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# *Elections in the Republic of Bulgaria<sup>1</sup>* (July 11, 2021)

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## Preliminary considerations

The Bulgarian electoral scenario has been marked, since the beginning of the last decade, by strong feelings of political instability, dissatisfaction of the electorate and suspicions of corruption, without a clear sign of improvement either in successive government transitions or in long-term political life term (BULGARIA COUNTRY REVIEW, 2021). In addition, it can be noted the existence of a speech noticeably populist in Bulgarian politics, which incidentally, seems to be adequate to characterize the political experience of this state. See that in 2019 there were five populist parties with substantial expressiveness in the country, so relevant in decision making at the parliamentary level. The most important among these parties is the moderate right *Citizens for European Development of Bulgaria* (GERB) whose Prime Minister Boyko Borissov, has led government coalitions since 2014. The GERB is a conservative and pro-EU force that won with 31.1% of the vote in the 2019 EP elections, joining the EPP (Taggart, 2021). However, all its government coalitions stem from the fact that the mandates obtained so far (3) were in the minority, relying on the support of ideologically divergent parties, sometimes with radical cleavages. Indeed, the first of these coalitions had been celebrated with the *United Patriots* (OP), an electoral alliance made up of a series of radical right-wing and Eurosceptic parties: *Ataka*<sup>4</sup>, the *National Front for the Salvation of Bulgaria* (NFSB), the *Bulgarian National*

*Movement* (IMRO)<sup>5</sup> and the *Volya*<sup>6</sup>, together reaching 132 of the 240 MPs of the national assembly and, consequently, the majority (SPIROVA, 2001)

## Legislative elections

It was based in this background that Bulgaria held its legislative elections on July 11, 2021, after the third attempt at government formation by Boiko Borissov following the previous April 2021 election results, early elections were called for the month of July, just three months after the last ballot in the middle of a third wave of covid-19 that is tantalizing all of Europe. In the parliamentary elections to the National Assembly (Narodno Sabranie), were concerned the election of 240 Members of Parliament (MP's) for a term of four years. This election was carried out accordantly with the electoral law approved in 2014 (2014 *Election Code*), and the most recent electoral reforms were introduced in 2019 and September 2020, with the introduction of the dual voting option – in physical ballot or on machines. The electoral system currently in force in the Republic of Bulgaria is a mixed electoral system as, for a total of 240 seats to be allocated, 31 MP's are elected using the *first-past-the-post* (FPTP)<sup>7</sup> system and 209 MP's are elected by the closed - list proportional electoral system, and these seats are subsequently distributed according to the *Hare-Niemeyer* method. Thus, the specificities of this mixed electoral system will be pointed out, analyzing the particularities, based on the 2014 electoral law.

5 IMRO, the radical right party that lives the longest in post-communist Bulgaria is a party originally anti-establishment founded to represent the Bulgarian diaspora. It is led by Krasimir Karakachanov, takes an anti-minority and anti-immigrant stand and defends the protection of Bulgarian culture and society with its slogan “We defend Bulgaria”.

6 *Volya* is a radical right-wing anti-establishment party led by Veselin Mareski, which suggests running the country like a business and criticizes established politicians for their incompetence and corruption. The party has a soft Eurosceptic stance and initially offered external support to the GERB-led government in 2017.

7 The *first-past-the-post* system is an electoral system in which voters vote for their candidate of choice (preferential vote), with the candidate receiving the most votes wins. In the Bulgarian case it is used to allocate 31 parliamentary seats in 31 single-member constituencies. PHILIP NORTON (2007) states that one of the main arguments for the existence and use of this system is the fact that it provides responsibility and balance.

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4 The *Ataka* party was expelled from the United Patriots in July 2019 and is no longer part of the coalition. The party combines a radical right-wing anti-establishment agenda with hard Euroscepticism and a pro-Russian stance. It is led by Volen Siderov with the slogan “get Bulgaria back”.

**i) Electoral capacity**

- With regards to active electoral capacity, it is granted to all citizens over the age of 18, with the exception of those arrested and those interdicted by virtue of a court ruling. (Art. 42 no. 1 of the Constitution of Bulgaria and Art. 243 of the electoral law). The vote is passive and not mandatory.

**ii) Constituencies**

- For the purposes of holding elections, the country's territory is divided into 31 multi-member constituencies, of which three are in the city of Sofia and two in Plovdiv. The remaining regions correspond to the administrative regions (Art. 249 no. 1 of the electoral law).

