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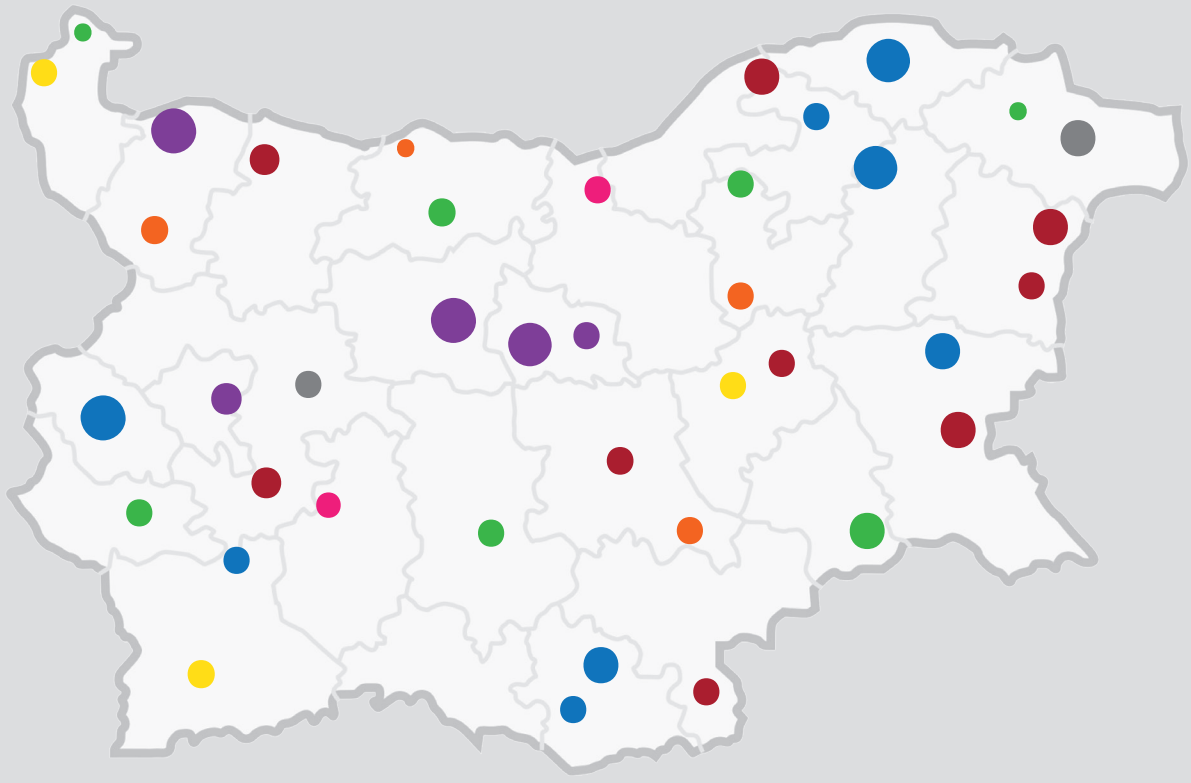
ELECTION FRAUD:
PREVALENCE AND IMPACT IN BULGARIA



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The project's primary goal is to improve the public debate in Bulgarian society about the prevalence and impact of bought and controlled voting on election results and to identify risk sections to assist law enforcement agencies in their efforts to counter vote-buying.

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Chapter One
Monitoring of vote buying. Methodology for identifying polling stations that present a risk

Application of the methodology to the election results from the parliamentary elections held in 2013, 2014 and 2017 and the local elections held in 2015 and 2019.

