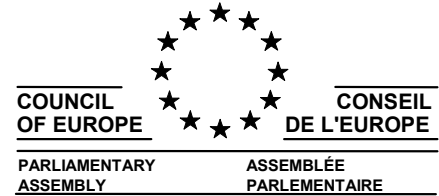




**Republic of Bulgaria  
Parliamentary Elections  
17 June 2001**



---

**INTERNATIONAL ELECTION OBSERVATION MISSION**

---

**STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS**

**Sofia, 18 June 2001** — The International Election Observation Mission (IEOM) for the 17 June parliamentary elections in the Republic of Bulgaria is a joint effort of the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) and the Parliamentary Assembly of the Council of Europe.

---

**Preliminary Conclusions**

---

The 17 June parliamentary elections generally met Bulgaria's OSCE commitments for democratic elections, as outlined in the 1990 Copenhagen Document, and honored the country's obligations as a member of the Council of Europe.

These parliamentary elections were the fifth held since the establishment of a multiparty system in 1991. However, the outgoing Parliament was the first to complete its full four-year term. Over the past four years, Bulgaria has achieved marked progress in a number of fields. Nonetheless, popular discontent with the hardships of social reforms cost the governing coalition to lose considerable ground. In its stead, the two-month-old Coalition National Movement "Simeon II", headed by the former Tsar of Bulgaria, was slated to return the largest number of MPs, though short of a majority, to the new Parliament. Political parties have expressed concerns about some aspects of the new movement's program.

The legislative and administrative framework for this election includes an adequate and clear Election Law, although some features of the law raise concerns as detailed below. Election commissions at all levels performed their duties in a professional, unbiased and transparent manner.

A plurality of political parties contested these elections unimpeded. However, provisions in the Election Law regarding the removal of candidates who are alleged to have collaborated with the former State security agencies raised concerns. Women were active in the campaign and made up 24% of the candidate lists of the major parties, often in leading positions. However, national minorities were underrepresented on the lists of most parties.

The election campaign was generally low key. Although public interest in the campaign appeared to be rather limited, there was a relatively high voter turnout of around 67%.

A large number of broadcasting media, both public and private, and print media gave the public broad access to information and a variety of opinions. However, provisions in the Election Law regulating campaign coverage in the public media proved overly restrictive. In addition, election contestants had to pay for all appearances in the public broadcasting media, including debates. These features effectively limited campaign coverage in the media.

Voting took place in a calm and orderly atmosphere, and was carried out according to the Election Law. However, observers reported from a relatively high number of polling stations that voters did not find their names on the voter lists or failed to provide proper identification. Observers reported few problems during the vote count and the aggregation of results at the regional level. International observers identified domestic observers in around one quarter of all polling stations visited.

The OSCE/ODIHR and the Parliamentary Assembly of the Council of Europe stand ready to continue their cooperation with the authorities and civil society of Bulgaria.

---

## **Preliminary Findings**

---

### **Background**

The 17 June 2001 parliamentary elections were the fifth held since the establishment of a multiparty system, and the fourth held on the basis of proportional representation with a four-percent threshold. The outgoing 240-member Parliament elected in 1997 was the first to complete its full four-year term since the current Constitution was adopted in 1991.

The current Government assumed office at a very difficult time, following the near collapse of Bulgaria's economy in the winter of 1996/97. Over the past four years, Bulgaria has achieved marked progress in a number of fields. The currency has been stabilized, the economy has grown, although it remains weak, and the country has made some progress toward European and Transatlantic integration. However, high unemployment and a relatively low standard of living continue to plague Bulgarian society. In these circumstances, the arrival on the political scene of a new movement, which capitalized on the popular discontent with the cost of social reforms, radically and abruptly altered the balance among the key political players.

Considering the importance of these elections and opinions expressed during an assessment visit to Sofia in April, the OSCE/ODIHR decided to deploy an election observation mission. Moreover, while the Council of Europe decided in January 2000 to close its monitoring procedure concerning Bulgaria, at the same time it appealed to the Bulgarian authorities to provide better guarantees of the independence of the judiciary and the media, and the rights of minorities. This too had a bearing on the decision to deploy an election observation mission.

The most significant parties and coalitions contesting the 17 June elections included: the ruling United Democratic Forces (ODS) coalition (including the Union of Democratic Forces or SDS); the Coalition for Bulgaria, uniting the Bulgarian Socialist Party (BSP) and a number of smaller leftist formations; the newly established National Movement "Simeon II"; the Coalition Movement for Rights and Freedoms (DPS, including the party of the same name, the Liberal Union, and "Euroroma", a formation representing the Roma population); the Bulgarian Euro-Left and its coalition partners; and the Gergyovden-VMRO coalition.