**iii) Submission of applications**

- Bulgarian electoral law provides for the mandatory provision of bank deposits with the Bulgarian National Bank, of all political parties, coalitions and nomination committees wishing to participate in parliamentary, presidential and European elections. The deposit will be referred to herein for political parties and coalition parties: BGN 2 500 and to appoint committees: 100 BGN (Art. 129 no. 1 of the electoral law). As respectable to the refund, the Central Election Commission should refund within 7 days from the announcement of the final results of the election with the filing decision ( Art. 130 of the electoral law):
  - The political parties and coalitions of political parties which received at least 1% of the votes at national level (Art. 130 no. 1 of the electoral law);
  - The committee 's name action whose candidates won no less valid votes in 1/4 of the regional electoral quota in the election laws (Art. 130 no. 2 subsection a) of the electoral law) ;
- On how to submit applications for the legislative elections, the candidates may be nominated by political parties, coalitions and committee 's in registered sharecropping (Art. 156 no. 1 of the electoral law). The candidates designated by parties, coalitions and committee's appointment will be classified in candidate lists (Art. 156 no. 2 of the electoral law). Likewise, independent candidates will also be classified as closed lists of a single candidate.
- Political parties, party coalitions and nominating committees rank candidates on candidate lists by multi-member constituencies. This is relevant because the candidates of registered parties and coalitions in the register of lists of candidates respect the order fixed the in that list. <sup>8</sup> (Art. 253 no. 1 of the electoral law).
- When it comes to an application of an independent candidate, a nomination committee composed of a variable number of voters shall be established, its purpose will be to appoint such

<sup>8</sup> The number of candidates on each candidate list cannot exceed twice the number of seats in the multi-member constituency (Art. 253 no. 3 of the electoral law).

independent candidate (Art. 151 no. 1 of the electoral law). For an application of this nature to be accepted, it must gather the support of at least 1%, but not more than 1,000 voters with permanent residence in the territory of the region (Art. 257 no. 1 of the electoral law).

- The regional electoral commission must determine the independent candidates elected in the region using a regional electoral quota based on the valid votes cast in that region. An independent candidate shall be elected if they have a regional electoral quota with the votes of the region (Art. 290 no 1 of the electoral law). The votes of independent candidates will be excluded from subsequent allocation of seats (Art. 290 no. 2 of the electoral law).

**iv) Electoral system**

- As mentioned above, the Bulgarian elections are carried out according to a proportional representation system with lists of candidates registered circles multimember parties and blocs or committee 's appointment (independent candidates) (Art. 246 no. 1 of the electoral law).
- Legislative elections are scheduled by the President of the Republic of Bulgaria up to 60 days before Election Day (Art. 4 no. 1 of the electoral law). In the act of voting the voter can choose to vote by paper ballot or by automatic voting ballot (Art. 206 no. 1 of the electoral law).
- By voting on a list of candidates of a political party or coalition, the voter can show his preference for a candidate in the candidate list, thus expressing to you prefer in the order of arrangement of the candidates on the list of candidates the voter is voting (Art. 246 no. 2 of the electoral law).
- Regarding the allocation of parliamentary seats, this is done by the Central Electoral Commission<sup>9</sup> according to the results of the legislative elections. Therefore, the total number of seats for each party and coalition of parties will be allocated by the Central Election Commission based on the valid votes for that party or coalition of parties within Bulgaria and abroad using the *Hare-Niemeyer* Method according to the methodology listed in Annex No. 1 of the electoral Act 2014 (Art. 297 no. 1 of the electoral law).
- The CEC will determine the number of seats for each multi-member constituency, in accordance with Art. 247 no. 1 of the electoral law, no later than 55 days before the Election Day based on the largest remaining method (Art. 250 no. 1 of the electoral law). It should be noted that the number of seats in a multi-member constituency cannot be less than 4 (Art. 250 no. 2 of the electoral law).
- The right to share in the allocation of seats at national level

<sup>9</sup> The CEC determines the number of seats in multi-member constituencies based on a single standard representation for the entire country, depending on the size of the population, based on the results of the latest population censuses (Art. 247 no. 1 of the electoral law).

will be limited to parties and coalitions that have obtained at least 4% of the valid votes in Bulgaria and abroad (Art. 297 no. 2 of the electoral law). The number of seats allocated to parties and coalition parties is equal to the number of MPs of the National Assembly minus the number of independent candidates elected (Art. 297 no. 3 of the electoral law).