1. Methodology

Since 2000, vote buying has become endemic and is widely employed by nearly all political parties. In most cases, it can distort voters' choice and undermines the democratic process. Although there have hardly been any investigations and convictions, the phenomenon is hard to disguise because it leaves a 'visible trail' in the results of the vote in each polling station. Vote buying distorts what can be described as normal voter turnout and behaviour. Therefore, the Anti-Corruption Fund has proposed and developed a civic platform, which employs modern statistical methods to identify and single out the polling stations at risk of vote buying and the political parties that receive the greatest number of votes in the polling stations concerned. The results of the parliamentary elections (PE) in 2013, 2014 and 2017 were analysed in order to identify the polling stations with inconsistent results in terms of voter turnout, the results of the leading political parties and several other indicators relating to invalid ballots and votes. Models of variables were elaborated that show outliers of the abovementioned indicators. The selection of variables takes into account the differences in voter behaviour at municipal level.

The models that take into account the discrepancies within a single election year were applied to 11 477 polling stations for PE 2013, 11 745 polling stations for PE 2014 and 12 065 polling stations for PE 2017.

The models registering deviations in several election years were applied to 11 303 polling stations, which allows for comparisons to be made.

The results from small polling stations (below 50 voters) were included in the calculations, although not as polling stations presenting a risk.

Three of the models were applied to mayoral elections conducted in 2015 and 2019 (respectively 11 919 and 12 141 polling stations). For models, which require identifying abrupt changes in voter turnout or results within two election years, only deviations in voting patterns between two rounds of elections within the same election year have been sought.

1.1 Model 1 and 2: Multicomponent abnormal behaviour

The first two models are based on the hypothesis that votes that paid or controlled votes would lead to extreme values of:

- voter turnout at the polling station (i.e. if paid votes have been cast at the polling station, the turnout will be significantly higher than within the municipality)

- the result of the winner in the polling station (i.e., if there are paid votes in the polling station, the result of the leading party will be significantly higher than the result of the political party in the municipality).

As such extreme values may be due to other social and economic factors, another type of deviation from the standard case must also exist in the respective polling station. On the one hand, such deviations may stem from the behaviour of voters on election day. The review of election data has shown that some polling stations report an extremely high number of invalid ballots due to displaying or photographing the vote, or wrong markings on the ballots. Other sections report a ratio of invalid votes to total number of votes cast that is significantly higher than average. At the same time, in a situation of potential vote buying, voters may be forced to furnish evidence of how they voted, causing them to become confused during the process of voting. For this reason, Model 1 and 2 presuppose that extreme values of at least one of the following indicators must be registered at the polling station:

- ratio of the number of invalid ballots pursuant to Article 227 of the Election Code (in the cases where equipment to reproduce the vote has been used) to the total number of votes cast in the polling station
- ratio of the number of invalid ballots pursuant to Article 228 of the Election Code (vote publicly displayed after the ballot paper has been cast) to the total number of votes cast in the polling station
- number of ballots with incorrect markings pursuant to Article 267(2) of the Election Code to the total number of ballots cast at the polling station
- number of invalid ballots found in the ballot box out of the total number of ballots cast at the polling station.

This model takes into account that the extreme value of the result of the winner at the polling station becomes even more dubious where there was a different winner in the same polling station in the previous election. For this reason, the indicator 'different winner in the polling station in two subsequent parliamentary elections' has been included in the model.

In summary, the polling station presenting a risk under models 1 and 2 satisfies the following conditions:

Polling station presenting a risk$^{\text{Abnormal\_activity\_multi}}$ = (>(Q_3+1.5*IQR)$_{\text{activity decreased by the arithmetic mean activity in the municipality}}$) OR
(>(Q_3+1.5*IQR)$_{\text{result of the winner decreased by the average arithmetic result in the municipality}}$) AND
(>(Q_3+1.5*IQR)$_{\text{number of invalid votes to the total number of votes cast}}$) OR
(>(Q_3+1.5*IQR)$_{\text{with incorrect markings to total number of ballot papers cast}}$) OR
(>(Q_3+1.5*IQR)$_{\text{number of invalid ballot papers on account of photographed vote to total number of votes cast}}$) OR
(>(Q_3+1.5*IQR)$_{\text{number of invalid ballot papers on account of displayed vote to total number of votes cast}}$) OR
(>(Q_3+1.5*IQR)$_{\text{a different winner in the polling station in two consecutive parliamentary elections.}}$[1]

The application of the model to the election results yielded **522** polling stations in 2013, **354** polling stations in 2014 and **494** polling stations in 2017 (see Table 1). This model takes into account the highest rigidity in the different years, with 82 % of the polling stations identified as presenting a risk on the basis of model application to PE 2014 being reported as presenting a risk in PE 2017 as well.