### **Legislative Framework and Election Administration**

The recently amended Law on Election of Members of Parliament provides an adequate and clear legal framework for democratic elections. In particular, the detailed and clear

provisions on voting and the less burdensome stipulations on the registration of independent candidates mark progress over the previous law. Nonetheless, it is of some concern that the amended law does not contain provisions regulating the required majority for adopting decisions of election commissions. In the absence of provisions in the Election Law, the CEC determined that decisions are adopted by a simple majority. Also, the Election Law makes no provision for mobile voting that would allow all disabled voters to cast their ballots.

The OSCE/ODIHR Election Observation Mission for the 1997 parliamentary elections recommended to examine alternative systems that might replace separate, color-coded ballots for each party or coalition running in the elections — a system that is considered expensive and lacking the confidence of many political parties. However, the amended Election Law has maintained this practice. The Election Law also provided that parties have to cover the expenses for the printing of their ballot papers. On 3 May, the Constitutional Court ruled that this controversial provision was unconstitutional; accordingly, printing costs were covered from the State budget. The IEOM welcomes this decision.

The CEC has administered these elections in an unbiased and transparent manner, showing a high level of professionalism and non-partisanship. In most cases, the CEC has acted in compliance with the law and the majority of its decisions were taken unanimously.

The CEC adjudicated most complaints in line with the law. It is of concern, however, that lawyers are not admitted to present the case of complainants in the CEC, notwithstanding the fact that various rulings of the commission cannot be appealed. The Supreme Administrative Court rejected the great majority of about 100 appeals contesting the legality of CEC decisions and upheld only a few.

The IEOM has enjoyed excellent working relations with the CEC. Information was provided without impediment and promptly, although the CEC maintained its practice of not allowing observers to attend its sessions. Cooperation with the Regional Election Commissions (REC) was also good.

### **Voter Registers**

A total of 6,845,875 voters were registered in the voter lists, including those living abroad, but still maintaining a permanent residence in the country. This number contradicts preliminary figures of the 2001 census, according to which 6,417,869 persons over 18 years of age live in Bulgaria, including non-citizens. In fact, some 540,000 voters living abroad have not de-registered with the municipalities, which maintain the voter registers. Thus, the number of registered voters actually living in the country is estimated at around 6.3 million. The high number of inaccuracies, mostly due to failure of citizens to notify the authorities of address changes, might reduce the confidence of voters in the credibility of the electoral process.

### **Registration of Candidates and Parties**

The CEC registered a total of 65 parties for the 17 June parliamentary elections. Nine parties were denied registration. Of the 65 registered parties, 15 withdrew before election day, while another 14 did not submit candidate lists in a single constituency. Thus, 36 parties effectively participated in the elections. In addition, 11 independent candidates ran in the elections, out

of a total of 20 who had sought registration. The remaining independent candidates were denied registration because they failed to provide a sufficient number of signatures supporting their candidacy. The IEOM was not informed of any significant problems with the verification of support signatures.

The participation of Simeon Saxe-Coburg-Gotha, the former Tsar of Bulgaria, in this election was controversial. On 23 April 2001, the Sofia City Court denied registration as a political party to the former Tsar's National Movement "Simeon II", arguing that the movement failed to fulfill several criteria laid down in the Law on Political Parties, including the failure to state when and where the movement's founding congress took place. On 28 April, the Supreme Court upheld the Sofia City Court decision.

On 2 May, the CEC registered the National Movement "Simeon II" as a contestant in the elections after the former Tsar entered into an agreement with two smaller parties — the Party of Bulgarian Women and the Movement for National Revival "Oborishte" — to register under the name Coalition National Movement "Simeon II". This raised questions among political parties about the Coalition's internal decision-making process. The former Tsar himself did not run as a candidate in the elections and has not disclosed his own future plans. However, he campaigned actively on behalf of the Coalition National Movement "Simeon II".

The second controversy related to changes to the candidate lists. Under the Election Law, candidate lists must be submitted at the latest 30 days before the elections. After that deadline, and up to seven days before election day, candidate lists may be changed if candidates are "permanently incapable to run in the elections" or if "data" is discovered indicating that they collaborated with the former State security agencies. In the case of the latter exclusion, parties and coalitions can request the RECs to withdraw a name from their candidate lists. Accordingly, the RECs withdrew several candidates from various lists, eight of whom appealed the REC decisions to the CEC. The CEC rejected the appeals, arguing that parties and coalitions have the exclusive right to evaluate the available "data" on collaboration with the State security agencies and withdraw candidates.