- The number of seats of parties and party coalitions in multi-member constituencies will likewise be determined using the Hare-Niemeyer Method (Art. 297 no. 4 of the electoral law).
- Regarding the determination of the candidates elected according to the preferential valid votes received and rankings on party lists, the elected candidates on each list of candidates of a political party or party coalition will be determined according to the number of valid preferences received, pursuant to Art. 278 no. 4 and 5. Since the classification of the list of candidates will be made in accordance with the methodology referred to in Annex No. 1 of the electoral law 2014 election.<sup>10</sup> (Art. 298 no. 1 of the electoral law ).
  - Preferences for individual candidates will be valid if the number of votes received for the candidate is not less than 7% of the cast votes to the list of candidates (Art. 298 no. 2 of the electoral law).
  - Individual candidates will be ranked according to the number of preferences received, starting with the candidate who received the most valid preference votes. These candidates should be excluded from the list of candidates of the respective party or coalition of parties and should be part of List A. The remaining candidates from the list of candidates should keep their initial classification on the list and comprehend the List B. (Art. 298 no. 3 of the electoral law).<sup>11</sup>
  - If there are no candidates with valid preferences, the elected candidates will be determined according to the category assigned in the candidate list. (Art. 298 no. 5 of the electoral law).
  - When the number of candidates with valid preferences is less than the number of seats allocated to the political party or party coalition, all List A candidates will be elected. The remaining seats allocated to the political party or party coalition will be filled by candidates from List B by the order of classification (Art. 298 no. 6 of the electoral law).
  - When the number of candidates with valid preferential votes exceeds the number of seats allocated to the political

party or coalition of parties, the first candidates from list A shall be elected by their sort order until all of the seats are filled (Art. 298 no. 7 of the electoral law).

- When the number of candidates with valid preferences equals the number of seats allocated to the party or party coalitions all candidates List A will be elected (Art. 298 no. 8 of the electoral law).
- Another important aspect to mention is in case of early termination of credentials of an elected MP. In the event of early termination of the MP credentials, the Central Electoral Commission must declare the candidate who succeeded him on the respective list as a member of parliament (Art. 302 no. 1 of the electoral law). However, in cases where a MP, elected from a list of candidates of a political party or party coalition, is appointed to a ministerial position, said MP will be replaced by the candidate ranked next on the list during the period spent as minister (Article 302 no. 2, of the Electoral Law).<sup>12</sup>
  - When there is a candidate who has received valid preferences in terms fixed by the Art. 298 no. 2 but not said candidate has been declared as elected, it is possible to replace a MP in cases referred in no. 1 and 2 of article 302 no. 4 of the electoral law.
  - In the case of an elected as an independent candidate if the mandate of the finish before the end, with the exception no. 2, the place will remain vacant until the end of the legislative term of the National Assembly (Art. 302 no. 5 of the electoral law).
  - The Central Election Commission shall declare the received votes and allocate seats to political parties and coalitions of parties at the latest 4 days after the Election Day (Art. 300 no. 1 of the electoral law). It adds that the Central Election Commission shall state the names of the MP elected within 7 days after the Election Day (Art. 300 no. 2 of the electoral law).

<sup>10</sup> Each candidate list is assigned a number of parliamentary seats equal to the whole part of a number equal to the number of votes on the list, divided by the number of votes from all lists in the electoral zones, multiplied by the number in accordance with Section 5.4 of the Annex I of the 2014 electoral law (art.7.1 of Annex 1 of Art. 248 no. 1 of the electoral law).

<sup>11</sup> When there are two or more candidates with the same number of preferences on List A, their classification on the list will be determined by the Central Electoral Commission based on a draw held in the presence of the candidates concerned and representatives of the political party or coalition of parties. (Article 298 no. 4 of the electoral law).

<sup>12</sup> There being no more candidates on the list, the seat remains vacant until the end of the National Assembly's powers. (art. 302, no. 3 of the electoral law).

## Election results

Parties	2017 (percentage)	2017 (MP's)	2021 (percentage)	2021 (MP's April)	2021 (percentage July)	2021 (MP's July)
<b>GERB</b> <sup>13</sup>	32.7%	95	26.2%	75 (-20)	23.5%	63 (-12)
<b>ITN</b> <sup>14</sup>	-----	-----	17.7%	51 (new)	24.1%	65 (+14)
<b>BSP</b> <sup>15</sup>	27.2%	80	15.0%	43 (-37)	13.4%	36 (-7)
<b>DPS</b> <sup>16</sup>	9.0%	26	10.5%	30 (+4)	10.7%	29 (-1)
<b>DB</b> <sup>17</sup>	-----	-----	9.5%	27 (new)	12.6%	34 (+7)
<b>ISMV</b> <sup>18</sup>	-----	-----	4.7%	14 (new)	5%	13 (-1)
<b>IMRO</b> <sup>19</sup>	-----	-----	3.6%	0	-----	-----
<b>BNU</b> <sup>20</sup>	-----	-----	3%	0	-----	-----
<b>Patriots</b>	-----	27	-----	-----	-----	-----
<b>Volya</b> <sup>21</sup>	4.2%	12	-----	-----	-----	-----
<b>YES</b>	2.9%	0	-----	-----	-----	-----
<b>ABV – movement</b> <sup>22</sup>	1.6%	0	-----	-----	-----	-----
<b>Revival</b> <sup>23</sup>	1.1%	0	-----	-----	3%	0
<b>Total de MP's</b>	-----	240	-----	240	-----	240

