



International Foundation for Electoral Systems

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The 1990 Bulgarian Elections: A Pre-Election Assessment

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**The 1990 Bulgarian Elections:
A Pre-Election Technical Assessment**

PART ONE. OVERVIEW

MISSION

A three-member pre-election assessment team was sent to Bulgaria for one week, April 13-21, to assess the Government of Bulgaria's electoral process and its ability to conduct free and fair elections.

Members of the team were Dr. John Bell of the Department of History, University of Maryland, Baltimore County; Mr. Ron Gould, Assistant Chief Electoral Officer, Elections Canada, Ottawa, Canada; and Dr. Richard G. Smolka, Department of Public Administration, American University, Washington, D.C. and editor of Election Administration Reports, a newsletter for election officials.

While in Bulgaria, the team met individually and collectively with the officers and staff of the central electoral commission, leaders and representatives of each of the leading political parties and leading citizens' groups, and with professors and journalists.

The team examined and discussed the electoral process, the role of the constitution, electoral law, composition and role of the central electoral commission and regional electoral commissions, voter registration procedures, the methods of ballot security, vote counting and verification, and the contest and appeals procedure. It also discussed the role of political parties in the campaign and in the election.

The team returned to IFES with copies of the election law, the law on political parties, a sample voter ID card, various forms for use in the election, and newspapers printed during the period of the visit.

The written report that follows presents the findings and recommendations of the team.

EXECUTIVE SUMMARY

The electoral process seems both workable and reasonable. There is growing confidence it will produce free and fair elections especially with the agreements arrived at by the multi-party roundtable and sufficient international attention.

The form of government with half the constituent assembly elected by single member majority districts and one-half elected on the basis of proportional representation from 28 constituencies offers a balanced approach to a new government. The system provides opportunities to elect a majority party government capable of governing. At the same time, it provides some representation for minorities through proportional representation.

A significant active opposition has emerged in Sofia and seems to be emerging even in the more rural provinces. But we understand from all the parties that there is still a climate of fear of the existing regime especially in smaller rural communities and some intimidation is feared.

The Electoral Commission with representation from various parties and factions seems to be resolving differences among the participants. Nevertheless, the legacy of fear is strong and still evident especially among opponents of the government. Events to date indicate progress is being made almost daily towards insuring equitable opportunities to the satisfaction of all parties.

The ballot mechanism, built on former procedures, appears to be somewhat cumbersome in its operation. The manual tally dictated for proportional representations regional commissions outside Sofia may result in an unnecessarily slow determination of seat distribution. The system also demands an unnecessarily large volume of paper ballots that must be printed in a nation where paper is in critical short supply.

Although our focus of attention was primarily directed toward the Central Election Commission, we observed that the political parties operate in dramatically different ways with the opposition lacking in campaign supplies readily available to the party in government. Opposition parties, however, are successful in taking their message to the public through many means of communication including television, radio, newspapers, and posters.

We have identified the ballot paper shortage as the most critical need. There is no indication of how the CEC planned to meet the needs should our mission be unsuccessful. The CEC also needs computer paper for printing local lists of voters. The commission is satisfied with progress in training election and poll workers. It was also satisfied with available computer resources. Other than paper, no other needs were cited by the CEC.

The commission was pleased photo ID equipment and transfer cases might be made available.

The paper situation should be monitored very carefully and if the ballot paper is in short supply, distribution and availability of various party ballots could be critical. If the situation is truly critical, perhaps a recommendation could be made for an amended ballot style in single mandate districts.

THE HISTORICAL CONTEXT

It is frequently observed that Bulgaria has had little experience with democracy. Indeed, for most of the time since 1878, when the country was liberated from five centuries of Ottoman domination, it has been governed by royal/military or Communist dictatorships that explicitly rejected democratic institutions as "anarchic" or "bourgeois." Yet the struggle for democracy is one of the central and recurrent themes of Bulgaria's modern history. Democratic values motivated many of Bulgaria's political actors and were a cause to which the Bulgarian people contributed more than their share of martyrs.

During the nineteenth century those Bulgarians, often educated in Western Europe, who sought to revive their people's sense of national identity, held out the ideal of creating an independent, constitutional and democratic state. At the constitutional convention held in Veliko Turnovo in 1879, using Belgium as a model, they adopted a democratic constitution that was one of the most advanced in Europe, providing for a unicameral legislature elected on the basis of universal male suffrage, strictly-limited monarchy, and a broad array of civil rights.

The attempt to transplant a Western constitution in Balkan soil, however, encountered many obstacles. Bulgaria lacked a strong middle class, and a low level of literacy and political consciousness among the masses frequently led to their manipulation by unscrupulous political bosses. The monarchs imported from Germany had little sympathy toward democratic values, and aimed to recreate the absolutist system in which they were raised. They relied on the army and cultivated extreme nationalist feelings.

The Great Powers also intervened in Bulgarian politics by supporting particular parties or the monarch or using economic pressure or military threats. Nevertheless, the country also nurtured forces committed to democracy. The Democratic and Radical Democratic Parties drawing their support from the country's intelligentsia and professional classes generally were loyal to the constitution. The Social Democratic Party (or "Broad Socialists") advocated gradual reforms within a democratic context and commanded the support of much of the country's civil service and a part of the working class.

But above all, after its founding at the end of the nineteenth century, the Bulgarian Agrarian National Union (BANU) became Bulgaria's party of mass democracy, aiming to bring the country's peasant majority into full participation in the country's political life. After World War I, the Agrarian government led by Alexander Stamboliski aimed at returning Bulgaria to full constitutional government and to vastly increasing the resources of the state devoted to raising the economic and educational level of the peasantry. Stamboliski's acceptance of the peace treaty imposed

on Bulgaria, however, alienated the military and extreme nationalist elements, and in 1923 his government was brutally overthrown. Stamboliski himself and many of his ministers were murdered.

In 1931 the People's Bloc, a coalition of the Democratic and Radical Democratic Parties and the Agrarian Union, overcome government manipulation of the elections to score an overwhelming victory. The results were short-lived, however, since a military coup overthrew the People's Bloc government in 1934, and Bulgaria ended the interwar period as a royal/military dictatorship.

Despite the fact that the regime of Tsar Boris III outlawed political parties, traditional political loyalties continued to play an important role throughout the war. Many of the old political leaders, who still commanded popular respect, opposed the Tsar's alliance with Nazi Germany. Their influence was most apparent when Germany demanded that Bulgaria deport its Jewish population to Treblinka. Organizing popular demonstrations, they persuaded the Tsar to rescind the deportation orders, and Bulgaria's Jews survived the war.

During the war, some of Bulgaria's parties - the Agrarian Union, the Social Democrats, and a group of officers and intellectuals called Zveno - joined the Communists in a program of resistance and created the Fatherland Front, a coalition that seized power when the Bulgarian government collapsed following the Soviet invasion. It soon became apparent, however, that the Communists viewed the coalition only as a means to their achievement of complete power. Using their control of the police and courts and taking advantage of the Soviet occupation, they undermined their erstwhile allies, coopted some, and drove the rest into opposition.

Resistance to communization was led by the Agrarian Union, which organized an Opposition Bloc under Nikola Petkov, to compete with the Communist Party internally and to seek Western support. In the elections for a Grand National Assembly to write a new constitution, held on October 27, 1946, the Opposition Bloc polled nearly one-third of the votes in the face of a brutal campaign of intimidation. Western indifference to Bulgaria left the Communists with a free hand. Petkov was charged with treason, arrested, and condemned to death, and the Opposition Bloc was made illegal. Petkov's execution by hanging marked the end of the democratic resistance to Communism.

The Communist Era

By the end of 1947 the Bulgarian Communist Party (BCP) was fully in control of the instruments of power and used them to wipe out the last vestiges of pluralism. Political parties were disbanded with the exception of a puppet Agrarian Union maintained

as the "little brother" of the BCP in the countryside. A new constitution was adopted modeled on the 1936 Stalin Constitution of the USSR. Private enterprise was quashed, workers forced into state-run trade unions, and during the next few years peasant agriculture was replaced by collective farming. The Bulgarian Orthodox Church and other religious groups were placed under direct state administration. Bulgaria's Communist leaders prided themselves on their emulation of Stalin, and employed the same tactics of terror and intimidation.

While the IFES delegation was in the country, television and the opposition press reported in detail the recent discovery of a mass grave near the site of a former concentration camp near the city of Lovech. It contained the remains of hundreds of prisoners who had been beaten to death, serving as a grim reminder of the brutality with which the country was forced into the mold of Stalin's Communism.

The Soviet de-Stalinization campaign began three years after Stalin's death in 1953 and was reflected by similar changes in Bulgaria. Todor Zhivkov was the principal beneficiary of these changes, emerging as Khrushchev's Bulgarian protege and enjoying Soviet support in ousting the old Stalinist leadership. Zhivkov's long tenure in power was not without positive achievement. The brutality of the previous era was replaced with more subtle forms of social and political control; the process of industrialization made considerable strides forward; and the regime invested heavily in education to produce the skilled population necessary for Bulgaria to participate in, to borrow one of Zhivkov's most frequently used phrases, the "scientific-technological revolution of our era."

Had he died or retired a decade earlier, Zhivkov might have enjoyed popular esteem, but he kept close hold on the reins of power during the 1980s when the economy began to experience stagnation or even decline and when Bulgaria's increasingly educated population began to grow more restive.

The impact of glasnost and perestroika

Because Zhivkov always stressed Bulgaria's fidelity to the USSR, stating that the two countries had "a single circulatory system," it was inevitable that he would have to introduce his own version of Gorbachev's "new thinking," even though he had little appetite for it, and in 1987 he inaugurated the "July Concept," seeming to embrace the cause of reform wholeheartedly. Along with a wave of administrative and economic reorganization, the July concept called for several steps toward political democratization, including an expansion of press freedom and experiments with multi-candidate elections. Both of the latter proved short-lived.

Following the exposure of several cases of official corruption, the press was again made subject to more stringent controls and dissident editors and reporters were fired. In the elections for mayors and regional and municipal councilors (held on 28 February 1988), local electoral commissions disqualified all but the officially approved candidates in 80 per cent of the electoral districts. According to information provided during the IFES delegation's visit, in those districts where "outsider" candidates managed to find a place on the ballot, the authorities insured their defeat by trucking in large numbers of absentee voters from districts where there was no challenge to the official list and by changing the results on forms submitted by the election precincts. The current opposition has clearly learned from this experience and has successfully insisted that the new electoral law provide safeguards against both of these abuses.

Despite government persecution, dissidence in Bulgaria continued to build in several quarters. On the one hand, many members of the country's intelligentsia, particularly in the Sofia region, joined "Clubs for the Support of Glasnost and Perestroika," which developed an organization independent of the government and kept a critical spirit alive. Podkrepa (Support), an independent trade union, was organized in February 1989, and quickly began to enroll thousands of members.

In the city of Russe, being slowly poisoned by chlorine gas emissions from a Romanian chemical combine across the Danube, an organized ecological movement was formed that openly challenged the government's indifference to the destruction of the Bulgarian environment. Many of the participants in these movements refused to buckle under to government intimidation, and mounted a more and more open challenge to Zhivkov's rule.

In 1984 the government had subjected the country's Turkish minority to a program of forced Bulgarianization. Ethnic Turks were persecuted for using the Turkish language and were forced to adopt Bulgarian names. During early 1989 simmering Turkish resistance to these measures led to widespread clashes with authorities. In the summer, when the government of Turkey opened its border to refugees from Bulgaria, more than 300,000 ethnic Turks fled or were driven from the country, an event that focused international attention on Bulgarian abuses of human rights.

Bulgaria's international isolation, the declining economic situation, and Zhivkov's own increasingly erratic and arrogant behavior prompted his colleagues to organize an internal party coup d'état. On November 10, 1989, his resignation was tersely announced to a startled country.

The first steps of the new regime

The fiction that Zhivkov had resigned voluntarily lasted only days. The former leader was soon under intense attack for personal corruption and for establishing an authoritarian (even "totalitarian") regime. His relatives and closest supporters were quickly purged from their posts in the party and state.

The new party leadership, headed by Petur Mladenov, Bulgaria's longtime foreign minister and a key figure in the coup against Zhivkov, pledged to welcome and promote the development of pluralism in the country and respect the rule of law. To this end it halted the persecution of the ethnic Turks and invited those who had fled to return to the country; allowed opposition groups to register as legal entities; and promised to eliminate the domestic role of State Security, the political police that had kept much of the population in fear. The party also followed the example of its counterparts in Eastern Europe by amending Article One of the constitution that had recognized the BCP as the guiding force in Bulgarian society.

At an extraordinary congress held in late February, the party carried through a number of structural and personnel changes, and took the first steps to separate the party from the state. Petur Mladenov resigned the party leadership while remaining titular head of state. Andrey Lukanov, widely regarded as the party's ablest figure, became prime minister. And Alexander Lilov was elected chairman of a restructured BCP Supreme Council.

Although not well known in the country, Lilov is regarded as a cultured and intelligent man and possesses the political capital of having been purged by Zhivkov in 1983. Since that time he headed the Institute for Social Theories that had a reputation for sheltering dissident thinkers. As a symbol of their intention to break with the past, the new leadership dropped the name "Communist" and renamed the BCP the "Bulgarian Socialist Party."

For some party members, the reforms adopted by the extraordinary congress did not go far enough, and a number of divisions began to appear. One was the organization of the Alternative Socialist Party which broke away to form its own organization. Within the party, the faction "Road to Europe" was formed to promote rapid democratization and to pursue a policy of reconciliation with the West. A conservative opposition to the party's new course also surfaced as opposition to the abandoning of the name "Communist."

In addition to the changes that took place in the party itself in the wake of November 10, a number of the party's auxiliary organizations also collapsed or ceased to function. The Central Council of Trade Unions declared its independence from the party and elected a new leadership. Some unions dropped out of the

organization altogether while alternative unions, especially the independent Podkrepa, recruited thousands of new members. The Dimitrov Communist Youth League, or Komsomol, blew apart at its congress early in the year. It was replaced by a new organization that declared itself independent of party control, and by a number of rival youth organizations, some of which affiliated with the political opposition. The puppet Agrarian Union purged its old leadership, left the government, and declared itself an opposition party.

It is also apparent that many party cells in the workplace have been dissolved or have lost their former authority. (N.B. Some members of the opposition stated that many party cells, particularly in the army, had not been truly disbanded, but had only gone underground. It was not possible for us to verify this statement.)

While the Communist Party was breaking with the legacy of the Zhivkov era, opposition political groups were also being organized. The Discussion Clubs transformed themselves into a political party, as did the environmental movement, renamed Eco-glasnost. The number of parties and movements mushroomed rapidly, - approximately fifty are said to have been formed - but at the end of 1989 the most important formed a coalition, the Union of Democratic Forces, to challenge the Communists.

The UDF quickly showed its ability to stage mass demonstrations in the capital, and its leaders gained the agreement of the Communists to enter into roundtable discussions on the future of the country. The roundtable, which came to function as a substitute parliament, hammered out agreements on the rights of the opposition, the timing of free elections, and most importantly on the new election law.

Bulgarian history and the election agreement

A number of traditional Bulgarian elements have been incorporated in the election agreement. The first involved the decision to elect a Grand National Assembly, rather than an ordinary parliament, to prepare a new constitution. According to the old Turnovo Constitution, a Grand National Assembly differs from the regular assembly in being twice as large and possessing the power to create or alter the constitution. The UDF chose to begin its campaign on the anniversary of the adoption of the Turnovo Constitution with a mass rally in Turnovo itself. There, they explicitly linked their struggle to that of Bulgaria's nineteenth-century awakeners, vowing to create a "second Turnovo Constitution" that would restore the liberties of the first.

A second traditional element involved the decision to assign colors to the various political forces and to vote with colored ballots. The original raison d'etre of this system no longer

exists - Bulgaria has one of the world's highest literacy rates - but it provides a legitimizing link to the pre-Communist era.

One may also point to the revival of many of Bulgaria's pre-war political parties such as the Democrats, Radical Democrats, Social Democrats, and the Agrarian Union. While most of them are grouped under the umbrella of the UDF, they testify to the existence of traditional loyalties stretching across the forty-five years of Communist rule.

THE CURRENT POLITICAL SCENE

The Bulgarian Socialist Party

The BSP enjoys the advantages of forty-five years of incumbency. It possesses a large apparatus, the (at least nominal) loyalty of the civil and military bureaucracies, the country's largest newspaper, and a corps of well-known leaders. President Mladenov, Prime Minister Lukanov, and Defense Minister Dobri Dzhurov are generally regarded as able men and are given credit for removing Zhivkov and launching the party and state on a course of reform. They have endorsed a program calling for a multiparty system, respect for law, and the introduction of a market economy that seems to differ little from the program of the UDF.

If elections had been held in the first weeks after Zhivkov's fall, there is little doubt that the party would have received broad popular support. However, the opposition has been successful in shifting attention from the party's record of the last six months to its record over the past forty-five years. As the BSP increasingly recognized that the June elections will become a referendum on Communism, its leaders have begun to rationalize the possibility of defeat and to prepare for it.

During a two-hour discussion with the IFES delegation, BSP leader Alexander Lilov maintained that the opposition actually enjoyed a material advantage over the BSP owing to the contributions it received from abroad. Moreover, he complained with perhaps more justice that the BSP had agreed to share equal time with the opposition on Bulgarian radio and television, while Radio Free Europe, and the Bulgarian services of the BBC, Voice of America, and Deutsche Welle were solidly in the opposition camp. The BSP's political action committee admitted that it would be extremely difficult to convince the "irrational" Bulgarian citizen that the brutal repression of the past belonged to history and was unrelated to the current situation.