Two candidates appealed to the Supreme Administrative Court, which reversed the CEC decision two days before the election and reinstated both candidates on their original lists, arguing that the RECs are obligated to examine the available data and decide accordingly. However, the CEC instructed the respective REC not to amend the candidate lists accordingly, stating that the decision of the Supreme Administrative Court is not in force, as it can be appealed within the next 14 days.

The IEOM welcomes the ruling of the Court, as it maintains minimum safeguards for candidates against arbitrary withdrawal. However, the later CEC decision is of particular concern, since it disregards the ruling of the Court by postponing the settlement of the dispute until after election day. As a consequence, these candidates could not participate in the elections. Furthermore, the possibility of such eleventh-hour changes to the lists posed problems not only for election administrators and courts, but also for parties and voters whose understanding of candidates running in the elections was undoubtedly affected.

A third controversy related to the unequal conditions under which candidates are registered. While political parties have to be supported by 500 citizens in order to be registered by the

Sofia City Court, independent candidates have to collect a minimum of 1,100 signatures of supporters in order to participate in the elections. The IEOM appreciates the need to introduce some legal restrictions regulating the registration of parties and candidates. However, the considerable difference in the numbers of required signatures is not prudent. This discrepancy in the current regulation reduces the chances of citizens to run as independent candidates and could have the effect of inflating the number of parties.

### **Election Environment and Campaign**

The election campaign generally was carried out in a calm atmosphere, although during the last week, some contestants chose a more aggressive approach. Even though public interest in the campaign appeared to be rather limited, there was a relatively high voter turnout of around 67%, some 8% higher than in the 1997 parliamentary elections. Most parties appeared to favor door-to-door campaigning over large public rallies. The IEOM received information on only a small number of minor incidents possibly related to the election campaign.

### **Media Coverage**

Bulgaria has a pluralistic media environment, including public and private broadcasting, as well as a diverse range of print media, giving the public broad access to information and a wide range of opinions.

While there is no extensive regulatory framework for the print media, the Election Law sets detailed rules for coverage of the election campaign in the broadcasting media. Private broadcasting media have to respect the principles of fairness, balance and impartiality and to provide access to all contestants in the elections at the same rates and conditions. The regulatory framework for the public media proved very restrictive and did little to encourage the exchange of ideas among contestants in the elections. Parties were divided into two groups for debates, with parliamentary parties in one group, and non-parliamentary ones in the other. Effectively, this deprived one of the key contestants in these elections, the Coalition National Movement “Simeon II”, from the public media.

The IEOM was also concerned that all campaign appearances in the public broadcasting media, even debates, had to be paid for by the parties. Charging relatively high fees for appearances in campaign programs limits the public’s access to information.

Between 22 May and 15 June, the IEOM monitored two television channels, the public broadcaster BNT and private bTV, as well as four newspapers, *Trud*, *24 chasa*, *Standart* and *Monitor*. Analysis showed that both television stations devoted a limited amount of time to covering the election campaign. On the daily news of both channels, the Government was given 43% of the political time as opposed to the National Movement “Simeon II” which received an average 20%. On BNT, the incumbents enjoyed a quantitative advantage in the other programs as well, while on bTV, coverage of the main political subjects outside the news was more balanced. The four newspapers monitored focused their attention mainly on the National Movement “Simeon II”, giving it 43% of the space devoted to politics, followed by the Government with an average of 18%.

## Participation of National Minorities and Women

Since the first multiparty elections in 1990, national minorities, in particular the ethnic Turks, have been represented in the Bulgarian Parliament. In the 17 June elections, the Coalition centered around the Movement for Rights and Freedoms (DPS) included a majority of national-minority representatives. Apart from ethnic Turkish candidates, the DPS coalition also contained representatives of the Roma community nominated by the “Euroroma” organization. In contrast, the lists of the Coalition National Movement “Simeon II”, the Coalition for Bulgaria, the Euro-Left, and the Gergyovden-VMRO coalition included very few members of national minorities. The ODS had a higher number of candidates from national minorities, but often in lower places on the lists.

In the outgoing Parliament, 27 deputies (11%) were women. In these elections, the six main parties and coalitions fielded a total of 526 women as candidates, or 24% of the total number of candidates. Around half of them were in the top half of the respective candidate lists, and 29 women were heading regional lists of the six major parties and coalitions.

## Domestic Observation

On 10 May, the CEC registered as a non-partisan election observer NGO the Bulgarian Association for Free Elections and Civil Rights (BAFECR). The organization’s registration documents revealed that the Secretary of its board of directors was a candidate in the election. BAFECR had stated earlier that the individual had resigned from the board. However, his resignation was not registered in official documents that should have been filed with the Court. On 30 May, the CEC adopted decision No. 243, according to which NGOs cannot be registered as non-partisan observers if their board includes a registered candidate. Accordingly, the CEC revoked BAFECR’s registration. The NGO appealed the CEC decision with the Supreme Administrative Court which reinstated BAFECR’s registration. The Court held that the introduction of additional legal requirements *ex post facto* and after the legal deadline had expired did not comply with the law. While welcoming this decision, the IEOM is concerned that one of the registered board members of a non-partisan election observer organization is also a candidate, thus at the very least blurring its non-partisan status.

