at the national level to be represented in parliament.¹⁴

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 they are eligible to vote and do not hold citizenship in another country.¹⁵ This year, nearly 7,000 candidates on 30 candidate lists have been registered across parties and constituencies.¹⁶ Candidates are nominated by parties and coalitions, or by nomination committees for independent candidates.¹⁷ To register, parties and coalitions must deliver a deposit of BGN 2,500 (USD 1,512) and nomination committees must deliver BGN 100 (USD 60.48).¹⁸ Parties and coalitions register with the Central Election Commission (CEC) with no fewer than 2,500 voter signatures.¹⁹ Nomination committees register within the designated constituency election commission,²⁰ and each independent candidate must receive at least 1,000 voter signatures.²¹ Independent candidates must pass a constituency electoral quota to be eligible for seat allocation.²² Candidates are then ranked by parties, coalitions or nomination committees on candidate lists.²³

¹⁰ Election Code of the Republic of Bulgaria, Chapter 15, Section 2, Article 246-247.

¹¹ OSCE/ODIHR Needs Assessment Mission Report, Bulgaria Parliamentary Elections April 4, 2021, page 4.

¹² OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 1.

¹³ OSCE/ODIHR Needs Assessment Mission Report, Bulgaria Parliamentary Elections April 4, 2021, page 5. ¹⁴ *Ibid.*

¹⁵ OSCE/ODIHR Needs Assessment Mission Report, Bulgaria Parliamentary Elections April 4, 2021, page 7.

¹⁶ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 7.

¹⁷ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 6.

¹⁸ Election Code of the Republic of Bulgaria, Chapter 9, Section 1, Article 129(1).

¹⁹ Election Code of the Republic of Bulgaria, Chapter 9, Section 2, Article 132(1) and 133(3) and Section 3, Article 139 and 140(2).

²⁰ Election Code of the Republic of Bulgaria, Chapter 9, Section 5, Article 151(2).

²¹ Election Code of the Republic of Bulgaria, Chapter 15, Section 5, Article 257(1).

²² OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 3.

²³ Election Code of the Republic of Bulgaria, Chapter 10, Section 1, Article 156(2).

Candidate lists are registered no later than 32 days before Election Day²⁴ (in this case, March 2, 2021 at 5:00 p.m.).²⁵

On Election Day, voters may also cast a ballot that does not support any candidate list, which will be counted toward voter turnout but will not influence allocation of seats.²⁶

Who is eligible to vote, and how many registered voters are there?

According to the Constitution of Bulgaria, citizens over the 18 years of age have the right to vote in state and local elections, except for prisoners or people with psychosocial disabilities who are unable to care for themselves.²⁷ There is no permanent voter register, so before each election the Ministry of Regional Development and Public Works (GRAO) pulls a list of eligible voters from the National Population Register and provides the electoral roll to the Central Election Commission (CEC).²⁸ The executive leadership of medical or detention facilities, specialized social services institutions or Bulgarian sea vessels are responsible for compiling electoral rolls and providing them to the municipal administrations relevant for the voters.²⁹

The preliminary voter list comprised 6,732,316 voters as of February 12.³⁰ It is available for public scrutiny for the 40 days prior to Election Day, which began February 22, 2021. Even so, voters who are not on the official voter list on Election Day may be added if they provide proof of residency in the municipality where they wish to vote.³¹

Citizens living outside Bulgaria are also eligible to vote if they request to be added to the voter list of a polling station abroad. Electoral rolls are compiled by the heads of the diplomatic missions and consular posts, which the Ministry of Foreign Affairs then shares with the GRAO.³² However, voters abroad may vote at any diplomatic mission or consular post voting section upon presenting Bulgarian identification.³³ Currently, 88,038 citizens have been added to the out-of-country list.

²⁴ Election Code of the Republic of Bulgaria, Chapter 15, Section 5, Article 255(2).

²⁵ Chronograph for Elections of Members of National Assembly on April 4, 2021 (adopted by Decision No. 1949-NA of January 21, 2021).

²⁶ "Bulgaria's April 2021 parliamentary elections: Factfile," *The Sofia Globe*, March 4, 2021.

²⁷ Constitution of Bulgaria, Chapter 2, Article 42(1).

²⁸ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 5.

²⁹ Election Code of the Republic of Bulgaria, Chapter 4, Section 2.

³⁰ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 6.

³¹ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 6.

³² Election Code of the Republic of Bulgaria, Chapter 4, Section 3, Article 31.

³³ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 6.

What are the campaign timeline and expenditure and donation limits?