Lilov expressed some resentment that the BSP was not given sufficient credit for reversing the policies of the Zhivkov era. He pointed out particularly that if there were justice Bulgaria's ethnic Turks would vote for the leaders that ended the policy of repression. He added, however, that he knew they were solidly with the opposition.

Lilov argued that whatever the outcome of the elections, Bulgaria should have a coalition government, and he stressed the skills and experience that the BSP could contribute to it. This was a theme raised regularly by BSP supporters. The BSP has indeed offered to form a coalition with the opposition even before the elections, but has been rebuffed.

Given the BSP's past, it is not surprising that there is a tremendous legacy of distrust toward it. Members of the opposition regularly expressed the conviction that the BSP would do all in its power to rig the elections or resort to unclean tactics to intimidate the voters, particularly in more isolated, rural areas. Lilov himself admitted that some local officials might abuse their authority, although he denied that this represented the party policy.

During the IFES visit, no specific examples of the BSP's abuses of power were given. On the contrary, even during the week of this visit, the IFES delegation was able to observe a growing confidence that the agreements reached by the roundtable were being observed by all sides and implemented fairly, and that the international attention now focused on the country would keep the government honest, at least through the June elections.

For example, members of the opposition seemed convinced that the BSP would use its members on the Central Electoral Commission to gerrymander the electoral map in the party's favor. Yet when the map was released, the opposition admitted that traditional boundaries had been used and that the variation in population between districts was well within the limits tolerated by democratic states. Opposition leaders also admitted that the BSP had made recent concessions regarding the supply of newsprint and access to the broadcast media.

The IFES delegation observed that the population of Sofia did not seem afraid to participate in opposition activities or to wear opposition symbols at work or on the street. Indeed, judging by the signs of visible political activity, one might easily conclude that the UDF, not the BSP, was the party in power in Bulgaria.

The Bulgarian Agrarian National Union (official)

During the Communist period, a sanitized version of the BANU was kept alive by the Communists and allowed to function as the BCP's little brother. In this capacity it retained the trappings of a party, with offices and clubs, a newspaper, etc., and shared in the government of the country. When Zhivkov was removed from office, an internal revolt occurred in the BANU that removed its leadership. The new leaders withdrew the BANU from the government and have proclaimed themselves an opposition party. However, they are faced with a rival organization, the BANU - "Nikola Petkov," led by former dissidents, that claims to be the genuine Agrarian Union.

Attempts to unify the two organizations failed, because the official BANU refused to join the UDF. Viktor Vulkov, the new chairman of the official BANU, stated that his rivals should have left the UDF just as his group abandoned its partnership with the BSP. Vulkov also stated that the official BANU will seek to be a

"third force" in Bulgarian politics and will field a full slate of candidates in the June elections. By all accounts, however, his rivals (see below in the section on the UDF) are succeeding in painting Vulkov's party as an ally of the Communists and have had considerable success in winning over the rank and file.

The Union of Democratic Forces

The Union of Democratic Forces is a broad coalition of disparate groups and parties. At the time of its formation, on 7 December 1989, it included ten organizations that had played a role in the dissident movement before Zhivkov's fall. These were:

The Federation of Clubs for Glasnost and Democracy. The Federation grew out of the original Club for the Support of Glasnost and Perestroika formed at the end of 1988 by leading figures in the Sofia intellectual community. Following the fall of Zhivkov, it was renamed the Club for Glasnost and Democracy, and similar clubs were formed around the country. The Federation is oriented toward intellectuals and professionals, aiming to provide a forum for the discussion of political ideas and programs. The Federation has provided much of the "brain trust" in the leadership of the UDF. UDF President Zhelju Zhelev was the founding spirit of the discussion club movement. Petko Simeonov, now president of the Federation, is also director of the UDF's election campaign.

Eco-glasnost. Eco-glasnost is descended from the Committee for the Ecological Defense of Russe that was suppressed by the Zhivkov regime. Its focus is ecological, but it also maintains that ecological issues can be addressed honestly only in a democratic society. Eco-glasnost is particularly strong among the country's intelligentsia and youth. One of its leading figures, the zoologist Petur Beron is the Secretary of the UDF. The well-known actor Petur Slabakov, is President of Eco-glasnost's Governing Council.

Podkrepa. The Independent Federation of Labor "Podkrepa" - the word means "support" - was founded as an alternative to the state-dominated official unions. Led by the charismatic speaker, Dr. Konstantin Trenchev, Podkrepa originally aimed at organizing professional, scientific, and technical personnel, but has since attracted a large following from a broader range of workers. Podkrepa is one of the organizations most hostile to the BSP and the current government. Earlier in the year, its members were very active in organizing political strikes, a policy not universally approved by the UDF leadership.

The Bulgarian Agrarian National Union - "Nikola Petkov." Nikola Petkov was the Agrarian leader who led the opposition to the Communist takeover of Bulgaria and was executed in 1947. The BANU - "Nikola Petkov" was reorganized in recent years as an alternative to the official, or puppet, BANU which shared power

with the Communists. Its leader, Milan Drenchev, was imprisoned as a young man during World War II for participation in the resistance and served fourteen years in camps and prisons after the war for opposition to Communism.

Following the fall of Zhivkov, the official BANU declared its independence from the Communists and sought to ally with BANU-NP to form a "third force" in Bulgarian politics. Drenchev, however, demanded as a price of unity that the official BANU join the UDF and accept its program. When this demand was refused, Drenchev broke off negotiations and proceeded to try to win over the rank-and-file membership. According to most reports, he has been very successful, and the BANU-NP seems to be playing an important role in winning supporters for the UDF in the countryside.

The Committee for the Defense of Religious Rights, Freedom of Conscience, and Spiritual Values. This committee was organized in 1988 to campaign for the rights of the Orthodox Church. Its leader, Father Khristofor Subev, has petitioned the government to declare Christmas and Easter national holidays and to provide for religious broadcasting on the media. Before the fall of Zhivkov, he had been arrested on several occasions for leading illegal religious processions.

The Bulgarian Social-Democratic Party. Like the BANU-NP, the Social-Democratic Party represents a revival of one of pre-Communist Bulgaria's traditional political elements. Its leader, Dr. Petur Dertliev, was imprisoned for nine years after the Communist takeover. Although the party belongs to the Second International and has established contacts with West European Social-Democratic Parties, its campaign material stresses the fact that it completely rejects Marxism and endorses a multiparty political system and free market economy.

Independent Students' Society. Emil Koshlukov, who spent several years in prison for distributing anticommunist material during his military service, founded this group in the aftermath of the dissolution of the Komsomol. It is one of the more extreme anticommunist, anti-Soviet elements in the UDF. It has organized demonstrations for a free Lithuania in front of the Soviet Embassy.

Citizens' Initiative. This organization, led by Liubomir Sobadzhiev, was formed in Russe to call attention to abuses of civil rights by the Bulgarian government. It was particularly active in defense of the ethnic Turkish population.

Independent Society for the Defense of Human Rights. In the period before Zhivkov's fall, this group was organized by Dr. Rumen Vodenicharov to focus international attention on Bulgarian abuses of human rights. Dr. Vodenicharov is one of the two official "spokesmen" for the UDF.

Club of Those Illegally Repressed after 1945. This group was clandestinely organized by Peter Batalov, whose two brothers were shot for anticommunist activity in the 1950s. Its goal is to win rehabilitation for those who suffered repression at the hands of Communist authorities.

Shortly after these ten organizations formed the UDF, three more parties were admitted. Two of them, the **Democratic and Radical Democratic Parties**, were revivals of pre-communist political forces. The third, the **Green Party**, was a new formation, made up of those who found Eco-glasnost too conservative. Its basic position is that Bulgaria does not need perestroika, but a total change in its political organization.

Eight other parties - the Christian Republicans, the New Social Democrats, the Free Democrats, the Liberal Democrats, the Republicans, the Socialists, the Bulgarian Constitutional Democrats, and the Independent Democrats - have associated themselves with the UDF and pledged unity of action with it in the coming elections. The IFES delegation was not able to find much information about these parties; some of them seem to be regional and very recently formed. Their role in the UDF should become clearer when the coalition draws up its lists of candidates for the June elections.

The UDF is housed in a converted art gallery, six stories high with no functioning elevator. The decrepit telephones and typewriters confirm its complaint that the government has been laggard in fulfilling its promise to furnish office equipment and supplies. But the UDF has the air of a winner. The energy level is high, the secretaries are attractive and professional, and people fly through the building with an obvious sense of purpose.

UDF leaders are extremely confident, expecting not just to win the June elections, but to score a crushing victory. In an interview with the IFES delegation, UDF president Zhelju Zhelev predicted that if the UDF does not self-destruct it will get in approximately 80 per cent of the vote. Other UDF leaders also stated that the political tide is flowing in their direction.

The growth of UDF confidence has been a fairly recent phenomenon. Only weeks before the IFES delegation arrival, the general tone was pessimistic, that there was little hope of overcoming the well organized BSP with its nationally known leaders and its huge material advantages. What factors have brought about the change?

The UDF is clearly pleased with the agreements that have been reached in the roundtable discussions and ratified by the National Assembly. These include the laws legalizing political parties, the law on the June elections, and the agreements establishing ground rules for the campaign. The agreements themselves were described

as fair and reasonable, but there was initial distrust that the BSP would live up to them. This distrust seemed to be dissipating, and the UDF seemed to be increasingly convinced that the laws would be implemented honestly and allow the campaign to be conducted on a fairly level playing field.

Most UDF complaints about the BSP's conduct dealt with campaign issues and not with the election law. One example dealt with the government's allocation of newsprint to the opposition press - that is, it allowed the BSP newspaper a circulation of 700,000 and the main paper of the opposition only about 125,000.

This difference is real, but is probably outweighed by the crucial fact that the press is free. Jordan Vasilev, editor of the UDF newspaper Demokratsiia, told us that the paper circulates widely from hand to hand and commands a substantial premium on the black market. He had recently received an increase in his allotment of newsprint, and was clearly optimistic that the opposition press was reaching an audience outside the major cities.

As far as we could observe, Bulgarian radio and television were giving substantial and fair coverage to opposition political activities. In programs devoted to current issues and problems, clearly-identified UDF speakers debated with BSP representatives and others and were making their positions clear.

Another complaint that was frequently made by representatives of the opposition, was that the BSP made untrue statements in its election campaign - for example, that an opposition victory would endanger pensions or bring about the discharge of all government workers and military officers. The indignation shown by some members of the opposition to these "distortions," is probably evidence of their unfamiliarity with democratic politics.

Despite these complaints, UDF leaders were confident that their influence is spreading rapidly outside Sofia. Turnouts at political rallies have been larger than expected, and the population is becoming educated to the fact that a genuine choice will be presented in the June elections. Above all, the opposition believes that it is successfully turning the election into a referendum on the past forty-five years of Communist rule. UDF leaders were much impressed by the examples of Hungary and Czechoslovakia where reform Communists were swamped under an outpouring of anticommunist sentiment, and they do not expect that Bulgaria will be an exception to this pattern.

A principal fear expressed by some UDF leaders was that "extremists" in their own ranks might frighten away potential supporters. We attended one rally at which the BSP was denounced as "murderers" and "a mafia." Zhelju Zhelev described being invited to the Soviet Embassy to meet the ambassador and encountering on the doorstep a rally for Lithuanian independence

organized by the Independent Students' Society. He described such examples as "completely understandable, morally correct, but tactless politically."

UDF is a coalition, not a party, and it is possible already to see the fault lines of future division. Some of these are personal: we heard some grumbling from veteran dissidents about "the men of '89," i.e. those who had become involved in politics only in the last months of the Zhivkov era. More serious is the difference of opinion over how the BSP should be handled after the June elections. Some elements in the UDF clearly think of the coming elections as a chance to settle scores with their former persecutors. Others, particularly the UDF wing associated with the Clubs for Glasnost and Democracy and with Eco-glasnost favor discretion based on individual records and talent, a larger coalition, a "Spanish policy," i.e. one modeled on Spain's transition to democracy under Juan Carlos. They argue that the BSP possesses individuals of experience and talent that no future Bulgarian government can dispense with. While they would make no compromise, still less a coalition, with the BSP as a party, they would not make BSP membership (present or former) grounds for automatic exclusion from political life. It may be worth pointing out here that many of the figures in this branch of the UDF have been among the country's elite, and some have only recently left the party themselves.

This issue, and others related to economic policy, will undoubtedly lead to the breakup of the UDF coalition at some time in the future. However, the desire of all its members to put an end to Bulgarian Communism as a governing system will just as certainly keep the coalition together through the period of elections.

PART TWO. ELECTION LAW AND PROCEDURES

CONSTITUTIONAL AND LEGAL FOUNDATIONS OF ELECTORAL LAW

The conditions for the multi-party elections of June 10 and June 17 were and are being negotiated by a multi-party roundtable consisting of the ruling Bulgarian Socialist Party and various other party groups, the largest of which is the Union of Democratic Forces, a coalition of a broad spectrum of political groups which formed to challenge the ruling party.

The voters will elect a 400-member Grand National Assembly which will function both as a Constitutional Convention with power to create and alter a Constitution and an interim Parliament with power to enact laws.

The laws that govern this election are primarily the Law of Political Parties and the Election Act, both enacted in recent months following negotiations at the roundtable.

The Law on Political Parties

In accordance with the agreement on the political system, the participants in the roundtable talks agreed on the following basic points which were incorporated into the Law on Political Parties.

The law guarantees the citizens' right to join a political party. Joining or not joining a political party cannot be the cause of gaining or withholding special privileges.

Political parties, however, may be banned for trying to achieve their goals through violent means or illegal activity. They may also be banned for activities violating the constitutional order, national sovereignty, or territorial integrity of the nation. The ban also applies to parties based on ethnic or religious principles and to militarized or underground parties.

The ban also extends to parties' involvement of persons under 16, and interference in the activities of government, including establishment of the parties' organizational structure in the workplace. This includes prohibitions against organized political party activities in workplaces such as trade unions, social movements, societies, and other workplaces. Rallies, demonstrations, or other forms of political agitation in support of political parties or election candidates are defined as political activities.

The law is to provide for regulation of political parties' financing and conditions for obtaining financial support from the state. Parties are prohibited from receiving financial aid from foreign governments or their agents, or from receiving anonymous income. Foreign citizens may make donations to Bulgarian political parties up to \$500 from individuals or \$2,000 from groups.

Parties, however, may accept donations from foreign organizations, in the form of technical equipment or materials required for their activities, within a period of one year after the enactment of the law.

Parties are required to submit a financial report two weeks prior to the election identifying sources of contributions. No penalties have been specified thus far.

The Election Act

The Election Act provides for universal, direct suffrage by all citizens of the Bulgarian Republic aged 18 or older with the exception of persons convicted of judicial disability or incarcerated during a prison sentence. The election is to take place on a non-work day in the entire country.

The Election Act provides for a mixed system of elections in which four hundred deputies to the Grand National Assembly will be elected. Two hundred are to be elected by a majority formula from single-member districts. Because an absolute majority is required to elect, if no candidate obtains a majority during the first election, or if fewer than fifty percent of the eligible voters cast a ballot, there will be a run-off election between the top two contenders in which a majority vote will elect.

The other two hundred deputies will be elected by a proportional vote formula from 28 multimember districts in which the delegates from each district will be elected by a proportional representation (PR) formula from party-compiled lists in each district. The number of delegates to be elected from each district will be based on population.

Registration of Voters. The registries of voters are compiled by the municipal people's councils and mayors' offices which maintain registries of the population. A separate electoral registry will be drawn up for each electoral section (precinct). It shall include the names of all voters residing temporarily or permanently in the territory of a municipality or mayoralty. Persons who will be 18 years of age on election day are to be included in the registry.

The electoral registry will contain for each person their three full names, place and date of birth, and exact address.

Registries for military personnel are compiled by the respective military units under the control of the commanding officers. All other military employees are registered in the voter registry at their place of residence. A military unit outside the seat of a garrison is entered in the voter registry of the municipality or mayor's office in the territory in which it is temporarily located. Bulgarians working abroad will be registered in accordance with a procedure to be determined by the Central Electoral Commission. The CEC had not yet determined the exact method as of mid-April.

Special provisions pertain to expatriates who may be entered in voter registries only at their express request at least one week prior to election day. Bulgarian citizens abroad for more than two months who have failed to return by election day will have their names removed from their local registry in Bulgaria.

The law makes provisions for those who move after compilation of the registry to be granted a license from their former address that will enable them to be placed on the registry at their new address and the fact noted on the registry of their former address. No licenses to vote, however, may be issued on election day.

The registries will be made public 30 days prior to the election and voters will have the option of correcting errors and omissions on the lists.

Electoral Districts. The law provides for 200 single-mandate majority electoral districts of equal population. With roundtable agreement the Central Election Commission created districts with variations of up to 20% from the average. Districts above or below the average are usually justified on the basis of maintaining municipal or mayoralty district lines within a representative district.

The law also provided that 28 multimember electoral districts be created for purposes of electing 200 deputies by the proportional representation formula. The districts, a subject of much roundtable discussion, were released during our visit and accepted by all parties as reasonably fair and according to the law and the agreement. See Maps, Appendix F.