1 Q_3 – third quartile, IQR – interquartile range

Table 1 Application of the models for identifying polling stations at risk in PEs 2013, 2014 and 2017

	Multicomponent abnormal behaviour	Deviations in election turnout	Volatility	Total number of polling stations at risk	Number of votes in the stations at risk	% of voters
Parliamentary elections 2013	522	N/A	N/A	537	100 774	2.8%
Parliamentary elections 2014	354	125	1150	1448	342 970	9.8%
Parliamentary elections 2017	494	129	1239	1629	373 228	10.1%

These models were also applied to the local elections held in 2015 and 2019, but the different winner indicator only applied to the polling stations in which elections took place in two rounds (5 430 polling stations in 2015 and 6 794 polling stations in 2019). As a result a total of **591** polling stations are risk were identified in 2015 and **579** polling stations are risk were identified in 2019 (see Table 2)

Table 2 Application of the models for the purpose of identifying sections at risk in the local elections held in 2015 and 2019

	Multicomponent abnormal behaviour	Deviations in election turnout between two rounds	Volatility	Total number of polling stations at risk	Number of votes in the stations at risk	% of voters
Local elections 2015	591	106	522	1046	247 382	7.5%
Local elections 2019	579	100	343	860	186 944	6.0%

1.2 Model 3 Deviations in voter turnout

The third model relies on the hypothesis that vote buying may lead to major deviations in electoral activity in a given polling station in two consecutive election years. In this scenario, in the first parliamentary election some of the votes in the polling station were paid, which raises electoral activity and in the next parliamentary election the votes in the section were not paid, which resulted in a sharp decrease in electoral activity. The extreme value regarding electoral activity in two consecutive election years must be combined and there must also be discrepancy in terms of voter turnout in the polling station in the municipality in the election year to which the model is applied:

Polling station presenting a risk$^{abnormal\_turnout}$ = (>(Q_3+1.5*IQR)$_{\text{turnout decreased by the average arithmetic turnout in the municipality}}$) AND (>($Q_3$+1.5*IQR)$_{\text{difference in turnout in two consecutive parliamentary electionsp}}$)

When the model is applied to the election results a total of **125** polling stations were identified in 2014 and **129** polling stations were identified in 2017 (see Table 1). This model does not take into account rigidity in the different years but this can be easily explained because of the underlying presumption that the votes in

the polling station will not be bought in all elections. The application of this model to the local elections yielded **106** polling stations are risk in 2015 and **100** polling stations are risk in 2019.

1.3 Model 4 Volatility in voting for political parties

The fourth model is based on the hypothesis that vote buying may manifest in a sharp change in the political affiliations of voters in a given polling section in two consecutive elections. This will be evident from a sharp increase or drop in the number of votes cast for a given political party at the polling station after data controls to ascertain an overall change in political attitudes at municipal level.