The election campaign officially begins 30 days before Election Day³⁴ — in this case, March 5, 2021.³⁵ The campaign will end on at midnight on April 2, the start of a 24-hour period of silence.³⁶ During this time, no paid content or publication of public opinion polling is permitted.

Amendments to the campaign finance legal framework in 2019 resulted in a nonexistent donation ceiling, which now allows donations from legal entities and reduced funding for political parties.³⁷ Although funding for political parties decreased, the new amendments made it easier for parties to receive public funding.³⁸ Now parties that received 1 to 4 percent of the votes nationwide in the previous election can receive public funding; the annual amount of the state subsidy per valid vote received is BGN 8 (USD 4.84).³⁹ While legal entities are also allowed to make donations, nonresidents, religious institutions and foreign states are not permitted to donate to campaigns.⁴⁰

Campaign finance is overseen by the National Audit Office (NOA)⁴¹ and regulated by the Election Code, the Law on Political Parties and the State Budget Act.⁴² For National Assembly elections, BGN 3 million (USD 1.8 million) is the expenditure limit for a party or coalition, and BGN 200,000 (USD 120,964) for independent candidates.⁴³ Candidates must report weekly to the NOA on the origins of donations received during the campaign period (March 5 to April 2). Candidates are not required to disclose campaign expenditures before Election Day, but a representative must submit a report on revenues, expenditures and commitments for payments⁴⁴ within 30 working days after the election. The audited report will be published 15 days later.⁴⁵

Parties that otherwise receive no state funding are provided BGN 40,000 (USD 24,192) to spend on paid media political advertisements, and nomination committees receive BGN 5,000 (USD 3,024).⁴⁶ Advertisements are to be published or disseminated no later than 40 days prior to Election Day, and the media is required to use equal pricing for paid advertisements.

⁴¹ Ibid.

³⁴ Election Code of the Republic of Bulgaria, Chapter 12, Section 1, Article 175.

³⁵ Chronograph for the elections for Members of the National Assembly on April 4, 2021 (adopted by Decision No. 1949-NA of January 21, 2021).

³⁶ Ibid.

³⁷ OSCE/ODIHR Needs Assessment Mission Report, Bulgaria Parliamentary Elections April 4, 2021, page 2.

³⁸ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 7.

³⁹ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 8.

⁴⁰ OSCE/ODIHR Needs Assessment Mission Report, Bulgaria Parliamentary Elections April 4, 2021, page 2.

⁴² OSCE/ODIHR Needs Assessment Mission Report, Bulgaria Parliamentary Elections April 4, 2021, page 8.

⁴³ Election Code of the Republic of Bulgaria, Chapter 11, Article 165.

⁴⁴ Chronograph for the elections for Members of the National Assembly on April 4, 2021, Op.cit.

⁴⁵ Election Code of the Republic of Bulgaria, Chapter 11, Article 172.

⁴⁶ Election Code of the Republic of Bulgaria, Chapter 12, Article 178(1).

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

There are three primary levels of election management bodies (EMBs) in Bulgaria: the Central Election Commission (CEC); District, or Constituency, Election Commissions (DECs); and Precinct Election Commissions (PECs).⁴⁷ For these elections, there are currently 31 DECs and 11,888 PECs.⁴⁸ Section Election Commissions and Mobile Election Commissions exist to oversee specific voting sections in Bulgaria.⁴⁹

The only permanent EMB in Bulgaria is the CEC,⁵⁰ an independent body that is responsible for conducting and administering elections.⁵¹ The current CEC, appointed in March 2019, has 20 members, of whom 10 are women.⁵² The CEC is led by the commission chairperson, along with the deputy chairpersons and secretary, who are all elected by the National Assembly.⁵³ The remaining CEC members are appointed by the National Assembly or the president following a formal nomination process.⁵⁴ No single party may have a majority in the CEC.⁵⁵ Members of the CEC serve five-year terms. Unless a CEC member violates eligibility rules or resigns from their position, they must vacate the office within one month of the appointment or election of new members.⁵⁶ According to the Election Code of the Republic of Bulgaria, some 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 and coalitions, and candidate lists, for elections;
- Establishing terms and procedures for election observers;
- Determining the location 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 access the CEC's meetings via livestream or on the CEC's website, and certain outside observers may attend meetings in person.⁵⁸ The CEC also receives input from a Public Council group, made up of Bulgarian civil society representatives.⁵⁹

⁴⁷ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 4.

⁴⁸ Ibid.

⁴⁹ Election Code of the Republic of Bulgaria, Chapter 5, Section 4, Article 89.