Electoral Sections. (Precincts) There will be approximately 12,800 precincts. All voters are counted at the precincts. Precincts will vary in size between 500 and 1,000 voters but an executive committee of a municipal people's council may establish precincts of fewer than 500 or up to 1,500 voters. Separate precincts of not fewer than 25 voters may be established for military, hospitals, maternity wards, sanitoriums, and homes for the aged. One article in the Election Act provides for a separate electoral section for vessels at sea with no fewer than 20 voters who will cast their ballots in the district in which the vessel is registered.

Electoral Commissions. The elections are conducted under the direction of a Central Electoral Commission and two subordinate levels of election commissions known in the law as district commissions and section commissions. The section commissions correspond to precinct election boards so the term "precinct" will be substituted in this report for the more general "section" translation of the Election Act. There are 228 district electoral commissions and a precinct electoral commission for every precinct.

The Central Electoral Commission, named by the President of the Republic, consists of a chairman, two vice-chairmen, a secretary and 20 other members - representatives of the political parties and independents. The vice chairmen and secretary must be lawyers. The current chairman, Zhivko Stalev is not affiliated with any political party. The three largest political parties are

represented in the other top three officers, the vice chairmen and the secretary. Of the twenty members, by agreement of the roundtable, eight are recommended by the BSP, eight by the UDF, and four by other parties.

The District (regional) Electoral Commissions consist of a chairman, two vice chairmen and a secretary, and up to ten members who are representatives of the political parties and independents. As with the CEC, the vice chairmen and secretary must be lawyers. As with the CEC, the largest political parties are represented on each regional election commission although the number varies by commission. The IFES delegates heard no complaints about the composition of these commissions.

The Sectional (precinct) Electoral Commissions are established by the executive committee of the respective municipal people's councils after consultation with the political parties. These consist of a chairman, a vice chairman, a secretary and from two to five members. The commission must be named 45 days prior to the election. The sectional commissions are also expected to provide representation for the major political parties but no figures were available on the exact distribution of appointments on these 12,800 commissions.

The Central Electoral Commission is responsible for the conduct of the election and rules on grievances lodged against illegal acts or actions of district electoral commissions. The CEC registers the political parties' electoral coalitions, and ballot colors, determines the outcome of the elections in multi-member mandates, and declares the results of the elections for the country as a whole. It transmits materials related to the elections to the Election Verification Commission of the Grand National Assembly.

Decisions of the CEC may be appealed to the Supreme Court.

The District Electoral Commissions control the establishment of the precinct election commissions, oversee compilation of the registry, and supply the precincts with ballot boxes, envelopes, ballots, and vote-count protocols (results sheets). The District Commissions also deal with grievances against a precinct election commission; register candidates for deputy seats and the party compiled lists; register candidate's aides and issue their credentials; record the outcome of single-member electoral districts; attest the election of deputies in single-member districts; and transmit the materials from the precincts to the Central Electoral Commission.

The precinct electoral commissions are responsible for administering the election at the polls and for counting the votes both for the single-member mandates and for the party lists. They transmit the results to the appropriate Single Member District Commissions and Multi-Member PR Electoral Commissions.

Candidates. Any eligible voter may be a candidate for deputy. Candidates may be nominated either by political parties or coalitions acting as parties, or by petition signed by at least 500 voters in an electoral district. Candidates do not have to be residents of the district from which they seek election.

Candidates may be registered in only one single-member district and on one party list of candidates. The political parties determine the order in which their candidates appear on a party list.

Party leaders present their lists of candidates to the District Electoral Commissions. Candidates must also accept nomination by the political party. Deadline for registering candidates is 30 days prior to the election.

The District Electoral Commission may deny candidate registration for cause subject to appeal to the Central Electoral Commission.

Candidates may name up to ten aides to assist them in the campaign. Neither the candidate nor the aides may be detained or arrested during the campaign unless for a previously established grave crime.

Election Campaign. The law guarantees citizens the right to campaign for or against the election of candidates and to express their ideas freely. People's Councils, mayor's offices, and other government agencies are prohibited from disseminating campaign materials or engaging in campaign activities.

The law provides for equal access to the Bulgarian News Agency, Bulgarian Radio and Bulgarian Television on equal terms and free of charge on at least one occasion for the political parties which have nominated candidates. Other election advertising must be paid for at current rates.

The election call also mandates state radio and television to cover the campaign during the last thirty days on equal terms and proportionately to the number of candidates registered by each party. Similarly, on the last day of the campaign, each party receives equal time for an election-eve campaign statement.

Campaign posters must be posted in designated areas and removal of such posters is illegal. The law, however, provides that campaign material "offending the honor and dignity of a candidate" is subject to removal or confiscation.

Ballots may be distributed by political parties up to 24 hours prior to the election when campaigning must stop. Publishing the results of public opinion polls is prohibited within eight days prior to the election.

Campaign Finance Regulation. Candidates are required to report election expenditures but the law does not prescribe any details. Personal contributions are limited to 100 lev, corporate contributions to 2,000 leva, and a candidates total campaign fund may not exceed 20,000 leva. Candidates are prohibited from accepting contributions from foreign governments, corporations or individuals. No penalty is specified for violations of these provisions.

Analysis of the Law

The team was handicapped in its analysis of the electoral law because it received no English version of the party law, rather only descriptions about its contents. Although we were able to obtain a copy of the electoral law in English prior to departure, many of the regulations required by the law were yet to be adopted by the Central Electoral Commission. For example, the Central Electoral Commission did not have details of exactly how the proportional representation was to be executed. It reported it would follow the mathematical formula of the West German government but did not have a copy of that law at the time of our visit. The IFES delegates were unable to determine exactly how Bulgaria will apply the West German principle because that government is elected on a somewhat different basis.

During the IFES visit in mid-April the political parties were still coming to agreements on the electoral law. At the beginning of the week the opposition had feared gerrymandering of districts and ranges of up to 3:1 in populations of various single-member districts. By the end of the week, a map had been released and the opposition parties agreed that the districts were reasonably fair and within acceptable population deviations of no greater than 20 percent.

The election of 200 deputies by a single-member mandate, with a majority-vote requirement we were told, was to provide an opportunity to produce a governing majority. The election of another 200 by proportional representation, was to ensure that the voices of the smaller parties would be heard. A four-percent threshold on the national party vote was required for a political party to share in the proportional representation formula. This threshold, also borrowed from the West German system, was inserted to eliminate small splinter parties that might be more divisive than constructive.

The West German system, however, has been described as strictly proportional representation.* Although West Germany does elect legislators from both single member districts and state party lists, the total number of legislators elected depends entirely on the party vote. Individuals of a political party elected from single member districts are included in the total number elected by a party in accordance with the PR formula. The difference between the number of members directly elected and the number of seats won by the party based on proportional representation, determines the number to be added from the party lists in the various states.

 * Max Kaase, "Personalized Proportional Representation: The 'Model' of the West German Electoral System," in Arend Lijphart and Bernard Grofman, eds., Choosing an Electoral System, p. 155, New York: Praeger, 1984.

The Bulgarians, however, have a majority system for the single-member districts and that election, according to the electoral commission, is completely independent of the proportional representation allocation. The proportional representation formula borrowed from the West Germans will apply only to the 200 members elected from the 28 PR districts.

Although there are reportedly more than fifty "political parties" in Bulgaria, the four percent national threshold requirement combined with the majority vote requirement is expected to cause most of them to merge into coalitions of about five political parties. As of mid-April, only three parties had registered with the Central Electoral Commission and had obtained colors. These were the United Democratic Front (blue), the Agrarian National Union (orange), and the Liberal Party (green). The governing Bulgarian Socialist Party had not yet registered but was expected to do so in the near future. Its color, election workers said, would not be red.

It was impossible to estimate how many "independent" candidates might be nominated by petition but it would seem difficult for such candidates to be elected from single-member districts with a majority vote requirement unless they happened to gain a runoff with a relatively unpopular opponent. Because there is no limit to the number of candidates a political party or coalition may enter in a single mandate, the possibility of splitting the vote does exist. The probability of this occurring, however, is somewhat reduced because candidates may seek election anywhere in the nation.

Thus far, all parties concerned appear to be approaching the electoral law and its regulations in a responsible manner. The electoral map was published in the newspapers and made widely available. Earlier disagreement over the districts has given way to seeking candidates to campaign within each district.

The law is silent on who may observe the vote count but the Central Electoral Commission assured us that anyone may watch the proceeding and the vote counting in the polling places and the vote tally by the district electoral commissions. No special credentials would be needed and all persons not officials would have equal status.

The Bulgarian government plans to issue invitations to other governments to send "guests" to be present during the election. All persons who watch the elections will be "guests" of the government. Bulgarian officials object to the term "observer," considering that term, at best, to suggest an official role for such persons. At worst, they consider "observer" to be demeaning and suggestive that they are dishonest or do not know what they are doing.

THE ELECTORAL SYSTEM

Structure and Procedures

The critical elements in the Bulgarian electoral process are the ballots and envelopes. Each candidate in each of the 200 single-member districts will have his or her name printed on a ballot the color of the party with which that candidate is affiliated, or on a white ballot if there is no party affiliation. Each political party in each of the 28 proportional representation districts will have the list of party candidates in that PR district printed on a second slightly larger ballot the color of the party with which those candidates are affiliated. To cast a vote, each voter has the right to place two pieces of ballot paper, one for single-member district candidate, and one for a party list, into an envelope which the voter places in the ballot box.

At the present time the Central Electoral Commission plans to print three copies of each candidates ballot. One copy is to be given to the Party for distribution, one copy to be placed in the voting booths, and one copy to be retained by the election commission as a "spare." The term "one copy" relates to one ballot per eligible voter in the electoral district. For example, if there are 30,000 voters in a single-member district, 90,000 ballots would be printed for each candidate.

Thus, approximately 18,000,000 ballots would be required for all the candidates of one party if they registered one candidate in each single-member district (200 districts x 30,000 ballots, x 3 copies). This number must be multiplied by the number of parties running candidates in all districts plus whatever is required for those parties that run candidates in fewer than all districts. At the time of our visit the CEC expected five political parties to field a substantial number of candidates. It is also possible for a party to have more than one candidate running in a single-member district and this too would add to the number of required ballots.

There are also 200 candidates to be elected from party lists on a proportional basis in 28 multi-candidate districts. With 6.5 million estimated electors and 3 copies of each party PR ballot, a total of approximately 19.5 million PR ballots will be printed for each party that participates. If there are five parties and all parties have lists in each district, this would require approximately 100 million ballots.

The CEC is proposing to provide sufficient ballot paper to print 40 million ballots in each party's respective colors plus about the same number of ballots on white paper for independent candidates. This would suggest that after subtracting 20 million colored ballots required for the proportional vote, the remaining 20 million ballots would basically provide for the party running

one candidate only per district, even though the law permits a party to run more than one candidate in any district.

Precincts. Bulgaria is divided into 9 governmental districts having 273 municipalities and 4,980 mayoralties. The mayoralties have an average of approximately three precincts associated with them. Each of the nine districts has three or four multi-candidate districts for a total of 28 districts from which 200 representatives will be elected on the basis of proportional representation.

Polling places, as a general rule, will be located in schools or other public buildings. More than one precinct may be located in a polling place. Polls may also be located in a mayor's house or in district club houses.

Training of Election Officials. Two courses will be given to polling officials and to municipal councils by the Institute of Social Management. Courses will be given to the chairpersons of the electoral sections (precincts). Several courses have already been given by a university professor and the content transcribed and distributed. (Copies of these are attached as Appendix E.)

The CEC has already begun using television to illustrate how to vote and the team observed this on local television. It has also provided information to the local councils. In addition, the election law was published in the Gazette and 45,000 copies are being distributed to local communities.

Voter Registration. All Bulgarian citizens carry "passports" which are identity documents issued by the police. The electoral lists are prepared by municipal councils which maintain a record of the persons living within their jurisdictions. This information will be given to the Central Electronic Data Processing Organization which will produce the computerized lists by municipality and these will be displayed in the various electoral precincts or sections 40 days before the election, with a final list being completed no later than 30 days before the election.

Voters who may be omitted may have their names added to the list after this time by producing their passport. Lists are not given to the parties but the political parties may purchase the lists if they wish. One copy of the list is given to the CEC, one to the local council and a third copy is posted in a public place in a residential area.

Hours of Voting. The Precinct Commission is responsible for opening the polls at 7:00 a.m. and for closing them at 6:00 p.m. or later if all voters present have not had an opportunity to cast a ballot.

Voting. Voters are sent "invitations" to vote in advance of the election with an identification number to facilitate finding the elector on the voters's list. Neither the invitation itself nor the number is required in order to vote.

Upon entering the polling place, the elector's name is checked off the list, following which the elector may enter a curtained voting booth. The ballot papers of all parties and the ballot envelopes are arranged on shelves within the voting booth. To vote, the voter selects two ballots, a smaller one for the single-member district candidate and a larger one for the party list candidates, and places both in the envelope provided. Instructions direct the voter to seal the envelope but this is not required. The ballot selected indicates the vote. Any mark on the ballot invalidates it.

The voter then leaves the voting booth and deposits the envelope in the ballot box which is placed in full view of the precinct election commission.

Order at the Polls. The precinct election commissions are responsible for maintaining order at the polls. They have the authority to control the number of people inside the polls for purposes of maintaining order but will only exercise this authority in case of disturbance or if a polling place becomes too crowded. Arms are prohibited but cameras may be brought in and photographs taken. Police are allowed outside the polling place but are allowed to enter only at the request of the precinct commission to maintain order. The chairman, deputy chairman and secretary of the precinct are not allowed to wear or display any partisan material or clothing but the party representatives on the commission are permitted to do so.

Voting Supplies. Members of the precinct commission are responsible for checking the voting booth periodically to ensure that there are sufficient ballots for all candidates and parties, and sufficient envelopes for all voters to vote. The ballot boxes, which now exist, are made of wood. At the opening of the polls, the precinct chairman displays the empty box to other precinct officials, journalists, and others present. The precinct chairman then seals the ballot box with both a paper seal and a wax seal.

Military Voting. The exact procedure by which the military will be able to cast a ballot had not yet been determined at the time of the IFES visit. It was generally understood that the military would vote in the community in which the unit was located, or if on maneuvers, in the nearest community.

Absentee and Minority Voting. At the present time it is estimated that there are approximately 200,000 Bulgarian citizens residing in Turkey. Most of these possess Bulgarian passports and have the right to vote. The law provides that they must vote at

an embassy or consulate, which may make voting difficult for those distant from such locations.

Other Bulgarian citizens residing or travelling outside the country also will have the right to vote at the nearest embassy or consulate. Provided they possess an international Bulgarian passport, they may have their names included on the registry and will be permitted to vote both ballots. As of the time of the IFES visit, the method of administering these votes had not yet be determined.

Counting the Ballots. Following the close of the polls, the precinct commission will count both the single-member district ballots and the PR ballots. Journalists, voters and others are encouraged to attend the count.

The first step in the process is to check the number of voters who cast ballots with the number of envelopes in the ballot box. Official envelopes will be easy to recognize because they are a distinctive uncommon size, and are made with thicker paper than normal, and have a pattern on the inside to offset any possibility of seeing what color ballots are in the envelope when it is closed and sealed. Any ballot not in an official envelope will be voided.

The envelopes are then opened and all ballots checked to identify any invalid ballots and empty envelopes. Reasons ballots may be invalidated include any writing on them, more than one ballot of a different color for either the single-party candidate or a party-list. More than one ballot of the same color for a candidate or party is treated as one ballot.

Valid ballots are counted manually for single-member district candidates and for the party lists. No sequence or procedure is prescribed. When the vote tally has been completed the commission records the results on a report or "protocol." Any irregularities are noted on the protocol. Two copies of each protocol are made for the single-member district and for the party lists. Although no additional official copies are made for candidates or parties, representatives of the candidates and parties may make their own record of the count.

One copy of each of the precinct protocols will be sent to the respective district electoral commissions. The second copy, along with all election materials, will be sent to the municipal peoples' council or the mayor's office.

Upon receipt of the precinct protocols, the single-member district commissions will tally the totals from the protocols manually and announce the results for their respective districts. Where leading candidates have received more than fifty percent of the vote, with more than fifty percent of the eligible electorate voting, the candidates will be declared elected. In districts

where these criteria have not been met, a run-off election between the two candidates with the greatest number of votes will be held one week later on June 17.

The 28 multi-candidate PR District Commissions will also receive protocols from the 12,800 precinct commissions, an average of 457 protocols per commission. With the exception of the Sofia District Commission which will tally the results by computer, all other commissions will do so manually. The commissions will tally the votes publicly with journalists and others free to observe their work. They will not, however, identify any winners because these will be determined by the Central Electoral Commission.

Each regional commission will make two copies of its protocols, one to be retained in the district and one to be forwarded to the Central Electoral Commission. If any irregularities arise, these must also be submitted as part of the protocol.

The Central Electoral Commission will record the results from the single-member district commissions and will use a computer to tally the results from the PR party ballots. The software, employing the West German mathematical formula, will calculate the proportion of the vote recorded by each party and how that vote will be reflected in each of the 28 PR districts.

Any party that does not receive at least 4% of the vote cast nationally, is ineligible to share in the distribution of the PR seats.

The CEC is now awaiting specific information about the West German allocation of PR seats. After that information is received, the CEC will conduct a pilot project to test the computer software with the formula.

Transportation and Communications. All precinct protocols will be delivered to the districts by hand. There are sufficient districts and precincts that the distance between any precinct and its district electoral commission can be traveled by automobile in less than one hour.