On account of the changes in the composition of the political parties and coalitions in the last three parliamentary elections covered by the analysis, volatility could solely be traced for the three political parties that have remained most stable over time – Citizens for European Development of Bulgaria (GERB), the coalitions led by the Bulgarian Socialist Party (BSP) and the Movement for Rights and Freedoms (DPS). Respectively, this model only registers extreme values in terms of the difference between the result of these political parties in two consecutive election years decreased by the mean arithmetic difference reported at municipal level:

Risk section$^{abnormal\_volatility}$ = (>(Q_3+1.5*IQR)$_{difference\ in\ the\ result\ of\ GERB\ in\ two\ consecutive\ election\ years\ decreased\ by\ the\ arithmetic\ mean\ difference\ in\ the\ municipality}$) OR
(>(Q_3+1.5*IQR)$_{difference\ in\ the\ result\ of\ BSP\ in\ two\ consecutive\ years\ decreased\ by\ the\ arithmetic\ mean\ difference\ in\ the\ municipality}$) OR
(>(Q_3+1.5*IQR)$_{difference\ in\ the\ result\ of\ DPS\ in\ two\ consecutive\ years\ decreased\ by\ the\ arithmetic\ mean\ difference\ in\ the\ municipality}$)

The application of the model yielded the greatest number of polling stations are risk – **1 150** in 2014 and **1 239** polling stations in 2017 (see Table 1). However, the model does not register a particularly high rigidity over the years, with slightly more than 24% of polling stations identified as presenting a risk when the model is applied to PE 2014 registering as such when the model is applied to the PE 2017. On the other hand, some of the polling stations identified by this model as presenting a risk have also been identified as presenting a risk by the other models. For example, 16% of the polling stations identified by the model in 2017 were also identified as presenting a risk under the multicomponent model.

At this stage, volatility in local elections has solely been registered in the polling stations where two round of elections took place. In 2015, a total of **522** polling stations registered deviations in this regard while in 2019 the corresponding number was **343**.

1.4 Limitations of the models

The models register deviations in electoral behaviour in certain polling stations but cannot guarantee that vote buying is the only reason for the extreme values. Although all models register the differences in voter behaviour at municipal level, there are economic, social and political factors which the models cannot currently control, such as the voter ethnicity or the presence of a strong political representative in the community. In some polling stations an explanation may be sought in an indirect pressure exerted on voters in the community, such as dependence at the workplace on political processes or dependence on social assistance. Regrettably, no

data is available at such micro-level about unemployment, level of education and share of those employed in the public administration in order to test the degree of correlation between the presence of deviations in electoral behaviour and those social and economic factors.

2. Influence of polling stations are risk in parliamentary elections

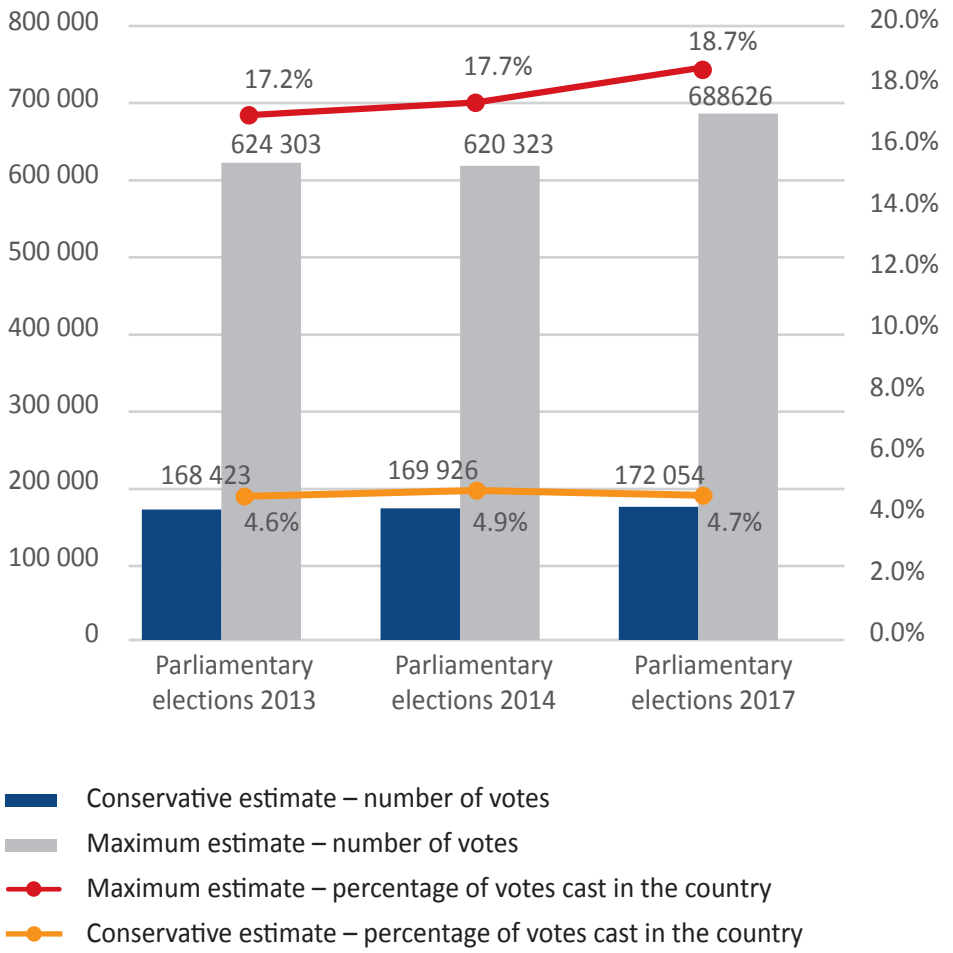
Figure 1 illustrates a conservative and maximum estimate of the impact of all polling stations at risk identified, regardless of the election year in which they were identified.