⁵⁰ OSCE/ODIHR Needs Assessment Mission Report, Bulgaria Parliamentary Elections April 4, 2021, page 5.

⁵¹ Election Code of the Republic of Bulgaria, Chapter 5, Section 1, Article 46.

⁵² OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 4.

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

⁵⁴ Ibid.

⁵⁵ Ibid.

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

⁵⁷ Election Code of the Republic of Bulgaria, Chapter 5, Section 1, Article 57.

⁵⁸ OSCE/ODIHR Needs Assessment Mission Report, Bulgaria Parliamentary Elections April 4, 2021, page 5.

⁵⁹ Election Code of the Republic of Bulgaria, Chapter 5, Section 1, Article 55.

Similar to how the CEC is formed, CEC members appoint DEC members who are nominated by represented political parties, and who in turn nominate members of PECs.⁶⁰ The number of members of a DEC is based on the population of the district. Like the CEC, the DEC is led by a chairperson, and no single party can hold a majority.⁶¹ Once appointed, members of the DEC hold office until two weeks after the election is completed. Many of the powers, functions and checks established for the CEC remain the same at the district level, and DECs receive their training from the CEC. Members of PECs perform the same functions as the DECs and the CEC at the precinct level and receive training from their respective DEC.⁶²

How is the election management body protecting the elections and voters from COVID-19?

The Central Election Commission (CEC) is preparing for Election Day by focusing on ensuring the safety of voters, election administrators, observers and media representatives. The Ministry of Health issued instructions and recommendations for health and safety protocols for voters and election officials on Election Day, which the CEC will oversee.⁶³ The CEC also developed signs, brochures and other public resources to highlight health guidelines for the elections. Some guidelines include:^{64 65}

- Maintaining 1.5 meters between people in line;
- Posting signs that tell voters where to stand and wait;
- Requiring face masks to be worn in or at polling stations;
- Dismissing poll workers from the polling station if they have an elevated body temperature or are showing symptoms of COVID-19;
- Ensuring regular ventilation in the polling station, or at least every hour;
- Providing hand sanitizer and regularly disinfecting frequently touched surfaces;
- Inspection of identity cards by officials, without physically touching;
- Disinfecting pens after each use;
- Placing disinfectant next to each voting machine; and
- Requiring voters to use disinfectant before voting.

Mobile voting was expanded for this election for voters who are COVID-19–positive or are quarantining because of COVID-19 exposure. Voters can be visited by a mobile polling team on Election Day if they have submitted applications to the CEC by April 1.⁶⁶ The same health and safety guidelines apply to mobile voting, such as required mask-wearing and hand disinfecting.

⁶⁰ OSCE/ODIHR Needs Assessment Mission Report, Bulgaria Parliamentary Elections April 4, 2021, page 5.

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

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

⁶³ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 4.

⁶⁴ Central Election Commission of Bulgaria, Elections for the National Assembly 2021, Training Portal, COVID-19.

⁶⁵ The Sofia Globe, 2021.

⁶⁶ Ibid.

What is the election management body doing to strengthen its technology and procedures to resist vulnerabilities and counter malign interference?

The Central Election Commission (CEC) developed a robust voter education campaign that includes detailed videos, brochures and other digital materials to give voters access to timely and accurate information. Resources include instructional material on the use of voting machines, as this will be the first parliamentary election in which direct-record electronic devices will be used.⁶⁷ The CEC also published detailed training documents and instructions for poll workers and local election officials on its website. These procedures contribute to efforts to protect election integrity and promote a transparent information environment.

The CEC is also working with a number of state institutions and a private vendor to deliver and service voting machines and to train officials in their use.⁶⁸

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

Although recent amendments were made to the electoral legal framework, current laws do not provide measures to promote the participation of women, and still prohibit the formation of political parties along ethnic, racial or religious lines.⁶⁹ There are no quotas for gender or national minority representation on candidate lists.⁷⁰ While the Constitution prohibits discrimination on an ethnic or religious basis and guarantees the right to self-identification, it makes no reference to national minorities. Furthermore, campaigns can only be conducted in the Bulgarian language.⁷¹

The Central Election Commission (CEC) published informational videos on machine voting and accessibility for persons with disabilities.⁷² Additionally, 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 physical disabilities or are blind of have low vision.⁷³ One such required measure is ensuring that a polling station has a designated voting section on the ground floor for accessibility.⁷⁴ Voters with disabilities may also be assisted by an attendant if allowed by the commission.⁷⁵ Polling booths must also accommodate those with physical disabilities or who are blind or have low vision.⁷⁶ Voters with permanent disabilities who

⁶⁷ OSCE/ODIHR Needs Assessment Mission Report, Bulgaria Parliamentary Elections April 4, 2021, page 6.