Despite the substantial workload the districts will have to manage before they can transmit the protocols to the CEC, the Chairman of the CEC was confident that it will be possible to announce the "final results" on the day following the election. District Election Commissions are required to continue with the vote tally without stopping, working throughout the night if necessary.

Disposition of the Ballots. All ballots, and ballot envelopes, along with one copy of the protocol will be secured and

kept locally until the next election or until needed to resolve election disputes.

Comments and Analysis

There are four major aspects related to the election procedures described above that should be monitored closely between now and the announcement of the election results.

1. Paper. The scarcity of paper raises questions about whether the Central Electoral Commission will be able to meet the requirement of sufficient ballots for all candidates and parties available to the voter at the time of the election.

2. Voting Booths. A sufficient number of voting booths in each precinct is essential to ensure that all voters will have an opportunity to cast their ballots within a reasonable time on election day and will not be discouraged by long waits. The voting booths must also be constructed and placed to assure the voter that the ballot is being cast in secret.

Determination of the number of booths in a poll is the responsibility of the precinct electoral commission. If there is only one polling booth per 1,000 voters, this could produce rather long waits, particularly at peak time periods. A possibility exists that there could be more than one voting booth in a precinct and the IFES delegation suggested that it would be desirable to have no more than 500 voters per booth. The number of voting booths per precinct, however, may be determined by the amount of space available at a poll.

3. Vote Counting Time. There is a possibility that the count may take longer than expected because the District Electoral Commissions, with the exception of Sofia, will be tallying the precinct protocols manually. It will take some time for the precinct electoral commissions to complete and deliver the protocols to the district electoral commissions.

The single-member district electoral commissions will then be required to tally manually about 60 precinct protocols to obtain the results. This appears to be manageable. A problem is more likely to result from the 28 multi-member district commissions which will have to tally manually at least 180 and as many as several hundred precinct protocols.

The district electoral commissions will be unable to complete their reports until the last precinct protocol has arrived and been included in the tally. These must then be transported to the Central Electoral Commission for final tallies by computer.

If the computer program has been thoroughly tested and operates as planned, the Commission should be able to announce the PR results shortly after the receipt of the report from the last district electoral commission.

If the district electoral commissions are delayed in tallying the results, and slow to report to the CEC, then the PR results will be delayed as well. This might raise concern and accusations about manipulation of a process that is not well understood. Losing candidates may be especially suspicious of the process.

4. Intimidation. A final concern relates to elections in rural areas and smaller communities. We heard several people express concerns about the possibility of electors in small communities being intimidated by the "local establishment" concerning loss of jobs or homes. Although we are optimistic that this will diminish as the election approaches, the situation should be closely monitored.

ELECTORAL NEEDS

In Decree No. 10 issued in Sofia on April 12, 1990, the President of the Republic, Mr. P. Mladenov listed all of the major documents and materials to be used at the election including the ballot and ballot box sizes. An English version of that decree as well as English versions of all of the forms are attached to this report as Appendix C.

In this decree, the President assigned all of the organizational and technical preparation for the elections to the Council of Ministers. Following our meetings with the Chairman, Zhivko Stalev and senior members of the Electoral Commission, the IFES delegation had three other meetings with officials working for the Council of Ministers who were charged with operational responsibilities for the election. A list of names of these people and their responsibilities is included as Appendix D.

As a result of conversations with these operational directors, the IFES delegation was informed of specific needs and interests for material and supplies. The two major requests were for ballot paper and computer paper. The delegation also explored the possibility of providing ID cameras for photographing official guests and providing a type of credential and of providing secured transfer packs to transmit official results and protocols from the sections and districts to the Central Electoral Commission. Both of these recommendations received a positive response. Additional requests concerned non-election related information regarding parliamentary procedure, distribution of governmental powers among various levels of government, English as a second language materials, and examples of voter information materials.

1. Ballot Paper

Because of the extreme shortage of paper in Bulgaria, combined with an electoral system which is dependent upon having a large amount of paper, the Electoral Commission is in urgent need of the following:

45 tons of paper in five different colors (samples attached) and 40 tons of white paper. Because of the problem of cutting the paper if it is sent in rolls, the Commission would prefer to receive the paper in sheets at least 60 x 90 centimeters, with the paper weight being 70 grams. If the sheets could be packaged in 100 sheets per pack, this would assist them in subsequent distribution. If only rolls of paper were available, they would require rolls of 70 gram paper with the rolls being 123 centimeters long, up to 100 centimeters in diameter with 76 millimeters inside the diameter core. The weight per roll should not exceed one ton. If paper is sent by the roll, they would require not only the 45 tons but also a six percent addition for each color to allow for waste.

Delivery of this paper could be to Sofia or to Hamburg, Germany, or Vienna, Austria, or elsewhere in continental Europe where it can be picked up by Bulgarian trucks.

As candidate nominations end on May 10, the paper is required within several days of this date in order to be distributed, cut, and printed. The Electoral Commission expects that the 45 tons of each color would provide for 40 million ballots in each color. Two of the colors have officially been approved. The UDF will use a light blue color and the Agrarian Party will use orange. The Liberal Party has designated a green color but the shade had not yet been decided. The remaining colors have not yet been allocated. We were given to understand that the five sample colors provided to us were available and all of the paper requested could be provided, the shades submitted would be adequate. The actual colors submitted are approximate and an exact match of the shade is not mandatory.

2. Computer Paper

The second priority requirement is for computer paper in order to print the voter registration lists. What is required is ten tons of three-ply NCR tracker paper for the IBM 4341 printer. The paper should be perforated on both sides, be 40 to 50 grams in weight, and 420 millimeters wide. The preference would be for paper to be supplied in endless sheets but if only rolls are available, these would be acceptable.

3. ID Cameras

The election officials responded positively to our offer of ID cameras for photographing official guests from other countries. If the IFES cameras to be used in Romania could be loaned to the Bulgarians, along with the film, plastic, and card supplies required, the Bulgarians could pre-print the cards and would be most interested in using these for visiting official dignitaries.

4. Transfer Cases

The officials also responded positively to a suggestion for a more secure method of transmitting official protocols from the section and regional election commissions to the CEC. They indicated that if they were able to obtain transfer cases, they would use them. Lacking such supplies, they simply had made no provision for secure transmission of protocols and intended to rely on the ingenuity of the various regional election commissions to devise their own methods.

5. Informational Materials

We were also asked to explore the possibility of sending some informational material including:

- a) Descriptions of parliamentary procedures;
- b) Easy books on English as a second language to be used for teaching election and parliamentary staff basic English terminology;
- c) Documents describing divisions of duties among national, state, provincial and municipal authorities such as city charters; and
- d) Examples of voter information materials.

We also discussed with Commission members their interest or need for any training assistance, but other than their requests for examples for voter information material, they did not feel there was any other requirement. They explained a University professor had already commenced training election officials and following his training, printed copies of his presentations had been made. See Appendix E.

In addition, we were able to clearly determine that except for the computer paper, the Bulgarians have no other computer related requirements. They claim to have an adequate supply of computer terminals, electronic hardware and software. As noted in a previous chapter, most of the election will be administered manually, except for the final calculations of the proportions for proportional representation. The hardware and technical expertise to meet this demand is available and the software under development.

We were also assured there are adequate supplies of photocopiers. If there are any difficulties here, they would probably be based upon paper shortages, not equipment requirements.

TEAM RECOMMENDATIONS

The team considers the efforts being made by the Central Electoral Commission to administer the election appropriate in the context of the electoral system being used. The electoral system can be justified in several ways related to Bulgarian history and the current political divisions among the population.

Every effort should be made to assist the Central Electoral Commission with its mission of administering a fair and impartial election using a complex paper ballot system serving a multitude of political parties.

The primary need is paper without which there may be a shortage of ballots of certain parties or in certain areas. Such a shortage could cause serious objections to the electoral process and results. Colored paper suitable for ballots for the various parties should be supplied as quickly as possible.

Computer paper for the voter registries is also a serious need and a generous supply of 3-ply NCR paper would ensure that the electoral commissions could manage the registries in the manner prescribed by law as well as make copies available to the political parties who wished to buy such lists.

We also recommend that IFES consider supplying the electoral commission with the Photo ID equipment currently in Romania to assist in managing the large number of election visitors that will undoubtedly visit Bulgaria.

In addition, we recommend that the IFES consider sending a supply of transfer cases, especially for the district electoral commissions to the send protocols to the Central Electoral Commission. These should help assure the candidates and political parties that the election results are being processed in a reasonable and secure manner and that the integrity of the election is being preserved.

Further, the additional information requested by the Central Electoral Commission, such as parliamentary procedure manuals, English books, and city and county charters, are readily available at little cost and should be provided in the near future.

From discussions with election officials and the political parties, the IFES delegation believes that the electoral commissions, being multi-partisan, will enjoy a high rate of confidence among the people. Nevertheless, given the general apprehension that has existed in this country as expressed by several persons whom we interviewed, the presence of observers on election day will help ensure that the election is conducted as prescribed.

NATIONAL ASSEMBLY
—
GRAND NATIONAL ASSEMBLY
ELECTION ACT

Chapter One

GENERAL PROVISIONS

Art. 1. This act shall establish the manner of election of deputies to the Grand National Assembly and the procedure for the termination of their term of office.

Art. 2. The election shall be conducted on the basis of a general, equal and direct suffrage by a secret ballot.

Art. 3. Eligible to elect and to be elected shall be all citizens of the People's Republic of Bulgaria aged 18 or older, regardless of race, sex, ethnic or social origin, property status, education or religion, with the exception of persons convicted of judicial disability or spending a prison sentence.

Art. 4. (1) The election shall be conducted by a mixed system.

(2) Two hundred deputies shall be elected by the majority formula in single-member electoral districts.

(3) Two hundred deputies shall be elected by the proportional representation formula in multimember electoral districts on the basis of party-compiled lists.

Art. 5. Each voter shall be entitled to two votes: one vote to elect a candidate in a single-member electoral district, and one vote for a party list in a multimember electoral district.

Art. 6. The election of deputies shall be conducted in one single non-work day in the entire country.

Art. 7. Each deputy shall bear responsibility for his actions before his constituency.

Art. 8. (1) The cost of organizing the election and the technical cost shall be covered by the state.

(2) All papers, applications, grievances, certificates and other documents issued in pursuance of this Act shall be exempt from taxation.

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Chapter Two

REGISTRIES OF VOTERS

Art. 9. The election shall be conducted on the basis of registries of voters.

Art. 10. (1) The registries of voters shall be drawn up by the municipal people's councils and mayors' offices which maintain registries of the population and shall be undersigned by the chairman and secretary of the executive committee, respectively by the mayor and the secretary of the mayor's office.

(2) The registries of voters doing their military service shall be drawn up at the respective military units under the control of their commanding officers and shall be undersigned by these officers. All other military employees shall be entered in the voter registry at their place of residence. A military unit outside the seat of a garrison shall be entered in the voter registry of the municipality or mayor's office on the territory of which it is located.

(3) The registries of Bulgarian voters working abroad shall be drawn up by a procedure determined by the Central Electoral Commission and coordinated with the Minister of Foreign Affairs of the People's Republic of Bulgaria.

Art. 11. (1) Bulgarian expatriates shall be entered in voter registries only at their express personal request at least one week prior to election day. The act of voting shall be noted in their overseas passports.

(2) Bulgarian citizens who have been abroad for more than two months and have failed to return by election day shall be crossed out of the voter registries drawn up inside the country.

Art. 12. (1) A separate voter registry shall be drawn up for each electoral section.

(2) Entered in a voter registry shall be the names of all voters residing permanently or temporarily on the territory of a municipality or mayorality. This shall include the names of the persons who on election day shall complete 18 years of age.

(3) Entered alphabetically in a voter registry shall be each voter's three names, place and date of birth, and exact address.

(4) Each voter shall be entered in only one voter registry.

(5) Deleted from voter registries shall be the names of persons who by election day have become disfranchised or deceased.

Art. 13. (1) A voter forced by a business assignment to change his address for more than ten days in the time between the publication of the voter registry and election day shall be eligible to receive licence to vote elsewhere from the executive committee of the

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people's council or from the mayor's office which has entered him on its voter registry.

(2) Upon the issuance of such a licence, the voter's name shall be deleted from the original registry and shall be entered on election day in a separate list by the electoral commission of the electoral section in which the voter currently resides, and the said list shall be undersigned by the chairman and the secretary of the commission. The voter shall be entered on such a list only upon presenting the licence to vote elsewhere and proof of personal identification. No voter shall be allowed to vote elsewhere upon presenting only proof of personal identification.

(3) No licences to vote shall be issued on election day.

(4) Each municipal people's council shall draw up a list of the voters licenced to vote elsewhere. The licence shall be attached to the list.

Art. 14. Voter registries shall be made public by the executive committees of the municipal people's council and the mayors' offices thirty days prior to election day.

Art. 15. (1) Voters shall be entitled to request corrections to the voter registry to the effect of adding or deleting a voter's name, or the elimination of other errors and omissions from the registry.

(2) Such requests shall be addressed in writing or verbally to the executive committee of the municipal people's council or mayor's office. The executive committee or mayor shall issue a motivated ruling on the request within three days.

(3) The requesting party may appeal the ruling before a district court, which shall review the appeal within three days at a public session to which the appealing party and a representative of the executive committee or mayor's office shall be summoned, and shall announce its ruling immediately. The court's ruling shall be considered final.

(4) A request in pursuance of para 1 of this article made by a member of a military unit shall be lodged with that unit's commanding officer. That officer's ruling shall be considered final.

Art. 16. The originals of the voter registries shall be placed until the next election in the safekeeping of the authority which has been responsible for having them drawn up.

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Chapter Three

DEPUTY ELECTORAL DISTRICTS

Art. 17. (1) For the purposes of the majority formula, the country's territory shall be divided into 200 equal single-member electoral districts of equal population.

(2) For the purposes of the proportional representation formula, the country's territory shall be divided into 28 multimember electoral districts.

Art. 18. The President of the Republic shall determine and announce the electoral districts, endorse the electoral papers and apportion the number of seats among the multimember constituencies following consultations with the Central Electoral Commission at least 55 days prior to election day.

Chapter Four

ELECTORAL SECTIONS

Art. 19. Balloting and vote counting shall be done in electoral sections.

Art. 20. (1) Electoral sections in towns and villages shall be established by the executive committees of the respective municipal people's councils.

(2) An executive committee shall assign consecutive numbers to its electoral sections.

(3) The electoral sections shall be established at least 45 days prior to election day.

Art. 21. (1) An electoral section shall comprise not more than 1,000 inhabitants. Settlements with more than 1,000 inhabitants shall establish as many electoral sections as is the number of their inhabitants divided by 1,000. Should the remainder exceed 500, a separate section shall be formed; a remainder of less than 500 shall be distributed among the neighbouring sections.

(2) An executive committee of a municipal people's council may at its own discretion establish sections comprising fewer than 500 inhabitants or not more than 1,500 inhabitants.

Art. 22. In the case of military units, electoral sections shall be formed within settlements comprising no fewer than 25 and not more than 1,500 voters.

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Art. 23. Separate electoral sections of no fewer than 25 voters shall be established at hospitals, maternity wards, sanatoria and holiday homes, and homes for the disabled and the aged.

Art. 24. (1) A separate electoral section shall be established on a vessel at sea with no fewer than 20 voters on board.

(2) Electoral sections abroad shall be established for no fewer than 20 voters.

(3) Voters in sections established in pursuance of para. 1 shall cast their ballots for the candidates in the electoral district in which the vessel is registered; voters in sections established in pursuance of para. 2 shall cast their ballots for the candidates in electoral districts determined by the Central Electoral Commission.

Chapter Five

ELECTORAL COMMISSIONS

Art. 25. The following electoral commissions shall be in charge of the election of deputies:

1. a central commission, for the entire country. This commission shall be elected for the entire term of office of the Grand National Assembly;

2. district commissions, one for each single-member and each multimember electoral district;

3. sectional commissions, one for each electoral section.

Art. 26. (1) The make-up of a district electoral commission shall be established by the executive committee of the respective municipal people's council following consultations with the leaderships of the political parties.

Art. 27. The Central Electoral Commission shall be formed by the President of the Republic at least 60 days prior to election day. It shall consist of a chairman, two vice-chairmen, a secretary and 20 members - representatives of the political parties and independents. The vice-chairmen and the secretary of the commission shall be of the legal profession.

Art. 28. A district electoral commission shall consist of a chairman, two vice-chairmen and a secretary - all three of the legal profession, and up to ten members - representatives of the political parties and independents.

(2) These commissions shall be formed at least 50 days prior to election day.

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Art. 29. A sectional electoral commission shall consist of a chairman, a vice-chairman, a secretary, and from 2 to 5 members, and shall be formed at least 45 days prior to election day.

Art. 30. (1) To be legitimate, a session of an electoral commission must be attended by more than half of its members. Decisions shall be adopted by simple majority.

(2) Aides of the different candidates shall be eligible to attend the commissions' sessions with the right to a deliberative vote and to lodge protests.

Art. 31. (1) The Central Electoral Commission shall:

1. enforce strictly the present Act on the entire territory of the country and in the electoral sections established abroad, and shall exercise methodological guidance and control over the work of the other electoral commissions;

2. deal with any grievances lodged against illegal acts and actions on the part of the district electoral commissions and shall rule on them within three days;

3. register the parties' election coalitions and the colours of the ballots;

4. determine the outcome of the elections in the multimember electoral districts;

5. declare the election results for the country as a whole;

6. hand over the materials from the deputy elections to the Election Verification Commission of the Grand National Assembly.