The conservative estimate includes all polling stations (**771 in 2013, 775 in 2014 and 780 in 2017**), which following the application of the models to each of the three election years were registered as stations carrying a potential risk on more than one occasion, i.e. the sections have been consistently identified as carrying a risk over the years or they have been singled out as carrying a risk under several hypotheses in a single election year. **329** of these polling stations were identified as carrying a risk as a result of the application of the models. On the basis of these estimate, the total number of votes cast in the stations concerned is approximately 170 000 or 5 % of the votes cast during the respective election year. Although we refer to this as a conservative estimate, there is no absolute certainty that these 5 % of the votes concerned were paid or controlled – however, our model shows that they were cast at polling stations in which there was a higher probability of vote buying taking place. Furthermore, there may be other explanations of the deviations in electoral behaviour and there is no way for us to be certain of the exact percentage of paid or controlled votes cast at the polling station.

The maximum estimate also includes the polling stations singled out by application of a single model and in one election year. In the framework of this estimate, the number of votes cast at polling stations presenting a risk increases to approximately **690 000**[2] in 2017 or approximately 18.7 % of the total votes cast. Although this estimate carries a greater probability of a polling station that does not present a risk being registered as one that does, it succeeds in covering certain polling stations which due to the dynamics of vote buying may have been dropped out of the conservative estimate.

2 The cited figures are based on the assumption that once a section is classified as at risk under at least one of the models in at least one of the surveyed election years, it is considered vulnerable during the other election years.

Figure 1 Impact of polling stations presenting a risk in PEs 2013, 2014 and 2017



3. Impact of polling stations presenting a risk on local elections

The assessment of the impact of polling stations at risk on local elections is incomplete because the volatility in voting between two rounds of mayoral elections is not taken into account and the same applies to the results of the votes cast for local councilors and mayors of districts. At present, the analysis of the local elections in 2015 shows that a total of 247 382 votes were cast at the polling stations identified as carrying a risk, which represents 7.5 % of the total number of votes cast in the election. A slight decrease was registered in 2019, with a total of 186 944 votes cast in polling stations carrying a risk, which represents 6 % of the total number of votes cast.

4. Conclusion

This methodology can support the election process by:

- directing observers to the polling stations carrying a higher risk of vote buying — a focus that may have an additional deterrent effect on the participants in the process;
- directing the operational actions of law enforcement bodies in their efforts to counter vote buying.

