

# Bulgaria's new voting reforms risk undermining the country's electoral process

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*A recent amendment to Bulgaria's electoral system has resulted in increased voting restrictions for Bulgarians living abroad, who can now only cast their ballots in diplomatic missions. Drawing on data from the Electoral Integrity Project, [Andrea Fumarola](#) and [Nikolay Marinov](#) assess what the new rules may mean for the country's democracy.*



The Bulgarian National Assembly has recently held an extraordinary sitting to adopt amendments to the Election Code. These changes, proposed by the right-wing party [Patriotic Front](#), were passed with a 139 to 35 vote with eight abstentions. Some of the most relevant provisions include the introduction of compulsory voting rules and [restrictions](#) concerning the possibility for citizens abroad to vote outside Bulgarian diplomatic missions, thereby banning or limiting the use of other locations as polling stations. Bulgarians living abroad have expressed their anger at this reform, organising protests all around Europe, and arguing that the amendments will deny millions of citizens abroad from their right to vote.

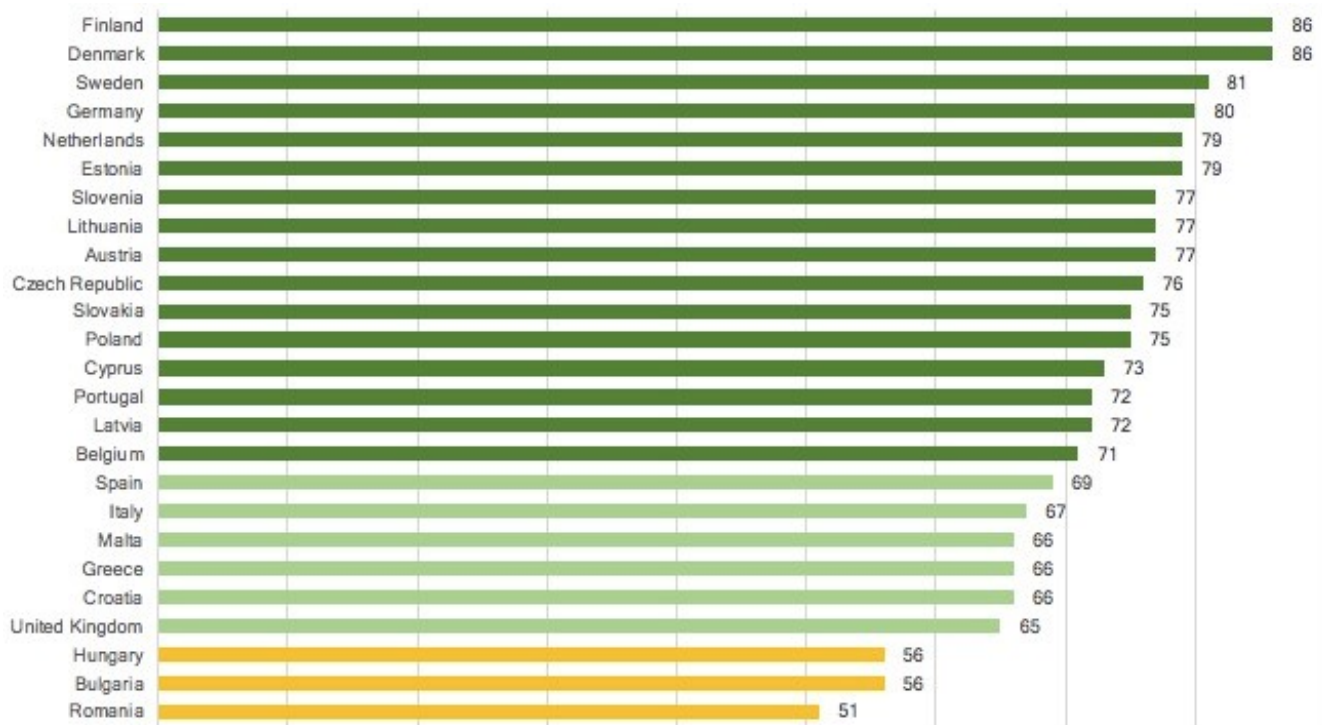


## The integrity of the electoral process: some evidence

Since its independence in 1989, Bulgaria has had a good reputation for conducting free and fair elections, as reported by specialised agencies such as Freedom House and Polity IV. However, new evidence has been gathered by the [Electoral Integrity Project](#). The 2015 annual report compares the risks of flawed and failed elections, and how far countries around the world meet international standards. The report gathers assessments from over 2,000 experts to evaluate the perceived integrity of all 180 national parliamentary and presidential contests held between 1 July 2012 to 31 December 2015 in 139 countries worldwide, including 54 national elections held last year. Forty experts are asked to assess each election, using 49 questions, with an average response rate of 30%. The overall 100-point Perceptions of Electoral Integrity (PEI) index is constructed by compiling the responses.