(2) Rulings of the Central Electoral Commission may be appealed before the Supreme Court, which shall review the appeal within three days at a public session to which the contesting parties shall be summoned along with a prosecutor, and shall announce its final ruling immediately.

Art. 32. (1) A district electoral commission shall:

1. enforce strictly the present Act on the territory of their electoral districts and shall exercise control over the work of the sectional electoral commissions;

2. control the timely and proper establishment of the electoral sections;

3. control the timely and proper drawing up and publication of voter registries and the issuing of licences to vote elsewhere;

4. supply the sectional electoral commissions with ballot boxes, envelopes, ballots and vote-count protocols;

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5. deal with any grievances lodged against illegal rulings and actions on the part of the sectional electoral commissions and shall rule on them;

6. register and make public the candidates for deputies' seats and the party-compiled lists;

7. register the candidates' aides and issue their credentials;

8. register the outcome of the election in the single-member electoral district on the basis of the vote-count protocols returned by the sectional electoral commissions;

9. attest the election of a deputy in a single-member electoral district;

10. hand over the materials from the elections to the Central Electoral Commission.

Art. 33. A sectional electoral commission shall:

1. ensure the integrity of the voting process at its polling station;

2. receive the ballot envelopes;

3. count the votes and hand over the vote-count protocol to the respective district electoral commissions.

(2) During the polling, the instructions issued by the chairman of a sectional electoral commission shall be binding on all citizens inside the polling station. The commission may overrule its chairman.

Art. 34. (1) Members of electoral commissions shall be relieved of their employment obligations for the purposes of their election-related duties, and shall receive paid service leave for that duration.

(2) In the performance of their functions, the members of an electoral commission shall be considered official parties as defined by the Penal Code.

C h a p t e r S i x

CANDIDATES FOR DEPUTIES' SEATS

Art. 35. (1) Any enfranchised person may be nominated and registered as a candidate for a deputy's seat.

(2) Should a member of an electoral commission be registered as a candidate for a deputy's seat, he shall give up his membership in the said commission.

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2. a statement by the candidate that he agrees to be registered as a nominee of the respective party, party election coalition, or the electorate.

(2) Registration of the candidates shall end 30 days prior to election day.

Art. 43. (1) A district electoral commission shall deny registration whenever the stipulations of this Act are not met, and shall immediately motivate its denial in writing and advise accordingly the candidate, the leadership of the nominating party, or the nominating group of voters as defined by Art. 38.

(2) A denial issued in pursuance of para. 1 may be appealed before the Central Electoral Commission.

(3) Should the denial be upheld, a party, a party election coalition or a nominating electorate shall be allowed to nominate for registration a new candidate within ten days of the upholding of the denial, but not later than 20 days prior to election day.

Art. 44. A candidate for a deputy's seat may retain up to ten aides to assist him in his election campaign and to represent his interests before the state authorities, the public organizations, the electorate, the central and the other electoral commissions.

Art. 45. (1) A registered candidate for a deputy's seat or his aides shall not be detained and shall not have charges laid against them during the election campaign, save for a previously established grave crime.

(2) As of the moment of registration until the announcement of the election results candidates for deputies' seats and their aides shall be considered official parties as defined by the Penal Code.

Chapter Seven

ELECTION CAMPAIGN

Art. 46. (1) Citizens, parties, candidates for deputies' seats and their aides shall be free to campaign for or against the election of a candidate. They shall be free to expound their election platforms and ideas verbally or in writing at campaign meetings and in the mass information media.

(2) Campaign meetings shall be public affairs. A meeting's organizer shall be responsible for maintaining order during the event.

(3) People's councils, mayors' offices and the other state agencies shall be prohibited from disseminating candidates' campaign materials or from engaging in any other agitation.

Art. 47. The Minister of National Defense shall determine jointly with the Central Electoral Commission the procedure for the election

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campaign within the armed forces, and shall thereby create equal conditions for all parties and candidates to expound their platforms.

Art. 48. All candidates for deputies' seats and all parties shall enjoy equal access to the sources of information needed by them to wage their campaigns.

Art. 49. (1) All candidates and parties shall enjoy equal access to the mass information media.

(2) The Bulgarian News Agency, the Bulgarian Radio and the Bulgarian Television shall present on equal terms and free of charge on at least one occasion the election platforms of the parties which have nominated candidates. Any other election campaigning or parties' and candidates' political statements shall be paid by the existing rates.

(3) In the final 30 days before the election, the programmes of the Bulgarian Radio and the Bulgarian Television shall report the parties' election campaigns on equal terms and proportionately to the number of candidates registered by each party.

(4) On the last day of the election campaign the Bulgarian Radio and the Bulgarian Television shall extend equal terms and allot equal air time to the airing of each party's election-eve statement.

Art. 50. (1) Political parties and candidates shall be free to employ in their election campaigns such propaganda material as posters, placards, advertisements, stickers, leaflets, appeals etc.

(2) Propaganda materials shall be posted only in specially allocated places; the permission of the respective owner or manager shall be required for posting them on buildings or fencing.

(3) The places where posters and other propaganda materials may be posted shall be determined by the municipal people's councils.

(4) The destruction of properly posted propaganda material shall be prohibited.

(5) Propaganda materials endangering citizens' life and limb, private or public property, the safe movement of traffic, or of immoral content, or offending the honour and dignity of a candidate shall be subject to removal or confiscation.

Art. 51. (1) Results of public opinion polls with relevance to the elections shall cease to be published eight days before election day.

(2) Agitation and the distributing of ballots shall be prohibited in the last 24 hours before election day and on election day itself.

Art. 52. (1) Candidates for deputies' seats shall openly report their election campaign financing before the electorate and the respective electoral commissions.

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(2) Candidates shall be prohibited from receiving election-related aid, donations and contributions from foreign states or from foreign corporate bodies or individuals.

Art. 53. In the financing of an election campaign, no personal contribution shall exceed 100 levs, and no corporate contribution shall exceed 2,000 levs, nor shall a candidate's total campaign fund exceed 20,000 levs.

Chapter Eight

BALLOTING

Art. 54. The chairman of each sectional electoral commission shall make certain of the presence of the voter registry and the proper state of the ballot box at 7 a.m. on election day in the presence of the members of the commission, the aides, and whatever voters may have turned out at the time. Party workers, reporters and guests may also be present. The ballot box shall be closed and sealed with the seal of the municipal people's council or the mayor's office before the balloting begins.

Art. 55. Polling hours shall be from 7 a.m. to 6 p.m. Should there be any voters outside the polling station who have failed to cast their votes by then, polling time shall be extended until 7 p.m.

Art. 56. Each voter shall provide proof of his identity by presenting his passport or another identification paper.

Art. 57. (1) Voting booths shall be made available inside the polling station. A sufficient amount of ballots and ballot envelopes shall be made available in each booth. Ballots may be distributed among the voters in advance.

(2) Other persons, including the members of the electoral commission, shall be prohibited from being present in a booth while a voter prepares his ballot; this shall not apply to a member of the electorate invited by a disabled person to assist him in preparing his ballot. Such assistance shall be sanctioned by the chairman of the sectional commission.

(3) Balloting outside the polling station and the polling booths shall be prohibited.

Art. 58. (1) Two kinds of ballots shall be used for voting, conforming to standards established by the Central Electoral Commission.

(2) The one kind of ballot shall contain the name of a candidate in a single-member electoral district.

(3) The other kind of ballot shall contain a party-compiled list of candidates in a multimember electoral district.

(4) Each party or party election coalition shall employ one and the same colour for both kinds of ballots in the election. Electorate-nominated candidates in single-member constituencies shall employ white ballots.

Art. 59. (1) To vote, a voter shall go inside the voting booth, where he shall place one each of the two kinds of ballots in the ballot envelope; he shall then close the envelope and place it inside the ballot box.

(2) The fact that the voter has cast his vote shall be noted by the electoral commission in the voter registry.

Art. 60. The timetable by which armed forces personnel shall vote shall be established by the military units' commanding officers jointly with the sectional electoral commissions.

Chapter Nine

DETERMINATION OF VOTING RESULTS

Art. 61. After the voting hours expire, the chairman of the sectional electoral commission shall declare the close of polling. Unused ballots shall be packaged and the packages shall be sealed before the opening of the ballot box.

Art. 62. The opening of the ballot box and the determination of the voting results may be done in the presence of party workers, candidates for deputies' seats and their aides, reporters and guests.

Art. 63. The sectional electoral commission shall compare the number of ballot envelopes in the box to the number of voters checked off in the voter registry and shall enter the figures in the vote-count protocol before opening the ballot envelopes and separating the valid from the invalid ballots by candidates and party lists.

Art. 64. (1) A ballot shall be considered invalid in any of the following circumstances:

1. when it does not conform to the established standard;
2. when additional names, words or signs have been written in;
3. when more than one ballot for different candidates or for different party lists have been placed in one envelope;
4. when the ballot is completely torn or completely crossed out.

(2) A conflict over the validity of a ballot shall be resolved by the commission by simple majority. Each member shall be free to comment or protest over the ruling. The ruling shall be entered into the vote-count protocol.

Art. 65. (1) Two or more identical ballots in one and the same ballot envelope shall be counted as one ballot. All extra ballots in an envelope shall be destroyed before the ballot count.

(2) In the absence of a ballot in a ballot envelope, the vote shall be considered as cast.

Art. 66. Ballots shall be counted separately for each list and for each candidate in a single-member electoral district.

Art. 67. (1) A sectional electoral commission shall draw up two protocols: a vote count for the single-member electoral district, and a vote count for the multimember electoral district. Each protocol shall be drawn up in duplicate.

(2) Each protocol shall contain:

1. the opening and closing hours of the poll;
2. the number of voters on the general and the additional voter registry;
3. the number of registered candidates;
4. the number of voters who have cast their votes;
5. the number of invalid ballots and empty ballot envelopes;
6. the number of votes for each candidate in the single-member electoral district (in the first protocol);
7. the number of votes for each party list in the multimember electoral district (in the second protocol);
8. any applications, contestations or grievances, and the corresponding rulings;
9. an evaluation of the situation in which the polling was conducted.

(3) After the protocols are undersigned by the members of the commission, the commission's chairman shall announce the voting results.

Art. 68. (1) The chairman of a sectional electoral commission shall hand over the vote-count protocols to the respective district electoral commissions.

(2) The second copy of the protocols with all other election materials shall be sent to the respective municipal people's council or mayor's office.

Art. 69. (1) The district electoral commission in a single-member electoral district shall tabulate the voting results on the basis of the protocols submitted by the sectional electoral commissions and shall announce them

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(2) The district electoral commission in a multimember electoral district shall check the protocols submitted by the sectional electoral commissions and shall send them on to the Central Electoral Commission.

(3) The vote count and the determination of the results may be attended by party workers, candidates for deputies' seats and their aides, reporters and guests.

Art. 70. (1) The district electoral commission in a single-member electoral district shall draw up in duplicate a protocol of the vote count in the district, which shall be undersigned by the members of the commission. One copy of the protocol shall be sent to the Central Electoral Commission.

(2) Each protocol shall contain the following figures:

1. the number of sectional electoral commissions;
2. the number of sectional electoral commissions which have submitted vote-count protocols;
3. the number of voters in the electoral district;
4. the number of registered candidates;
5. the number of voters who have cast their votes;
6. the number of invalid ballots and empty ballot envelopes;
7. the number of votes for each candidate;
8. any applications, contestations or grievances, and the corresponding rulings;

(3) The second copy of the protocol together with all election materials shall be transferred for safekeeping to the executive committee of the respective regional people's council.

Art. 71. (1) The district electoral commission in a multimember electoral district shall draw up in duplicate a protocol of the vote count in the district, which shall be undersigned by the members of the commission.

(2) Each protocol shall contain the following figures:

1. the number of sectional electoral commissions;
2. the number of sectional electoral commissions which have submitted vote-count protocols;
3. the number of voters in the electoral district;
4. the number of registered party lists;
5. the number of voters who have cast their votes;

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6. the number of invalid ballots and empty ballot envelopes;
7. the number of votes for each party list;
8. any applications, contestations and or grievances, and the corresponding rulings;

(3) One copy of the protocol together with the protocols of the sectional electoral commissions shall be sent to the Central Electoral Commission. The second copy of the protocol together with all election materials shall be transferred for safekeeping to the executive committee of the respective regional people's council.

Art. 72. A candidate who has received more than half of the valid votes in a single-member electoral district, provided that more than half of the registered voters have cast their vote, shall be considered elected to a deputy's seat.

Art. 73. (1) Should less than half of the voters in an electoral district have cast their vote, or should none of the candidates have gained the required majority, the Central Electoral Commission shall schedule a new ballot within one week.

(2) Should there have been more than two candidates registered in an electoral district of whom none has been elected, eligible for the second ballot shall be the two candidates who gained the highest number of votes on the first ballot.

(3) New candidates may be registered for the second ballot if the single candidate in an electoral district has failed to gain election on the first ballot.

(4) In pursuance of paras 2 and 3, the candidate with the highest number of votes shall be considered elected.

Art. 74. The election of a candidate to a deputy's seat by the majority formula shall be attested by the respective district electoral commission.

Art. 75. The Central Electoral Commission shall tabulate the votes for each party and party coalition in the multimember electoral districts and shall announce the results.

Art. 76. To be eligible for distribution of the seats according to the party lists, a party shall need to have gained at least 4 per cent of the valid votes in all electoral districts.

Art. 77. Each party or coalition shall be allocated a number of seats proportionate to the valid votes it has gained, by a method of calculation established by the Central Electoral Commission.

Art. 78. (1) Any grievances concerning illegal acts by state agencies, officials, parties or citizens in relation to the election shall be addressed to the Grand National Assembly within two weeks of the announcement of the election results.

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(2) The Election Verification Commission of the Grand National Assembly shall study the grievances and report its findings to the Assembly.

Art. 79. Within two months after the election, the newly elected deputies shall report to the Grand National Assembly's Election Verification Commission their sources of financing and the expenditures incurred during the election campaign.

Chapter Ten

BY-ELECTIONS

Art. 80. (1) Whenever the seat of a deputy from a single-member constituency is vacated in the Grand National Assembly, a by-election shall be scheduled within two months.

(2) No by-elections shall be scheduled during the last six months of the Grand National Assembly's term of office.

Art. 81. Deputy by-elections shall be held according to the established general procedure, with the following provisos:

1. an election shall be scheduled at least one month in advance of election day;
2. an election shall be held on the basis of voter registries updated with the addition of the names of those citizens who on election day shall complete 18 years of age, and by the deletion of those citizens who have become disfranchised or deceased.
3. the voters' registries shall be published not later than 20 days prior to election day;
4. no licences to vote elsewhere shall be issued;
5. candidates shall be registered not later than 15 days and announced not later than 10 days prior to election day;
6. the electoral sections shall be established not later than 25 days prior to election day. The same deadline shall apply to the formation of the district and sectional electoral commissions;
7. voting may close earlier than 6 p.m., provided that all registered voters have cast their votes.

Art. 82. A deputy elected on a party list whose term of office has been terminated shall be replaced by the next candidate on the list. Should there be no further candidates on the list, the seat shall remain vacant.

Chapter Eleven

TERMINATION OF THE DEPUTIES' TERM OF OFFICE

Art. 83. The term of office of the deputies shall expire with the expiry of the term to which the Grand National Assembly has been elected.

Art. 84. The term of office of an individual deputy may be terminated earlier in any of the following circumstances:

1. recall;
2. refusal to take a constitutional oath;
3. an upheld court-imposed sentence;
4. death.

Art. 85. (1) Should a deputy find himself unable to any longer practice his rights or carry out his incumbent obligations, he may request the Grand National Assembly to be relieved of his term of office.

(2) The Grand National Assembly shall review the deputy's request to be relieved of his term of office and shall rule on it within seven days if in session, or at its first coming session.

Art. 86. A deputy who refuses to take a constitutional oath shall lose his term of office. The refusal shall be attested by the Grand National Assembly.

Art. 87. A deputy shall lose his term of office if sentenced non-provisionally to imprisonment or to a heavier penalty.

FINAL PROVISIONS

§ 1. This Act shall rescind the stipulations of the Electoral Law (publ. in Durzhaven Vestnik, No. 54 of 1973; amended, No. 61 of 1973; amended and supplemented, No. 88 of 1973, No. 22 of 1976 and No. 97 of 1978; amended, No. 98 of 1978, No. 91 of 1982 and No. 98 of 1987) in the part pertaining to the election of deputies.

§ 2. This Act shall come into force on the date of its publication in Durzhaven Vestnik.

This Act is passed by the Ninth National Assembly at its sixteenth session, fifth meeting, on 3 March, 1990, and is sealed with the state coat-of-arms.