Although the paid vote should not be underestimated, its strongest impact is on the perception of citizens that their vote is distorted and the resulting lower trust in Parliament as an institution. The review of the polling stations presenting a risk shows that despite the chance for almost all political parties to have been involved in vote buying at a certain point, in terms of final results the paid votes gained by one political party tend to be neutralised by the votes paid for by other political party. The vote in the polling stations presenting a risk may thus have a significant effect by raising the barrier to entry of Parliament, but a less pronounced effect on the final percentage of votes received by the political parties represented in parliament.

Chapter Two
RISKS ASSOCIATED WITH HOLDING AN ELECTION IN A PANDEMIC

This section of the report examines on the objective difficulties and risks for the normal course of the election stemming from the COVID-19 pandemic. The different measures which other countries have taken to prevent election process manipulation and a deterioration of the pandemic will be presented and a qualitative assessment of their implementation in the Bulgarian context will be made. Finally, the report will present the Bulgarian experience in holding elections, and more specifically partial local elections in Slantsevo, Maglizh, Boyan, Pudria, Slavovitsa, Potocharka, Troyanovo, Nikolaevo, Kaleytsa, Maglen, Banite and Stezherovo[3].

The process of studying the effect of the SARS-CoV-2 pandemic on the election process will focus on the most commonly encountered problems, which academic literature and media reporting have identified, and more specifically:

1. Lower turnout
2. Barriers to conducting an effective election campaign
3. Creating situations that endanger the health of voters on account of a great number of people gathering in the same place
4. Suspicions of vote manipulation (less frequent)

1. Lower election turnout

With regard to the controlled vote, the most influential variable is voter turnout. This is due to the effect of low turnout causing the 'price of a seat' to drop. In other words, lower voter turnout, respectively a lower number of people who have cast their vote, make it easier to reach the election quota. From this point of view, it should be taken into account that paid/controlled electorate is more disciplined and that the risks associated with a large number of people gathering in the same place will be taken into consideration by a smaller share of the electorate, which our model treats as paid or controlled vote (on the basis of the abovementioned criteria, as compared to the remaining electorate whose vote does not depend on financial/other incentives or threats. In addition, the results set out in our study demonstrate the existence of a relatively strong correlation between a low level of education and poor standard of living and the proclivity of voters of sell or change their vote under the threat of dismissal, etc. It can therefore be presumed that a voter acting under duress as described above is more prone to neglect the risk of becoming infected in order to obtain a direct and immediate benefit.

3 https://results.cik.bg/chmi2019-2023/28.02.2021_chastichen/tur1/1.html

Impact of COVID-19 on voter turnout

According to data published by the International Institute for Democracy and Electoral Assistance (IDEA)[4] more than 76 countries postponed their national or local elections due to the COVID-19 pandemic and more than 100 countries held elections[5] during the pandemic. According to the same Institute turnout in two-thirds of the cases was lower than the reference values in previous years and in one-third of the cases the differences were between 10 percent and 40 percent.

Special care must be taken to ensure that people are able to freely exercise their democratic rights and liberties, and in particular the right to vote, in light of telling examples that party-political systems have been changing due to Covid-19. For example, the low turnout in the Catalan local elections revealed a consolidation of the vote for separatist movements and boosted their result.[6]

With a view to countering the limitation of democratic rights and freedoms in a pandemic, and more specifically the right to vote, countries have been taking various measures in order to neutralise low voter mobilisation.

Academic literature described 4 approaches[7, 8, 9] to the so-called Special Voting Arrangements (SVAs), which may be used in order to reduce the flow of people on election date, respectively preserving voter turnout levels:

1) Postal voting

The countries in Europe, which allow postal voting are Austria[10], Germany, Hungary[11], Iceland, Ireland[12], Liechtenstein, Lithuania[13], Luxembourg, the Netherlands[14], Poland[15], Switzerland and the United Kingdom.