The PEI score obtained by Bulgaria corresponds to the average of the evaluation of its performance in the [2013](#) and [2014](#) legislative elections, when the centre-right party, [GERB](#) (Citizens for European Development of Bulgaria) led by the former Prime Minister Boyko Borisov, needed a second early election to find a majority in the National Assembly. GERB won 84 seats out of 240 (32.7%), not enough to avoid the formation of a coalition (minority) government with two newborn parties, the centre-right Reformist Bloc and the centre-left party Alternative for Bulgarian Revival, plus the outside support of the Patriotic Front.

## Figure 1: Perceptions of electoral integrity in the European Union (2012-2015)

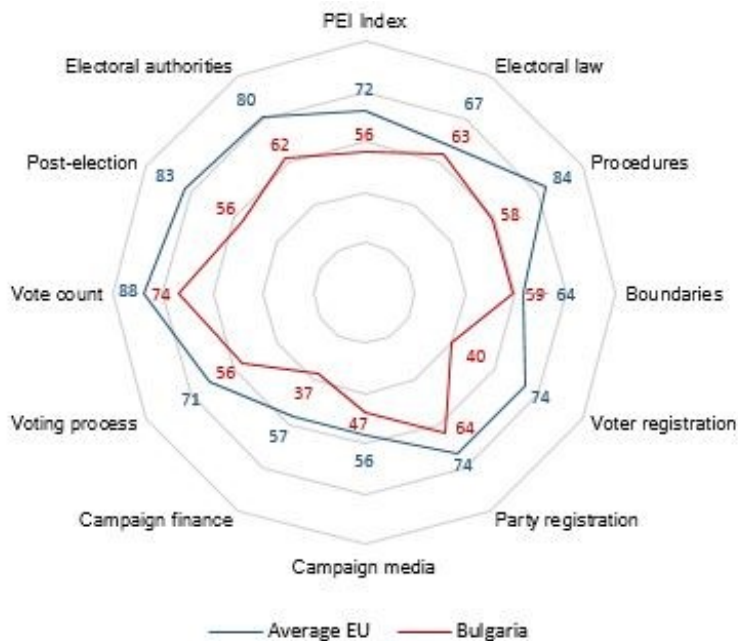


**Note: Scores on the PEI 100-point index by country (2012-2015).** *Source: Elaboration from PEI 4.0 (N=25); Norris, Martinez i Coma, Nai, Grömping (2016)*

Figure 1 above shows variations in electoral integrity across the EU. While there is a general positive pattern across countries – in particular for the northern European and several central and eastern European (CEE) democracies – three former Communist countries, Bulgaria, Hungary and Romania, occupy the bottom of the ranking with a moderate perception (PEI = 50-59) of electoral integrity. Most strikingly, Bulgaria not only scores the second lowest rate in the PEI Index among the twenty-five EU member States included in the sample, but also performs poorly in comparison with the other CEE countries.

What are the weakest stages in Bulgarian elections? Figure 2 shows the low score registered by the country has been mostly due to three indicators: registration procedures; coverage of the electoral campaign by the mass media; candidates and parties' access to private and public funding.

**Figure 2: Bulgaria's performance in Perception of Electoral Integrity sub-indexes**



**Source:** Elaboration from PEI 4.0 (N=25); Norris, Martinez i Coma, Nai, Grömping (2016)

### A critical point: voter registration

According to the Electoral Integrity Project’s report, in the 2013 elections Bulgaria scored one of the worst performances in the world for registration, with a voter registration index of 31/100 (“very low”). This was only partially improved in the following election in October 2014. On this occasion, the elections were rated “high” (PEI Index = 60) while voter registration performed relatively poorly again, scoring just 49/100 (“low”). This implies that, even if Bulgaria approved a [new electoral code](#) in spring 2014, several limits persist with regard to the country’s registration procedures.