St(anko) Todorov
Chairman
National Assembly

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<ORIG> FBIS<TOR> 900406085408
<TIDS> FBIS UNNUMBERED<CLAS>
UNCLAS 2B

<SUBJ> <TEXT>(ATTN STATE INR: PLS PASS TO SCOTT THOMPSON)
BULGARIA: AGREEMENT ON POLITICAL PARTIES (TAKE 1 OF 2)
AU0304140490 SOFIA ZEMEDEL'SKO ZNAME IN BULGARIAN 31 MAR 90 PP
1,3
["AGREEMENT ON THE BASIC IDEAS AND PRINCIPLES OF THE DRAFT LAW
ON POLITICAL PARTIES" -- ADOPTED AT THE NATIONAL ROUNDTABLE TALKS IN
SOFIA ON 30 MARCH 1990]

[TEXT] THE PARTICIPANTS IN THE NATIONAL ROUNDTABLE REACHED AN
AGREEMENT ON THE BASIC IDEAS AND PRINCIPLES OF THE DRAFT LAW ON
POLITICAL PARTIES WHICH IS EXPECTED TO BE DISCUSSED AND ADOPTED AT
THE FORTHCOMING NATIONAL ASSEMBLY SESSION. THE COMMON CONVICTION IS
THAT THE FUTURE LAW SHOULD GUARANTEE PREREQUISITES FOR THE
DEVELOPMENT AND CONSOLIDATION OF POLITICAL PLURALISM IN OUR COUNTRY.

IN ACCORDANCE WITH THE AGREEMENT ON THE POLITICAL SYSTEM, THE
PARTICIPANTS IN THE ROUNDTABLE TALKS AGREED ON THE FOLLOWING BASIC
PRINCIPLES WHICH SHALL BE REFLECTED IN THE LAW ON POLITICAL PARTIES:

1. THE CITIZENS' CONSTITUTIONAL RIGHT OF FREELY JOINING
POLITICAL PARTIES SHALL BE GUARANTEED. MEMBERSHIP, OR NONMEMBERSHIP
IN A GIVEN PARTY AND THE INTERRUPTION OF MEMBERSHIP SHALL NOT BE A
REASON FOR EITHER SPECIAL PRIVILEGES, OR DISCRIMINATION RELATED TO
THE CITIZENS' RIGHTS.

2. POLITICAL PARTIES SHALL BE INSCRIBED IN A SPECIAL REGISTER
WITH THE SOFIA CITY COURT OF JUSTICE, ACCORDING TO A SIMPLIFIED
PROCEDURE. A 7-DAY DEADLINE WILL BE ENVISIONED FOR THE PUBLICATION
OF THE DECISION ON THE REGISTRATION OF A GIVEN POLITICAL PARTY IN
DURZHAVEN VESTNIK.

3. THE POLITICAL PARTIES SHALL EXERCISE THEIR ACTIVITIES WITHIN
THE FRAMEWORK OF THE COUNTRY'S CONSTITUTION AND LAWS, AND IN
ACCORDANCE WITH THEIR OWN STATUTES AND PROGRAMMATIC GOALS.

4. EQUAL RIGHTS OF PARTICIPATING IN POLITICAL LIFE SHALL BE
GUARANTEED FOR ALL PARTIES.

-- THE STATE SHALL COOPERATE IN PROVIDING THE PARTIES WITH
PREMISES AND OTHER FACILITIES, WHICH ARE REQUIRED FOR THEIR
ACTIVITIES UNDER EQUAL CONDITIONS AND ACCORDING TO THE SAME
PROCEDURES.

-- EVERY PARTY IS ENTITLED TO ITS OWN PRINTED PUBLICATIONS AND IS
AUTHORIZED TO PUBLISH.

-- THE PARTIES ARE ENTITLED TO HAVE FREE ACCESS TO THE STATE-
OWNED MASS MEDIA ON QUESTIONS RELATED TO THEIR ACTIVITIES.

5. IN THE PURPOSE OF GUARANTEEING A PEACEFUL DEVELOPMENT OF THE
DEMOCRATIC PROCESS THE LAW SHALL PROVIDE FOR BANNING POLITICAL
PARTIES FOR THE FOLLOWING REASONS:

-- PARTIES WHOSE ACTIVITIES ARE AIMED AT VIOLATING THE COUNTRY'S
CONSTITUTIONAL ORDER, AT VIOLATING ITS SOVEREIGNTY AND TERRITORIAL
INTEGRITY, AT FANNING RACIAL, NATIONALITY, AND ETHNIC, OR RELIGIOUS
ENMITY, AND AT VIOLATIONS OF CIVIL RIGHTS SHALL BE BANNED.

-- THE BAN APPLIES TO PARTIES TRYING TO ACHIEVE THEIR GOALS
THROUGH VIOLENCE, OR BY ANY OTHER ILLEGAL METHODS.

-- THE BAN APPLIES TO THE ESTABLISHMENT OF PARTIES BASED ON
ETHNIC, OR RELIGIOUS PRINCIPLES. -- THE BAN APPLIES TO MILITARIZED, OR UNDERGR
OUND PARTY
FORMATIONS.

-- THE BAN APPLIES TO THE ESTABLISHMENT OF CHILDREN'S AND YOUTH
ORGANIZATIONS ATTACHED TO POLITICAL PARTIES ENROLLING CHILDREN UNDER
THE AGE OF 16.

-- THE BAN APPLIES TO THE PARTIES' INTERFERENCE INTO THE
ACTIVITIES OF STATE ORGANS AND INSTITUTIONS, THE ARMY, THE MILITIA,
AND SECURITY ORGANS, ECONOMIC ORGANIZATIONS, STATE-OWNED MASS MEDIA,
HEALTH PROTECTION, CREATIVE UNIONS, RELIGIOUS ORGANIZATIONS,
SCIENTIFIC, AND EDUCATIONAL INSTITUTIONS.

-- THE BAN APPLIES TO THE ESTABLISHMENT OF THE PARTIES'
ORGANIZATIONAL STRUCTURES IN WORKPLACES.

-- THE BAN APPLIES TO THE ORGANIZED POLITICAL PARTIES' ACTIVITIES
IN WORKPLACES AND TO ACTIVITIES OF OTHER ORGANIZATIONS AND MOVEMENTS

-- SUCH AS TRADE UNIONS, SOCIAL MOVEMENTS, SOCIETIES, AND OTHERS --
IN WORKPLACES. RALLIES, DEMONSTRATIONS, PARTY MEETINGS, AND ALL
OTHER FORMS OF POLITICAL AGITATION IN SUPPORT OF POLITICAL PARTIES,
OR ELECTION CANDIDATES ARE DEFINED AS POLITICAL ACTIVITIES.

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THE ACT OF INFORMING THE CONSCRIPTS SERVING IN THE ARMY ON THE ELECTION PLATFORMS OF CANDIDATES FOR THE NATIONAL ASSEMBLY ELECTIONS AND THE PROCEDURE UNDER WHICH THEY SHALL BE ENTITLED TO VOTE, SHALL BE DETERMINED IN THE NATIONAL ASSEMBLY ELECTION LAW WHILE EQUAL CONDITIONS AND AN ESTABLISHED PROCEDURE UNDER THE CONTROL OF THE ELECTION COMMISSIONS SHALL BE PROVIDED.

6. THE LAW ON POLITICAL PARTIES SHALL SETTLE THE QUESTION OF THE SOURCES OF INCOME AND THE MEANS FOR THE PARTIES' FINANCIAL SUPPORT, THE POSSIBILITIES OF FINANCING THEM FROM THE STATE BUDGET, AND THE IMPLEMENTATION OF ECONOMIC ACTIVITIES RELATED TO THEIR GOALS DETERMINED BY THEIR STATUTES. THE LAW SHALL PROVIDE CONDITIONS AND SETTLE THE PROCEDURE FOR OBTAINING RESOURCES FROM THE STATE BUDGET TO COVER THE ELECTION EXPENDITURES.

(MORE)

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<SUBJ> <TEXT>(ATTN STATE INR: PLS PASS TO SCOTT THOMPSON)
BULGARIA: AGREEMENT ON POLITICAL PARTIES (TAKE 2 OF 2)
AU0304140790

[TEXT] 7. THE FINANCING OF POLITICAL PARTIES BY FOREIGN STATES THROUGH THEIR BODIES, INSTITUTIONS, AND ORGANIZATIONS UNDER ANY FORMS, OR CIRCUMSTANCES WHATSOEVER SHALL BE BANNED. POLITICAL PARTIES ARE NOT ENTITLED TO ANY FINANCIAL RESOURCES AND OTHER SOURCES OF INCOME PROVIDED BY FOREIGN ORGANIZATIONS WITH ECONOMIC, OR OTHER GOALS, AND THE SAME APPLIES TO ANONYMOUS SOURCES OF INCOME. THE OPPORTUNITY SHALL BE PROVIDED FOR FOREIGN CITIZENS TO MAKE INDIVIDUAL, OR COLLECTIVE DONATIONS TO THE BENEFIT OF BULGARIAN POLITICAL PARTIES AMOUNTING TO A MAXIMUM OF 500 DOLLARS IN THE CASE OF INDIVIDUAL DONATIONS, AND UP TO \$2,000 IN THE CASE OF COLLECTIVE DONATIONS.

POLITICAL PARTIES ARE NOT ENTITLED TO FINANCIAL RESOURCES FROM STATE ORGANS AND INSTITUTIONS, OR FROM ECONOMIC ENTERPRISES. FINANCIAL RESOURCES OBTAINED THROUGH THE BANNED METHODS SHALL BE CONFISCATED FOR THE STATE.

AS A PROVISIONAL MEASURE THE ADDITIONAL REGULATIONS OF THE LAW SHALL PROVIDE THE OPPORTUNITY FOR POLITICAL PARTIES TO ACCEPT DONATIONS FROM FOREIGN ORGANIZATIONS ON A NONPROFIT BASIS, IN THE FORM OF TECHNICAL EQUIPMENT AND MATERIALS, OR IN THE FORM OF THE EQUIVALENT AMOUNT, REQUIRED FOR THEIR SPECIFIC ACTIVITIES, WITHIN THE LIMIT OF ONE YEAR AS OF THE DATE OF THE LAW'S ENACTMENT. IF THE DONATIONS ARE PROVIDED IN THE FORM OF FINANCIAL RESOURCES, THEY SHALL BE TRANSFERRED ACCORDING TO THE EFFECTIVE CURRENCY ACCOUNT TO THE BULGARIAN FOREIGN TRADE BANK IN THE NAME OF THE RESPECTIVE PARTY.

THE CONTROL OVER THE LEGALITY OF OBTAINING SOURCES OF INCOME AND RELATED TO THE MANAGEMENT OF THE PARTIES' PROPERTY SHALL BE EXERCISED BY A PERMANENTLY ACTING PARLIAMENTARY-PUBLIC ORGAN ATTACHED TO THE NATIONAL ASSEMBLY. THE PARTIES ARE EXPECTED TO SUBMIT AN ANNUAL REPORT, AT THE END OF MARCH, TO THE EXPERTS' COMMISSION ON THE AMOUNT AND SOURCES OF THEIR INCOME AND ON THEIR EXPENDITURES DURING THE PERIOD UNDER REVIEW, WHICH SHALL BE PUBLISHED BY DURZHAVEN VESTNIK. THIS ACCOUNTABILITY REPORT SHALL BE SUBMITTED ALSO NO LATER THAN TWO WEEKS BEFORE THE DAY OF THE NATIONAL ASSEMBLY ELECTIONS.

SPECIAL ALLEVIATIONS SHALL BE PROVIDED FOR THE PARTIES RELATED TO TAXES ON THEIR PROPERTY.

THE NEWLY ELECTED NATIONAL ASSEMBLY IS ENTITLED TO REVISE THE REGULATIONS RELATED TO REGULATIONS ON THE FINANCING OF POLITICAL PARTIES.

8. THE POLITICAL PARTIES ARE ENTITLED TO FORM OTHER ORGANIZATIONS AND MOVEMENTS WITHIN THE FRAMEWORK OF THE CONSTITUTION AND THE LAWS. WHEN ORGANIZATIONS AND MOVEMENTS WHICH ARE NOT PARTIES EXPRESS THE INTENTION OF PARTICIPATING IN NATIONAL ASSEMBLY ELECTIONS AND IN OTHER ELECTION ORGANS WITH THEIR OWN CANDIDATES, OR TO PARTICIPATE IN ELECTION COALITIONS FOR NATIONAL ASSEMBLY ELECTIONS, THEY SHALL REGISTER, ACCORDING TO THE RULES ENVISAGED FOR POLITICAL PARTIES AND IN ACCORDANCE WITH THE REGULATIONS APPLYING TO THE LAW ON POLITICAL PARTIES. PUBLIC ORGANIZATIONS AND MOVEMENTS ARE NOT ENTITLED TO BE COLLECTIVE MEMBERS OF POLITICAL PARTIES.

AS TO OTHER ORGANIZATIONS AND MOVEMENTS WHICH ARE PURSUING POLITICAL GOALS, EXPRESSLY MANIFESTED IN THEIR STATUTES AND PROGRAMS, THE BANS AND REQUIREMENTS ENVISAGED UNDER ITEMS 5 AND 7, AND THE RIGHTS PROVIDED IN ITEM 4 OF THE PRESENT AGREEMENT SHALL BE APPLIED TO THEM.

9. CONDITIONS AND PROCEDURES FOR ELIMINATING POLITICAL PARTIES, INCLUDING THE POSSIBILITY OF THEIR DISBANDING BY THE SUPREME COURT IN CASE THEIR ACTIVITIES SHOULD APPLY TO THE BANS SPECIFIED IN THE AGREEMENT SHALL BE ENVISAGED.

(ENDALL)
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PEOPLE'S REPUBLIC OF BULGARIA

PRESIDENT

D E C R E E

No. 10

In conformity with Article 18 of the Law on the Election of a Grand National Assembly, I

D E C R E E:

THE ENDORSEMENT of the election papers for holding elections of a Grand National Assembly on June 10, 1990 consistent with the forms attached hereto as follows:

1. List of the Electorate for the Elections of a Grand National Assembly, Form No. 1.
2. Report of the Sectional Electoral Commission in an One-Member Constituency, Form No. 2.
3. Report of the Sectional Electoral Commission in a Party Slate Constituency, Form No. 3.
4. Report of the District Electoral Commission in an One-Member Constituency, Form No. 4.
5. Report of the District Electoral Commission in a Party Slate Constituency, Form No. 5.
6. Register of the Candidates by the District Electoral Commissions in an One-Member Constituency, Form No. 6
7. Register of the Party Slates by the District Electoral Commissions in a Party Slate Constituency, Form No. 7.
8. Declaration by a Candidate in an One-Member/Party Slate Constituency, Form No. 8.
9. Certificate for Voting at Another Place, Form No. 9.
10. Declaration for Enrollment on the List of the Electorate of a Person Temporarily Resident Elsewhere, Form No. 10.
11. Certificate of a Registered Intercessor, Form No. 11.

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12. Certificate of an Elected Member of the Grand National Assembly in an One-Member Constituency, Form No. 12.

13. Certificate of an Elected Member of the Grand National Assembly in a Party Slate Constituency, Form No. 13.

14. Ballot for the one-member Constituencies with the Following Dimensions: 10 cm x 7 cm, Form No. 14.

15. Ballot for the Party Slate Constituencies with the Following Dimensions: 7 cm x 15 cm, Form No. 15.

16. Envelope for the Ballots with the Following Dimensions: 11 cm x 14 cm.

17. Rectangular Ballot Box with the Following Dimensions: length 40-60 cm; width 30-40 cm; height 20-30 cm.

I assign the organisational and technical preparation of the elections to the Council of Ministers.

Issued in Sofia on the 12th day of April, 1990 and sealed with the state seal.

PRESIDENT OF THE REPUBLIC: (s) P. Mladenov

Town/Village
Electoral Section No.
Municipality
Region

LIST OF THE ELECTORATE
in the Elections for a Grand National Assembly

..... constituency No. for the election of a Member
of Parliament

- 1 - No. on the List
- 2 - First Name, Surname and Other Names
- 3 - Date of Birth
- 4 - Place of Birth
- 5 - Voter's Address
- No. of Constituencies
- 6 - One-Member Constituency
- 7 - Multi-Member (Party Slate) Constituency
- 8 - Certificate Issued by the Commission, or Produced before
It for Voting at Another Place

R E P O R T

of the Sectional Electoral Commission in Section No.
on the Results of the Voting for the Election of a
Member of Parliament in the ONE-MEMBER CONSTITUENCY No. ...
in the Town/Village of
Region
in the Elections on, 1990

Today,, 1990 the Sectional Electoral Commission
in the Town/Village of
consisting of:

- Chairman:
(First Name, Surname and Other Names)
- Vice-Chairman:
- Secretary:
- Members: 1.
2.
3.
4.
5.

proceeding on the grounds of Article 67 of the Law on the
Election of a Grand National Assembly, made this report on
the counting of the votes cast for the election of a Member
of Parliament in the ONE-MEMBER CONSTITUENCY No.

The voting started at hours and finished at
hours after which the Chairman of the Sectional Commission
declared the voting completed and then the votes were
counted.

The opening of the ballot box and the counting of the
votes were carried out in the presence of representatives of
the parties, the candidates, intercessors, journalists and
guests as follows:

65

..... from

(First Name, Surname and Other Names)

..... from

The sectional Electoral Commission ascertained the following:

1. Total Number of Voters on the Common and Additional Lists
2. Number of Registered Candidates
3. Number of the Electors Who Voted (to be determined on the basis of the number of envelopes in the ballot box)
4. Number of Invalid Ballots and Empty Envelopes
5. Number of Votes Cast for Each Candidate:
 - (a) for candidate
 - (b) for candidate
 - (c) for candidate
 - (d) for candidate
 - (e) for candidate
 - (f) for candidate
6. The sectional Electoral Commission received statements and complaints by
 (First Name, Surname and Other Names)

 (Address)

66.