<b>Population</b>	6842751
<b>Registered voters (April)</b>	6789605
<b>Registered voters (July)</b>	6,578,716
<b>Participation (April)</b>	3333997 (49.10%)
<b>Participation (July)</b>	2,766,789 (50.68%)
<b>Valid votes (April)</b>	3247470
<b>Invalid votes (April)</b>	86527

13 Citizens for European Development of Bulgaria, led by Boyko Borisov

14 There Are Such People, led by Slavi Trifonov

15 Coalition for Bulgaria, led by Korneliya Ninova

16 Movement for Rights and Freedoms, led by Mustafa Karaday

17 Democratic Bulgaria, led by Atanas Atanasov & Hristo Ivanov

18 Stand Up.BG/Stand Up! Thugs Out!, led by Maya Manolova

19 Bulgarian National Movement, led by Krasimir Karakachanov

20 Bulgarian National Unification+GPBL

21 Led by Veselin Mareshki

22 Alternative for Bulgarian Revival, led by Rumen Petkov

23 Led by Kostadin Kostadinov

The GERB again won the legislative elections of April 4, 2021, gathering the highest number of votes with 26.2% of the votes, but it suffered a considerable drop compared to the previous elections. To understand this phenomenon, we should keep in mind the several rallies for anti-corruption which mobilized thousands of Bulgarians since the summer of 2020 in addition to the existing dispute between pro-Russian and pro-Western factions. The discontent of the electorate is still noticeable in the more than 17% reached by the ITN - “There Are Such People”, a new party, led by Slavi Trifonov and known for its populism and strong criticism of the government (RFI, 2021). The biggest defeat was for the Bulgarian Socialist Party which decreased from 28% to 15%, and which joins the protest vote of new parties such as “*Democratic Bulgaria*” and the left-wing party “Stand Up.BG/Stand Up! Thugs Out!” close to President Roumen Radev, which got 4.7%.

Even so, the turnout fell short of 50% of registered voters, which is justified by the fear of Covid-19, as the elections took place during the third wave of the pandemic, while the country surpassed its worst phase since its beginning. In addition, the election had 86,527 invalid votes, which in itself is already a serious symptom of the population’s discontent due to the economic crisis that is plaguing the country, together with attacks on the rule of law and freedom of the press, this means there is discontent at three levels, economic, political and social (RFI, 2021).

As announced, Bulgaria went back to the polls on 11 July 2021 and despite Bulgarian President Roumen Radev’s plea that if isn’t possible to form a government after the July elections, Bulgaria would face a serious constitutional crisis, Bulgarian voters remain divided.

We saw a significant growth of the There Are Such People party, led by Slavi Trifonov, which managed to elect 65 MPs, 14 more than those elected in April. In addition, the Party of Former Prime Minister Boyko Borisov, GERB, suffered a drastic breakdown, and his party having lost the elections, which means that he will not be appointed as Prime Minister, a position he has held since 2009.

In view of these results it is possible to see Bulgaria stepping away from the West as Boyko Borisov had managed to establish himself as a close ally of Western leaders in Brussels and position himself as a partner of the European People’s Party (EPP). However that wasn’t enough to keep the *status quo*, given that Bulgarian voters demonstrated their dissatisfaction with the several corruption scandals, often linked to European funds, as well as to rule of law issues relating to freedom of the press, all which the EU seems to keep turning a blind eye to. (DZHAMBAZOVA, 2021)

The GERB’s popularity eventually suffered, which was reflected in the results, due to revelations by the interim government about the party’s legacy. The GERB denies wrongdoing and says such accusations are politically motivated. In addition, the USA sanctioned some Bulgarian entities in June for alleged involvement in corruption. (FRANCE 24, 2021)

The issue is that even if political parties manage to form a government, the parliament will remain volatile as it consists of six parties.

## Conclusion

Since the three most voted parties did not have the ability to form a coalition government, the procedure followed was the dissolution of parliament by President Roumen Radev with the appointment of a new electoral commission which in turn scheduled early elections for 11 July. With the election’s results now known, if this crisis of instability persists, that is, if it is not possible to form a government, Bulgaria will face more than a political crisis, it may face a veritable constitutional crisis, something that was already stated by Radev. The president warned that the country needed an “alternative” and requested all parties to reconsider their behavior (PÚBLICO, 2021). The importance in all of this might mean that the political instability of the next two months could delay the reforms necessary for the most efficient application of the 750 billion euros of the European Union’s Recovery Fund (RFI, 2021).

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