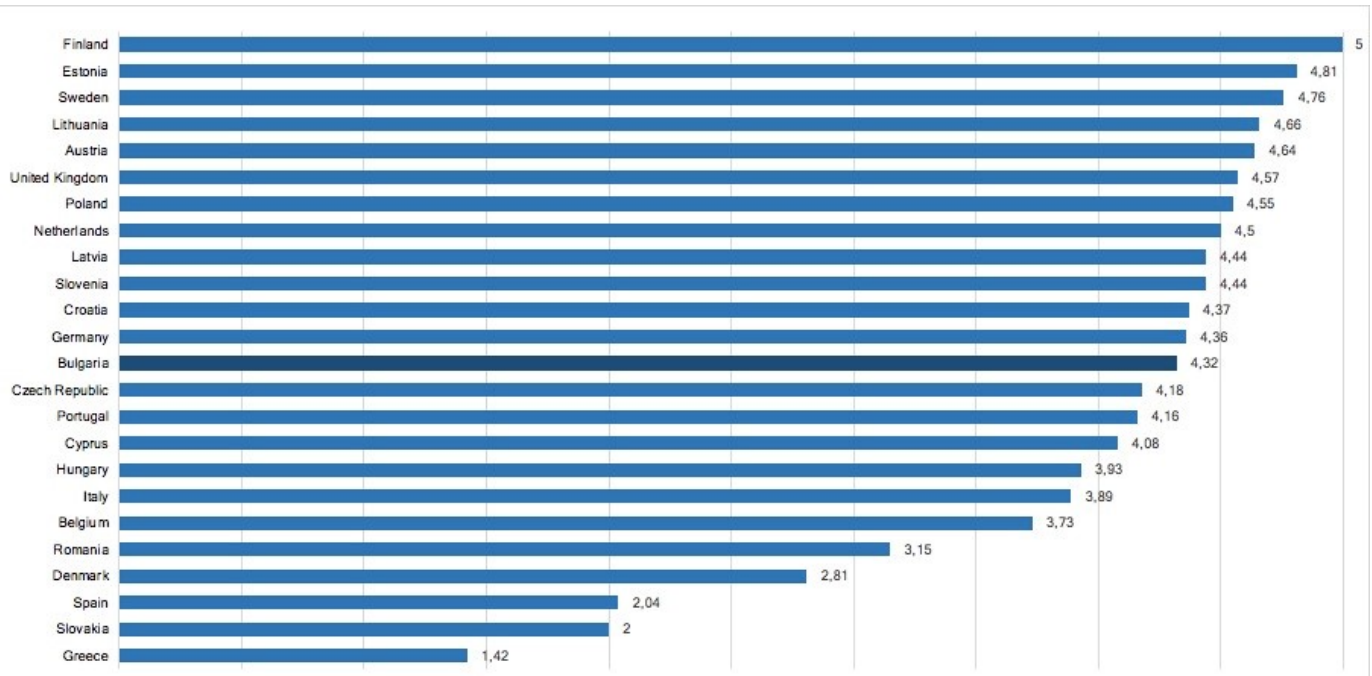
The electoral register for national elections (legislative, presidential and national referendums) is managed by the Ministry of Regional Development and local administrations and is prepared on the basis of registered permanent addresses. All Bulgarian citizens with civil registration are automatically included on the national electoral register, excepting those who have lost their rights for mental disabilities or criminal offences (Electoral Code, article 3). However, both of these provisions are openly in contrast with [OSCE/ODIHR recommendations](#) and international standards – a situation which has been repeatedly highlighted by international electoral observers. Restrictions on voting rights for prisoners, in fact, are assigned without regard to the crime committed. Along with this point, restrictions regarding persons with mental disabilities should be removed or, even in this case, be decided on a case-by-case basis.

Until the recent reform, voters abroad could vote in the country of their residence, submitting a request to be included on the electoral list of a polling station abroad, or be permitted to go directly to the polling station in their country of residence on election day. However, this system of registration had some exposure to potential fraud. Voters abroad could be included in voter lists and the only mechanism to prevent multiple voting was a self-declaration that they had not voted a second time. For these reasons, the media often talk of ‘[electoral tourism](#)’ to refer to documented cases of buses of voters – in particular those residing in Turkey – coming to Bulgaria to cast their vote on election day. The Movement for Rights and Freedoms (DPS), supported mainly by Bulgarian Turks and Muslims, has been often accused of bringing Bulgarian citizens living in Turkey to vote in the elections, despite the significant number of polling stations operating in Turkey itself. According to the media, this procedure allowed citizens to vote both in Turkey and in Bulgaria.

## Conclusion

The provision concerning restrictions on Bulgarians voting abroad was main objection motivating a number of protests in several European cities. Since 1990, Bulgaria is merely one of forty-one European countries – and today one among twenty-five EU member States – to provide external voting to its expats.

**Figure 3: Voting rights for EU citizens living abroad**



**Note: Experts' perceptions of voting rights for expats citizens.** *Source: Elaboration from PEI 4.0 (N=24); Norris, Martinez i Coma, Nai, Grömping (2016)*

Guaranteeing the right to vote for citizens living abroad represents a dimension of electoral integrity in which Bulgaria has performed relatively well, even better than half of the other EU member states. Experts have rated the country's provisions for external voting as more than satisfactory on a scale from one to five, in particular because of the possibility for this category of citizens to vote not only in diplomatic missions but also in several polling stations, as foreseen by article 14 of the Electoral Code passed in 2014.

The recent reform approved by the Borisov government, however, risks undermining this aspect. Political forces in favour of the restrictive provision justified the decision on the basis that there is a need to limit forms of electoral malpractice – in particular vote buying – that appear to deeply affect Bulgaria's democracy. However, data gathered by the Electoral Integrity Project and the [V-Dem Institute](#) show some interesting evidence which may contradict this assumption.

**Figure 4: Ease of external voting and incidence of vote buying**



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