In addition to BAFECR, which claimed to have several thousand observers, the Civic Initiative for Free and Democratic Elections also observed the elections, claiming to have fielded around 9,000 observers on election day.

## Election Day (Polling and Counting)

Overall, voting took place in a calm and orderly atmosphere, and was carried out according to the Election Law. Observers did not report any significant problems. In 91% of all cases observed, international observers characterized the conduct of the poll as good or excellent, as fair in 4%, and as poor in 1%.

Around 95% of all reports indicated that there were no tensions or disturbances in the polling stations visited. Cases of undue influence on voters or pressure on board members were reported once in each case. Moreover, there was one report that observers were restricted in carrying out their duties. In 6% of polling stations visited, unauthorized persons were assisting or directing the work of the Sectional Election Commissions; only in a few cases observers indicated that these were members of police or security forces.

Group and proxy voting was very low, at 2% and 1%, respectively. In only four cases did international observers note voters not using the booth. In the majority of cases, disabled voters were assisted according to the rules. However, observers reported from a relatively high number of polling stations that voters did not find their names on the voter lists or failed to provide proper identification (18% and 11%, respectively).

International observers noted many instances in which the number of ballots received by polling station officials was lower than stipulated in the law, and also that the number of ballots for individual candidate lists varied, in some cases considerably.

International observers identified domestic observers in around one quarter of all polling stations visited. The vast majority of domestic observers interviewed indicated that there were no problems during the vote.

Observers reported few problems during the vote count and the aggregation of results at the regional level. Out of 50 reports on the count, some 92% rated the conduct of the count as good or very good, and none of them characterized it as poor. However, 20% indicated that the polling board had only a fair understanding of the counting procedures. In 8% of the counts observed, however, persons who were not board members participated in the count.

In a few instances, Regional Election Commissions applied a narrow interpretation of the CEC decision on the rights of observers and did not admit them to observe the aggregation of results at the regional level.

*This statement is also available in Bulgarian.  
However, the English text remains the only official version.*

---

#### **Mission Information and Acknowledgements**

---

*Ambassador Charles Magee heads the OSCE/ODIHR Election Observation Mission (EOM). Mr. Henning Gjellerod leads the delegation of the Parliamentary Assembly of the Council of Europe.*

*The EOM was established on 19 May in Bulgaria with 10 international election experts and long-term observers deployed throughout the country for four weeks. Their findings include monitoring of CEC activities, pre-election preparations, the election campaign, media, and handling of election complaints. The limited number of long-term observers seconded to the EOM restricted its regional coverage. On election day, the IEOM deployed 132 short-term observers, including four parliamentarians from the Parliamentary Assembly of the Council of Europe. Observers reported from 752 polling stations in all 31 election units.*

*This statement of preliminary findings and conclusions is issued before the final certification of results, and before a complete analysis of the observation findings. The OSCE/ODIHR will issue a comprehensive and final report approximately one month after the completion of the electoral process.*

*The IEOM wishes to express appreciation to the Ministry of Foreign Affairs, the Central Election Commission, and other national and local authorities of the Republic of Bulgaria for their assistance and cooperation during the course of the observation.*

*The IEOM also wishes to thank the embassies and international organizations based in Bulgaria for their support on election day, and also the U.S. Agency for International Development for providing financial support that made possible the deployment of a number of short-term observers from neighboring and nearby countries.*

**For further information, please contact:**

- Ambassador Charles Magee, Head of the EOM, in Sofia  
(Tel.: +359-2-981 3450; Fax: +359-2-986 5082)
- Vladimir Dronov, Special Advisor to the Secretary General of the Parliamentary Assembly of the Council of Europe, or Bas Klein, Head of Information Technology Unit at PACE, in Strasbourg  
(Tel.: 33-3-8841 2000; Fax: 33-3-8841 2776)
- Angela Bargellini, OSCE/ODIHR Election Adviser, or Jens-Hagen Eschenbacher, OSCE/ODIHR Spokesperson, in Warsaw (Tel.: +48-22-520 0600; Fax: +48-22-628 6967)

**OSCE/ODIHR Election Observation Mission**

pl. Narodno Sabranie 3  
1000 Sofia  
Bulgaria  
Tel.: +359-2-981-3450/2804  
Fax: +359-2-986-5082  
e-mail: eom-bulgaria@odihhr.osce.waw.pl