R E P O R T

of the Sectional Electoral Commission in Section No.
on the results of the Voting for the Election of a
Member of Parliament in the MULTI-MEMBER CONSTITUENCY No. ...
in the Town/Village of
Region
in the Elections on, 1990

Today,, 1990 the Sectional Electoral Commission
in the Town/Village of
consisting of:

- Chairman:
(First Name, Surname and Other Names)
- Vice-Chairman:
- Secretary:
- Members: 1.
2.
3.
4.
5.

proceeding on the grounds of Article 67 of the Law on the
Election of a Grand National Assembly, made this report on
the counting of the votes cast for the party slates in the
MULTI-MEMBER constituency No.

The voting started at hours and finished at
hours after which the Chairman of the Sectional Commission
declared the voting completed and then the votes were
counted.

The opening of the ballot box and the counting of the
votes were carried out in the presence of representatives of
the parties, the candidates, intercessors, journalists and
guests as follows:

.....	from
(First Name, Surname and Other Names)	
.....	from

The Sectional Electoral Commission ascertained the following:

1. Total Number of Voters on the Common and Additional Lists
2. Number of Registered Slates
3. Number of the Electors Who Voted (to be determined on the basis of the number of envelopes in the ballot box)
4. Number of Invalid Ballots and Empty Envelopes
5. Number of Votes Cast for Each Party Slate:
 - (a)
 - (b)
 - (c)
 - (d)
 - (e)
 - (f)
 - (g)
 - (h)

6. The Sectional Electoral Commission received statements and complaints by
(First Name, Surname and Other Names)
.....
(Address)
.....
(precis of the statements and complaints and the decisions made on them)
.....
.....

7. The situation in which the election was held
.....
(brief description of the situation)
.....

This report was written in two copies.

One copy is sent in a sealed envelope to the District Electoral Commission, whereas the second copy together with all the ballots (invalid ballots and empty envelopes separately), the list of the electors, the certificates for voting at another place, the statements and complaints lodged at the Commission, etc., is given into the charge of the Executive Committee of the respective Municipal People's Council or the Mayor's Office.

SECTIONAL ELECTORAL COMMISSION:

CHAIRMAN:
VICE-CHAIRMAN:
SECRETARY:

MEMBERS: 1.
2.
3.
4.
5.

NOTE. Item 5 indicates only the valid ballots cast for each slate. Invalid ballots and empty envelopes are not included.

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R E P O R T

of the District Electoral Commission on the Results
of the Voting for the Election of a Member of
Parliament in the ONE-MEMBER CONSTITUENCY No.
on 1990

Today,, 1990, the District Electoral Commission
consisting of:

- Chairman:
(First Name, Surname and Other Names)
- Vice-Chairman:
- Secretary:
- Members: 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

proceeding on the grounds of Article 70 of the Law on the
Election of a Grand National Assembly, made this report on
the establishment of the results of the election in the
constituency.

When the reports of the sectional electoral Commissions
were reviewed and the results of the voting were established,
there were present, along with the members of this Commission,
representatives of the parties, the candidates, intercessors,
journalists and guests as follows:

- from
- (First Name, Surname and Other Names)
- from

In this constituency, the Commission has registered the following candidates for Parliament:

- | | |
|---------------------------------------|-----------|
| 1. .... | ..... |
| (First Name, Surname and Other Names) | (Address) |
| 2. .... | ..... |
| 3. .... | ..... |
| 4. .... | ..... |
| 5. .... | ..... |
| 6. .... | ..... |
| 7. .... | ..... |
| 8. .... | ..... |
| 9. .... | ..... |
| 10. .... | ..... |

On the basis of the reports of the Sectional Electoral Commissions, the District Electoral Commission ascertained the following:

- 1. Total Number of the Sectional Electoral Commissions in the Constituency
- 2. Number of the Sectional Electoral Commissions Which Have Submitted Their Reports on the Voting

3. Total Number of the Electorate
in the Constituency
4. Number of the Registered Candidates
5. Number of the Electors Who Have Voted
6. Number of the Invalid Ballots and
Empty Envelopes
7. Number of the Votes Cast for Each
Candidate
1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

The District Electoral Commission has found out that more than half of the electorate in this constituency have (not) participated in the elections.

8. The candidate

(First Name, Surname and Other Names)

has won more than one half of the valid votes cast in this constituency. For this reason he/she is declared elected and receives a certificate accordingly in conformity with Art. 72 of the Law on the Election of a Grand National Assembly.

9. None of the candidates has won the necessary majority. The two candidates who have won the biggest number of votes are as follows:

- 1.
- 2.

10. The District Electoral Commission received statements and complaints by
 (First Name, Surname and Other Names)

 (Address)

.....
 (precis of the statements and complaints and the decisions made on them)

11. The situation in which the election was held

 (brief description of the situation)

This report was written in two copies. One copy in a sealed envelope is sent to the Central Electoral Commission through a special messenger, whereas the second copy, together with the reports of the Sectional Electoral Commissions, is given into the charge of the Executive Committee of the respective Regional People's Council.

DISTRICT ELECTORAL COMMISSION:

- Chairman:
- Vice-Chairman:
- Vice-Chairman:
- Secretary:
- Members: 1.
- 2.
- 3.
- 4.
- 5.

1
 10

- 6.
- 7.
- 8.
- 9.
- 10.

NOTE. The number of the votes cast for the candidate is equal to the number of the electors who have voted as indicated in Item 5 minus the sum total of the invalid ballots and empty envelopes (Item 6).

R E P O R T

of the District Electoral Commission on the Results
of the Voting for the Election of a Member of
Parliament in MULTI-MEMBER CONSTITUENCY No. ...
on 1990

Today, 1990, the District Electoral Commission
consisting of:

- Chairman:
(First Name, Surname and Other Names)
- Vice-Chairman:
- Vice-Chairman:
- Secretary:
- Members: 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

proceeding on the grounds of Article 71 of the Law on the
election of a Grand National Assembly, made this report on
the establishment of the results of the elections in the
multi-member constituency.

When the reports of the Sectional Electoral Commissions
were reviewed and the results of the voting were established,
there were present, along with the members of this
Commission, representatives of the parties, the candidates,
intercessors, journalists and guests as follows:

..... from
(First Name, Surname and Other Names)
.....from
..... from
..... from
.....,..... from
..... from

In this constituency, the Commission has registered the slates of the following parties and party coalitions:

1.
(Full Name)
2.
3.
4.
5.
6.
7.
8.
9.
10.

On the basis of the reports of the Sectional Electoral Commissions, the District Electoral Commission ascertained the following:

1. Number of the Sectional Electoral Commissions in this Constituency
2. Number of the Sectional Electoral Commissions Which Have Submitted Their Reports on the Voting
3. Number of the electorate in this Constituency

B

- 4. Number of the Registered Party Slates
- 5. Number of the Electors Who Have Voted
- 6. Number of the Invalid Ballots and Empty Envelopes
- 7. Number of the Votes Cast for Each Party Slate:

- 1.
(Name of the Slate)
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

8. The District Electoral Commission received statements and complaints by

(First Name, Surname and Other Names)

.....

(Address)

.....

(precis of the statements and complaints and the decisions made on them)

.....

.....

9. The situation in which the election was held

.....

(brief description of the situation)

.....

This report was written in two copies. One copy together with the reports of the Sectional Electoral Commissions is sent in a sealed envelope to the Central Electoral Commission through a special messenger, whereas the second copy is given into the charge of the Executive Committee of the respective Regional People's Council.

DISTRICT ELECTORAL COMMISSION:

- Chairman:
- Vice-Chairman:
- Vice-Chairman:
- Secretary:
- Members: 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

R E G I S T E R

of the Candidates for Members of Parliament by
the District Electoral Commissions in an ONE-
MEMBER CONSTITUENCY.

- No. on the List
- FIRST NAME, SURNAME AND OTHER NAMES
- A d d r e s s
- Constituency
 - No. of the Constituency
 - Name of the Constituency
- Nominated by:

R E G I S T E R

of the Electoral Party Slates by the District
Electoral Commissions in a MULTI-MEMBER
(PARTY SLATE) CONSTITUENCY

- No. on the List
- ELECTORAL PARTY SLATE
 - Name of the Party/Coalition
 - List of the Candidates
- No. and Name of the Constituency

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TO
THE CHAIRMAN OF THE DISTRICT
ELECTORAL COMMISSION
in
one-member/party slate
Constituency No.

D E C L A R A T I O N

by, resident in
No.,Str., born on, education
....., qualification, occupation
and post, member of
telephones: home, office

I declare that I agree to be registered as a candidate
for Parliament inone-member/party slate
constituency No.on behalf of
in the elections for a Grand National Assembly which will be
held on 1990.

Town/Village1990

SIGNATURE :

EXECUTIVE COMMITTEE OF THE
MUNICIPAL PEOPLE'S COUNCIL
(MAYOR'S OFFICE)

Town/Village

Region

C E R T I F I C A T E
FOR VOTING AT ANOTHER PLACE
No. / 199...

.....
(First Name, Surname and Other Names)

born on, resident in.....

has been deleted from the list of the electorate in the
town/village of, region

The holder of this certificate has the right to be
enrolled on the additional list of the electorate in any
constituency after he/she has shown his/her identity
documents and to participate in the elections of a Grand
National Assembly on 1990.

.....1990
(Date of Issue of this Certificate)

Secretary of the Executive Committee
of the Municipal People's Council
(Mayor)

Seal of the People's Council
(Mayor's Office)

Not subject to re-issue if lost.

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.....
(No. and Name of the One-Member/
Party Slate Constituency)
.....Section No.

D E C L A R A T I O N
for Enrollment on the List of the Electorate
of a Person Temporary Resident in Another
Settlement

I, the undersigned, born on
live on a temporary basis in the town/village of,
region, No. ... Str., constituency No.....
where I shall vote. I am resident of the town/village of,
No. Str., No. in the Uniform National Registration
System My passport is Series, No.....
issued on 19... at
Town/Village, 199...

SIGNATURE:

Charge.....leva

..... words .....leva each		Posted
Ordinary		on 199....
Flash	TELEGRAMME	at hours
Copies	from	Post Office
Total:	No.	Sent by:
Received by:		Checked by:

Posted and Received on199...
..... words type of telegram Receipt:

Municipal People's Council (Mayor's Office)
Town/Village
Region

....., resident on the territory of your Council/Mayor's Office, No. Str. has been enrolled on our list. Please, delete the name from your list.

HEAD OF OFFICE:

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C E R T I F I C A T E
OF A REGISTERED INTERCESSOR

The District Electoral Commission in
..... (No. and Name of the
..... certifies herein
one-member/party slate constituency)
that has been registered
(First Name, Surname and Other Names)
as an intercessor of the candidate for Parliament
..... (First Name,
..... in
Surname and Other Names) (No. and Name of the
..... for the
One-Member/Party Slate Constituency)
Grand National Assembly.

.....1990

DISTRICT ELECTORAL COMMISSION:

CHAIRMAN:

SECRETARY:

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C E R T I F I C A T E

OF A MEMBER OF PARLIAMENT ELECTED TO
THE GRAND NATIONAL ASSEMBLY

The District Electoral Commission in
..... (No. and Name of the
....., in conformity with the
One-Member Constituency)
report on the results of the voting, certifies herein that
..... has been elected
(First Name, Surname and Other Names)
Member of the Grand National Assembly on1990
inone-member constituency No.

..... 1990

DISTRICT ELECTORAL COMMISSION:

CHAIRMAN:

SECRETARY:

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C E R T I F I C A T E
OF AN ELECTED MEMBER OF THE GRAND
NATIONAL ASSEMBLY

The Central Electoral Commission, in conformity with
the report on the results of the voting, certifies herein
that has been
(First Name, Surname and Other Names)
elected Member of the Grand National Assembly on
199... inmulti-member constituency
No.

.....1990

CENTRAL ELECTORAL COMMISSION:

CHAIRMAN:

SECRETARY:

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.....
(Name of the parties, party coalitions for the elections,
group of voters, organisation or movement in conformity
with Art, 37, Paragraph 3 of this Law)

No.
(Name of the One-Member Constituency)

.....
(First Name, Surname and Other Names of the Candidate)

.....
(Name of the party, parties' coalition for the elections, or
the organisation or movement in conformity with Article 37,
Para 3 of this Law)

No.
(Name of the multi-member constituency)

.....
(First Name, Surname and Other Names of the Candidates
Included in the Party Slates)
.....
.....

APPENDIX D

Persons interviewed in Sofia by one or more members of the team:

Members and Staff of the Central Electoral Commission

Zhivko Stalev	President
Dimitur Popov	Vice President
Zhivko Zhivkov	Vice President
Liliana Georgieva	Advisor at Council of Ministers and for CEC
Milcho Polikarski	Advisor to the President - Lawyer - Chairman of the Information Bureau
Boryana Nacheva	Director of Supply
Pavel Georgiev	Director of Printing
Ms. Mihova	Chief Accountant
Reneta Pastarmadjieva	Responsible for Interpreters and other administrative positions for the CEC
Stanislav Dimitrov	President, Information Services Corp. (responsible for vote tally and allocation of PR seats)

Members of the Bulgarian Socialist Party (formerly Communist Party)

Alexander Lilov	President
Liuben Gotsev	Campaign Manager
Dimitur Varchunovtsev	Member, Political Analysis Group
Alexander Todorov	Member, Political Analysis Group
Nikolai Obreshkov	Member, Political Analysis Group
Mariia Georgieva	Member, Political Analysis Group

Members of the Agrarian National Union Party

Viktor Vulkov	President
Ivan Glomshkov	Member of the standing committee
Dr. Minncho Peichev	Campaign Manager
Ivan Elfremov	Party Vice President and Secretary, Central Electoral Commission
Alexander Dimitrov	Party Lawyer
George Traikov	Journalist
Borislav Kostourkov	Journalist

Members of the Union of Democratic Forces

Zheliu Zhelev	President
Petko Simeonov	Campaign Chairman, also President, Democracy Clubs
Stefan Tafrov	Director, UDF Foreign Relations Department

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Others interviewed

Kevork Kevorkian	President and Organizer of Nonpartisan Citizens Committee
Miko Petrov	Radio Journalist, Bulgarian Radio
Yordan Vasilev	Editor, Demokratsiia, (UDF newspaper)
Ofeliia Hadzhikolova	Editor, Svoboden Narod, Social Democratic Party Newspaper
Ivan Stancioff	Project for Free Elections (based in Great Britain)
Vasil Krashnichki	Union of Democratic Forces
Dimitur Ludzhev	Union of Democratic Forces
Milan Drenchev	President, Bulgarian Agrarian National Union
Ivan Nevrokopski	Bulgarian Agrarian National Union National

Interviewed by John Bell in Stanke Dimitrov

Kiril Edinakov	Mayor, Stanke Dimitrov
Margarita Panova	Secretary, Local Peoples Council
Dimitur Galiov	President, Stanke Dimitrov Section of the UDF
Nikola Lazov	Head, Local Section of the Social Democratic Party
Petur Katsarski	President, Local Section of Podkrepa

APPENDIX E

Transcript of a lecture by Professor Zhivko Milanov as part of a training program given to local officials under the auspices of the National Assembly.

On the Questions of Voting and the Determination of the Election Results

11 April 1990

My lecture is devoted to two questions - the first involves voting, the second the determination of the results of the elections.

We will begin with voting.

Voting is the most important aspect of the election since it determines the results, the preference of the voters for one or another candidate, for one or another party on the ballot. Because of this it has an extremely important significance and it follows that it should receive special attention in organization and implementation.

First of all, some comments on the character of the election day, which will be the background against which the election will take place. The law mandates that voting will proceed on a holiday. As you know, the elections will take place on Sundays, when most of the population is not occupied at the workplace. Of course, there are some exceptions - work, obligations, services that must continue without interruption - but in these cases enterprises and institutes will arrange working schedules so that everyone has the opportunity to participate in the elections. This is a prerequisite for the realization of the general right to vote.

In the second place it should be noted, that on this day, as has always been true during elections, every establishment that sells liquor must be closed. It follows that proprietors of every establishment where alcohol is sold should be notified of this immediately, so that conditions that might give rise to excesses on election day may be avoided. The preservation of public order is an obligation of the People's Council and of the organs of the police, one of their obligations. Elections have always been conducted this way, and we must think far ahead and prepare measures now so that these establishments will be closed. We should even consider how we will handle weddings.

Question: Comrade Milanov, where are the regulations on that?

Answer: It hardly has to be written down in the law that the taverns have to be closed. It is stated that on this day there must be created social conditions in which the elections can take

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place normally and peacefully. While the elections are going on there must be no imbibing of spirituous drinks. If necessary, this statement can be issued supplementally by the Central Election Commission, but it is a requirement that we must understand right now. The elections must proceed normally.

On election day all meetings, demonstrations, and agitation are prohibited. This is specified categorically in the law. The public distribution of ballots is also forbidden.

The general requirement to create normal circumstances in which the elections can proceed, and to avoid providing any grounds for excesses or for creating excessive tension is laid on the electoral commissions, the people's councils, the organs of the police, and on every other organ that is concerned with public order and security. The elections all by themselves will create tension enough.

We will now turn to the beginning of the election day. As always, it begins at 7:00 am, this is well known. Here I want to call attention to the fact that in the election place during the time of voting, from its beginning to the end, only representatives of the parties, journalists, and guests are allowed to be present. Candidates may not be present. This is a requirement of the law, and it is understandable. When a candidate is present, he may have an influence over the voting. The candidate may be present at other stages such as during the counting of the votes, but he may not be present during the voting itself. Representatives of candidates, representatives of parties, journalists, and guests may be present.