⁶⁸ Ibid.

⁶⁹ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 4.

⁷⁰ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 6.

⁷¹ Election Code of the Republic of Bulgaria, Chapter 12, Section 2, Article 181(2).

⁷² OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 11.

⁷³ Election Code of the Republic of Bulgaria, Chapter 14, Section 8, Article 234.

⁷⁴ Election Code of the Republic of Bulgaria, Chapter 2, Section 2, Article 10.

⁷⁵ Election Code of the Republic of Bulgaria, Chapter 14, Section 8, Article 236.

⁷⁶ Election Code of the Republic of Bulgaria, Chapter 14, Section 9, Article 218.

are unable to access the polling site can be visited by a mobile polling team on Election Day if they submitted the proper paperwork⁷⁷ no later than 14 days before the election⁷⁸ (by March 20, 2021).⁷⁹ The mobile ballot box will be placed in an accessible location for the voter. Most importantly, persons with disabilities are allowed to vote at any polling station of their choice and do not need to submit a request beforehand.⁸⁰

When will official results be announced?

No later than four days after Election Day⁸¹ (by April 8, 2021),⁸² the Central Election Commission (CEC) will announce the votes received and the allocation of seats to parties and coalitions. The CEC will also announce the names of the elected national representatives no later than seven days after Election Day,⁸³ by April 11, 2021.⁸⁴ After the election, the CEC will create a publicly accessible database of voting data.⁸⁵ A computer program will compare the results and document any discrepancies.⁸⁶ If there are errors or discrepancies, the CEC will update the data and decide how to resolve the issue.⁸⁷ Therefore, election results are officially determined by the updated database.⁸⁸ The president has up to one month after the elections to convene the newly elected National Assembly, according to the Constitution.⁸⁹

⁷⁷ Election Code of the Republic of Bulgaria, Chapter 14, Section 9, Article 237.

⁷⁸ Election Code of the Republic of Bulgaria, Chapter 4, Section 6, Article 37.

⁷⁹ Chronograph for the elections for Members of the National Assembly on April 4, 2021, *Op. cit.*.

⁸⁰ OSCE/ODIHR Interim Report, Bulgaria Parliamentary Elections April 4, 2021, page 6.

⁸¹ Election Code of the Republic of Bulgaria, Chapter 15, Section 10, Article 300(1).

⁸² Chronograph for the elections for Members of the National Assembly on April 4, 2021, Op. cit.

⁸³ Election Code of the Republic of Bulgaria, Chapter 15, Section 10, Article 300(2).

⁸⁴ Chronograph for the elections for Members of the National Assembly on April 4, 2021, Op. cit.

⁸⁵ Election Code of the Republic of Bulgaria, Chapter 15, Section 10, Article 301(2).

⁸⁶ Election Code of the Republic of Bulgaria, Chapter 15, Section 10, Article 301(3).

⁸⁷ Election Code of the Republic of Bulgaria, Chapter 15, Section 10, Article 301(4).

⁸⁸ Election Code of the Republic of Bulgaria, Chapter 15, Section 10, Article 301(5).

⁸⁹ The Sofia Globe, 2021.

Resources

- <u>Constitution of Bulgaria</u>
- <u>Election Code of Bulgaria</u>
- <u>Central Election Commission of Bulgaria</u>
- Organization for Security and Co-operation in Europe (OSCE)/Office for Democratic Institutions and Human Rights (ODIHR) Needs Assessment Mission Report, Parliamentary Elections in Bulgaria, April 4, 2021
- OSCE/ODIHR Interim Report, Parliamentary Elections in Bulgaria, April 4, 2021

About IFES in Bulgaria

In Bulgaria, as part of the "Effective Combat Against Corruption" project funded by the U.S. Department of State's Bureau for International Narcotics and Law Enforcement, the International Foundation for Electoral Systems (IFES) partners with the Bulgarian Institute for Legal Initiatives (BILI). BILI 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, clarifying criteria for judicial remunerations in cooperation with the Supreme Judicial Council and strengthening judicial mentorship programs and judicial ethics training in coordination with the National Institute of Justice.

Through IFES' Regional Europe program funded by the U.S. 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.

A paper from IFES' COVID-19 Briefing Series, <u>Safequarding Health and Elections</u>, details how to safely conduct elections during a pandemic and other public health emergencies.

Disclosure

These FAQs reflect decisions made by the Bulgarian election authorities as of March 31, 2021, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

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