Two words about guests. We understand by this term guests from abroad who have been invited. As you know, an agreement was reached at the roundtable on a document concerning the development of the political system in our country. In one of its points it is written that there will be invited representatives of various parliaments from European countries, including the European Parliament. And this has already been done. When these people arrive they will be considered "guests." Other foreigners will not be admitted either at the time of the voting or when the votes are counted, in order not to create situations in which all sorts of unexpected things might take place. It is enough that the following people will be present: the commission, representatives of the candidates and the parties, journalists, and guests. There will be a sufficient number of serious participants to secure the public character and glasnost of the voting process and the counting of votes. You should be on the alert that there will be many people with the most varied motives who wish to be present inside, especially during the counting of the votes.

One of the requirements that affects us directly is the closing of the ballot boxes in the morning and the sealing of them with the seal of the locality or the mayor's office. The technicalities for this - the sealing of the boxes - must be

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provided for.

Another organizational/technical question is the construction of voting booths and their equipping with tables or racks where the ballots can be placed. I would even suggest thinking about some sort of distributing device for ballots with some kind of partitions to keep the ballots from getting mixed so that the situation will be clear to the voters. The ballots of each party should be clearly set out - the ballots for the candidates, the ballots for a party list, for the second, third, fourth parties. That is if we have something like this.

We must also take measures so that the voting booths will be seen to be sufficiently secure so as not to provide bases for any kind of criticism or insinuation that the voting was not completely secret.

A most important question, which is new and we are encountering it for the first time, is that the voting will be with two ballots - every party will have two ballots of the same color: the first will be for the candidate in the single-member electoral district on which only the name of the candidate will be written: the second, which will be quite a bit larger, will be the ballot of the party list in the party's color, but with several names depending on the number of seats in the multi-member electoral district. In smaller districts, for example in Vidin or elsewhere, there will be four or five names, but in Sofia, for example, the ballot will have twenty-six names.

This must be explained very carefully to the citizens, it should even be explained in advance, so that they are not misled and so that conditions are not created in which there will be a large number of invalid ballots. Because if they place ballots of more than one color in the envelope it will be held invalid. It must be explained that they can put in only one color. Of course they can vote for a single-mandate candidate with one color and for the party list with another, but two ballots of the same size and different colors are not allowed.

This morning there arose a question about Article 59 [of the electoral law], and I told you what was the intention of the group that worked on it. The idea was to spell out a means of voting with a view to overcoming certain habits and procedures that have already become traditional in voting. Above all, open voting must be prohibited absolutely, and the law already forbids it. Therefore, for every citizen that comes, the commission should invite him to go into the voting booth to vote in the appropriate manner. The commission cannot allow open voting in its presence. The voter must go into the voting booth, select there the ballots for candidates and party lists, put them in an envelope, leave the voting booth, put the envelope in the voting box, and then he will be checked off the voter list.

That, in its most basic form, is the voting.

This morning we said that in this election there will be no voting at home or sending in individual votes with protocols. Such votes will not be counted. In the final analysis, there is no reason to compel people who do not come to vote. If they don't come, they don't come. We are not chasing per cents, we are not after 100 per cent participation. This time we are looking for real election results, not per cents.

It is fundamental that the ballot is absolutely secret. This means that no one has the right either to look into or enter the voting booth with the voter. It follows that the curtain must be thick enough that no one can see how the citizen is voting. The only exception that the law allows is in the case of the blind, illiterates, or others who may request the president [of the commission] to allow them to have someone go into the booth to help them vote. But these will be independent, isolated cases. Otherwise, the vote must take place in complete secrecy inside the voting booth.

The commission will note everyone who has voted. In this case it will work with two voter lists - one is the general voter list, the other is for those voters who arrive with a certification. For the latter, it is compulsory to collect the certifications and attach them to the supplemental list of voters who have voted with a certification allowing them to vote in a place other than their home precinct.

In the election law there is a technical error, since it calls for the certification to be attached to the list by the local people's council. There is no reason for this, since if the people's council takes the certification, the voter will have nothing to vote with. This was a purely technical error, committed in the rewriting of the law owing to the circumstances that there was very little time to prepare the text of the law and have it published. I will ask the Central Electoral Commission to issue an interpretation, but this would be completely logical. There is no reason for a council to issue a certification and then take it back again. It should be attached by the precinct electoral commission at the time of voting. The idea behind this requirement is that the voter cannot use the certification to vote at more than one place. If the council keeps the certification, the citizen can't vote. The law intends everyone to have the right to vote once.

The end of the voting day is also determined by the law - it is 6:00 pm as is traditional. But if at that time there are still people waiting who have not yet voted, voting may be extended to 7:00 pm. And then the voting is ended. The second main area of the work of the electoral commissions on election day is the determination of the election results.

I will look at this question in three parts - how this must be done in the precinct electoral commission, then in the regional

electoral commissions, and finally I will make some observations about the work of the Central Electoral Commission in the determination of the results.

First on the technical/organizational preparation for the opening of the voting box. Before the voting boxes are opened, several very important actions must be completed to insure the accurate determination of the election result. The first is to declare the voting concluded, to put an official end to the voting and to begin the period of counting. This is done by the president with the agreement of everyone - the declaration that the voting is completed and that they will now turn to the determination of the election results.

The second extremely important action is for the president to gather, pack up and seal every extra ballot that is still in the voting booths or elsewhere. They are all packed, sealed, and removed, so that they may not be near the place where the ballots are counted.

In the third place - this is not written down, but it falls within the rights of the commission and must be carried out - the president of the commission must inform everyone present that if they have ballots they must now turn them over. They may legally have ballots with them for several reasons, but the president must now get them to give them up. This is very important, because from this point on if there is some attempt to throw in these ballots, this will have very serious consequences for those responsible according to the criminal code and other regulations. In our case this is extremely important, and every president of a precinct electoral commission must take the appropriate precautions.

Fourth, a source of emergency light must be provided. This should be done in advance and checked on election day. In some places there may be a failure of the electric current, or an accident, or a deliberate provocation, in which case there must at all costs be a reserve source of light everywhere - be it a lantern, flashlight, or whatever.

Naturally, a designated courier who will carry the results must also be assigned in advance. This is a responsibility of the state organs. The courier will be a member of the commission, but he must be designated in advance and provided with transport. This may be his personal means of transport - the question will be decided that the commission will decide in accordance with its resources and those of the people's council. The entire organizational/technical preparation is a duty of the state, and we are the state, the state is nothing except the councils, the councils are the foundation of the state.

The second question is who may be present at the opening of the ballot boxes, during the counting of the ballots, and the determination of the results. Those who may be present are: the commission indisputably, representatives of the parties and

candidates, journalists, and guests, but I remind you that we are talking about guests from abroad, and not about guests that anyone might invite. They are not "guests" in the sense considered here.

How will the counting be done? The first thing that the precinct commission must do is to count the envelopes and to make a comparison between the number of envelopes and the number of those on the general and supplementary voter lists who were checked off as having voted. The results are recorded on the protocol. Normally, the numbers will be the same. If they do not coincide, it means either that the commission did not somehow do its work as it should have and did not check off someone who voted, in which case there will be more envelopes than voters, or that it checked off someone who did not vote, in which case there will be more voters than envelopes. It is very important to pay careful attention to the whole process so that the number of envelopes and the number of voters will coincide. Otherwise, it will give rise to doubts about the honesty of the election, and might provide grounds for all sorts of talk and accusations.

This is a very important moment for the election to proceed in an orderly way.

After this verification is completed and noted in the election protocol - that the numbers do or do not coincide - the opening of the envelopes and sorting of the ballots begins. In my opinion, based on experience and practice, it seems to me necessary to designate in advance the people who will count the ballots. Otherwise, it will be difficult for the commission, which is large. It would be well to designate in advance who will count a particular color, to make the whole process easier. An internal organization should be established in order to maintain order and make it easy to observe. The president need not be the counter, but he should observe the whole process and control its work so as not to permit any attempt to mix up the ballots.

First of all, two places should be designated - one for valid ballots of candidates and party lists, and one for invalid ballots and empty envelopes. I think that this time there won't be any empty envelopes, though in past elections there were quite a few. The reasons for that no longer exist. Then there was no choice and, moreover, everyone was pressured to vote, so that the citizen who didn't want to vote for the preselected candidate put in an empty envelope. There were lots of empty envelopes. But up to now empty envelopes were regarded as votes and were counted as valid ballots. This is a very important difference. According to the new law, empty envelopes are considered invalid ballots; they are not counted as votes because they have nothing in them. They only show participation in the election, and we note them as such. But they are not votes. They are collected with invalid ballots and are subtracted from the total number of participants to determine the number of valid ballots. And this is very important, because the determination of the election result is done on the basis of the number of valid ballots.

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This is why invalid ballots and empty envelopes are counted individually.

The law determines what makes a ballot invalid. First, they are those ballots that do not have the designated form. The official documents indicate the forms of printed ballots. If there appear other ballots, made by hand or by machine, but not in the designated form, they are invalid and are excluded. Second, they are those ballots which include additional names, writing, words, or various symbols. In the past people voted with slogans and various things. And it's possible that such ballots will appear in this election, but they will be counted as invalid. Also invalid are those ballots in envelopes that include ballots of more than one color for candidates or party lists. It means that the voter could not make up his mind, and included votes for more than one candidate or list, and these will be regarded as invalid. If, however, in the envelope are two ballots of the same color, they will be counted as a single valid ballot. There may be more than two, maybe five were put in, but they are counted as only a single valid ballot. The others are destroyed. Ballots that are torn up are also regarded as invalid.

In the multi-member system, ballots are invalid if all the names on them have been crossed off. Otherwise, if only some names are crossed off it is regarded as a valid ballot and counted for the party. This is because, in our law we adopted the most simple form of the proportional system, that is a system with a fixed list, in which the party designates the order and the voter does not have the right to change it. He has the right only to express his favor of the party. And as soon as he votes for the party, he expresses trust in those the party placed on its list. This is not the best or the most democratic system, but we are not now in a position to propose anything else. I repeat, only those ballots that have all the names crossed off are to be considered invalid. This will be very rare, because if a voter doesn't like any of the names on the party list, he would probably vote for some other party. But it's possible that it could happen, and these votes are invalid.

When there is a dispute about the validity of ballots, it is decided by the commission by simple majority. At the same time, every member has the right to submit his written opinion on every question.

The ballots for every candidate and every list are counted individually. If counters are designated in advance, they take up their appropriate piles, count the votes, and indicate the totals for every candidate and every party list. The Central Electoral Commission has established a protocol for the results. It is indicated in Article 67, point 2. There are indicated all the requirements, of which there are quite a few. I will read them, because I can't tell you more than what is in the documents themselves. In the protocol is written: the times of the opening

and closing of the voting; the number of eligible voters on both the general and supplemental lists; the number of registered candidates; the number of eligible voters who voted; the number of invalid ballots and empty envelopes; the number of votes given to each candidate in the single-member district. This is the first protocol. Thus, the commission prepares two protocols. I may have omitted to mention that the commission submits two protocols. One is for the results of the single-member district, the other for the multi-member region. In the second protocol, the commission notes the number of votes given to each party list.

At the end, as always, are noted any disturbances, outbursts, or complaints that occurred during the election. Observations about the conditions in which the election took place are also recorded. This is very important, because later, if objections are made to the Central Electoral Commission, this material will be forwarded to the National Assembly, whose election committee which will submit a report to the whole National Assembly which will decide whether to confirm or overturn the results.

These protocols are signed by the members of the commission, by the president, of course, and the vice-president and secretary, and are then given over to the appropriate regional electoral commissions - one to the regional commission for the single-member district, the other to the regional commission for the multi-member district. This must be done, as we said before, with the appropriate designated couriers and special transport.

For the single-member regional electoral commission the question is simpler, but more complicated for the multi-member regional electoral commission because its size is larger and it may be farther to travel to the appropriate former provincial center where the commission will sit.

What will the regional electoral commissions do?

First we will discuss the regional commissions in single-member electoral districts. One of their fundamental obligations in this case is to determine the election results. What are the legal requirements for this? There are two points which the regional electoral commission must consider.

The first point is to determine how many people took part in the election, what per cent of the eligible voters voted, in order to declare the election properly completed or not. According to the law, the election is properly completed if more than half of the eligible voters in the appropriate electoral region have participated. After this is done, the commission can then turn to the second point: to establish who is elected. If it finds that fewer than half the eligible voters have participated, than it does not proceed to this second stage. It notes on the protocol that fewer than half the eligible voters participated and that therefore the election was not properly completed, and sends the material to the Central Electoral Commission for it to designate

a new election.

When more than half the eligible voters have participated, that is when the election is declared properly completed, the commission takes up the second important problem, deciding which candidate was elected. The criterion is the typical, classical criterion of the majoritarian system - the candidate is declared elected if he has received more than half the valid ballots. Here the basis is the number of valid ballots. After we have a properly completed election, we subtract the number of invalid ballots and empty envelopes and proceed on the basis of valid ballots cast. Whoever received more than half of them is elected.

It seems to me, that in the upcoming elections there will be a large number of cases in which this will not happen. We will have many cases when we will have the second variation, that is when none of the candidates is elected because no one has received more than half the votes. In this case, the election will be repeated after one week, on the 17th, the second round. In the second round, only the two candidates who received the largest number of votes will be on the ballot. Therefore, on the protocol the commission will note the names of the two who received the most votes. It will also note the number of votes.

After the second round of voting is completed, the principle of the relative majority is used - the candidate who receives the larger number of votes is elected.

There is a possibility, and perhaps it will be very rare, but still a possibility. At the moment this is only a hypothesis for me. When we had only one candidate and he was not elected, there was time to nominate someone new. Keeping in mind that in the present system we have only one week at our disposal in which to find a new candidate with all the attendant risks, and the candidate will have no time for a serious election campaign, to have meetings with the voters, we will still have to hold the election. But it seems to me, that we won't have such cases.

There is also another feature of the electoral law. That is that it allows candidates to be nominated for single-member and multi-member districts. Thus a candidate (and there undoubtedly will be individual cases) can have his name on the ballot of a single-member district and at the same time can have it on a party list.

How will a determination be made? It will be made separately. Individually, without the commissions taking note of the fact that the candidate is on two ballots.

What variations are possible? The simplest case is if he is elected in a single-member district. In that case he will be taken off the party list and the one on the list after him will move up to his place. This is a simple system and will not cause any difficulty. The other variation is more complicated. Assume that

he is elected from the party list, but is not elected from the single-member district, but is eligible to take part in a run-off. His party could be without a candidate for the second round. In this case, the party would have to decide whether to drop him from the list and have him campaign in the second round or to concede defeat in the single-member district. For the party, this is a question of political expediency, of careful calculation, and evaluation of the situation.

Completing its work, the regional election commission in the single-member district inscribes and declares in the protocol the name of the elected candidate and at the same time gives him a certification that he has been elected as a member of the National Assembly. Along with this, it sends a copy of each protocol to the Central Electoral Commission, and the rest of the material it gives over to the executive committee [of the local people's council].

The functions of the electoral commission for determining the results in the multi-member regions are somewhat different. It does not certify any candidates and in fact does not complete the process of determining the results, but it is an intermediate link in the process. But its role is extremely important, because the work of the Central Electoral Commission depends on the quality of its work. In its protocol the following data are included: the number of precinct electoral commissions; the number that have submitted protocols, in order to see whether there are some electoral commissions that have not been counted; the number of registered party lists; the number of eligible voters; the number of eligible voters who voted; the number of invalid ballots and empty envelopes; and the number of votes given to each party list. At the end come any complaints, or special observations.

An especially important point here is that they must send their protocols at once to the Central Electoral Commission, so that it can at once begin the process of determining the results for the multi-member districts. I would call attention again to the tremendous importance of precision in calculating the results and in the protocols of the commissions. Otherwise, it takes only one protocol to be incorrect to prevent the Central Electoral Commission from completing its work.

How will the Central Electoral Commission determine the results of the elections in the multi-mandate electoral regions? First, the Central Electoral Commission will add up all the votes in the country and the votes given to each party that has a right to participate in the proportional distribution of seats. The electoral law establishes a barrier of four per cent: those parties that do not receive at least four per cent of the total number of votes cast in the country - not in the individual electoral regions, but in the whole country - do not have a right to participate in the distribution of seats. The remaining parties, they will be the large parties, will divide the seats depending on the number of votes received and according to a system that has already been confirmed. This system is called "DONT." The program

is constructed in such a way that it will first determine the number of seats that each party receives, and after that will designate the regions in which they are elected. This process is done by a program on a computer which will produce the results very quickly. On the one hand, it will establish the place of the party and the per cent of trust that the party has received, and on the other it will determine exactly, according to their order on the party list, exactly which candidates are elected and where.

The last step is to proclaim the results of the election to the country.

This concludes my presentation.

НАРОДНА РЕПУБЛИКА БЪЛГАРИЯ

ЕДНОМАНДАТНИ И МНОГОМАНДАТНИ ИЗБИРАТЕЛНИ РАЙОНИ,
ЗА ИЗБОРИ НА ВЕЛИКО НАРОДНО СЪБРАНИЕ
10 - 17 ЮНИ 1990 Г.



- 20** Граница и номер на многомандатен изборителен район
- 200** Граница и номер на едномандатен изборителен район
- Център на едномандатен изборителен район
- Граница на община