Although the Bulgarian Election Code does not envisage such types of voting, it should be noted that due to the pandemic some countries have registered a particularly high increase in the votes cast using the method concerned. For example, studies published by the Pew Research Centre show that voting **by post or by proxy** in the United States in the presidential election (the latter being another mechanism, which is discussed below) was preferred by 46 percent of voters in the lection with the highest voter turnout in the history of the United States[16]. Another positive example is Switzerland, which has a long established tradition of voting by post[17]. When the advantages and disadvantages of this approach are discussed, which invariably ensures higher levels of safety from infection when voting, we should still bear in mind the following factors that are essential for the effective use:

4 https://www.idea.int/about-us/mission-values
5 https://www.idea.int/news-media/multimedia-reports/global-overview-covid-19-impact-elections
6 https://english.elpais.com/politics/referendum_independence_catalonia/2021-02-15/separatist-parties-win-most-seats-in-catalan-elections-but-socialists-secure-the-highest-number-of-votes.html
7 https://www.idea.int/news-media/news/voting-twice-during-pandemic-lessons-queensland-australia
8 https://blogs.lse.ac.uk/covid19/2020/10/23/people-with-covid-19-and-those-self-isolating-must-not-be-denied-the-vote/
9 https://www.brennancenter.org/our-work/policy-solutions/how-protect-2020-vote-coronavirus
10 Allowed for voters who are prevented from voting in person
11 Voters who do not have an address in the country
11 Voters who serve in the armed forces and are posted abroad and cannot therefore vote in the country.
13 Voters who do not have an address in the country
14 Voters older than 70 years
15 https://www.brennancenter.org/our-work/policy-solutions/how-protect-2020-vote-coronavirus
16 https://www.pewresearch.org/politics/2020/11/20/the-voting-experience-in-2020/
17 https://onlinelibrary.wiley.com/doi/pdf/10.1002/j.1662-6370.2007.tb00075.x

- reliability of the public postal service. Furthermore, vote anonymity must be ensured and guarantees provided so that the voter actually voted himself and this vote is taken into account.[18]

Insofar as this type of voting requires interaction with the votes sent by multiple agents along the chain (post office, motor vehicle(s) used to transport the ballots and the electoral committee responsible for vote counting), trust in the system responsible for the entire process must be high to preclude a perception of illegitimacy of the results in part of the electorate and avoid a repetition of the situation that played out in the context of the US 2020 presidential election.[19]

The possibility for actual vote manipulation remains unaddressed. This type of election mechanism is appropriate in societies with highly developed civil culture and institutional capacity (the latter applies to most so-called special voter arrangements).

2) Early voting system

The countries in Europe where this mechanism is used are Belarus[20], Denmark, Estonia, Finland, Iceland[21], Latvia, Lithuania[22], Malta[23], Norway, Portugal, Russia[24], Slovenia[25], Sweden, Switzerland[26]. The mechanism provides a possibility to voters to cast their vote up to one month in advance at the polling station.

3) Mobile voting[27]

This is mechanism where one of the members of the electoral administration visits a voter at home or at an institution, carrying a mobile ballot box in order to facilitate voting. Out the mechanisms described above, this is the only one envisaged as a possibility under Article 37, Title VI of the Election Code adopted in 2014.[28] This possibility is envisaged for voters with permanent disability, which does not allow them to exercise their right to vote on the premises of the polling station[29]. The same mechanism will be used to allow people in quarantine due to infection with Covid-19, their contact persons and people who have travelled to destinations subject to mandatory quarantine upon their return to Bulgaria to vote[30], provided that they filed applications not later than 31 March 2021 (i.e. four days before the election).

Given the current rate of morbidity (average for March 2021) up to 3 000 would automatically lose their vote on account of there being no technical possibility to submit an application for voting using a mobile polling station, if their infection is confirmed in the period between 31 March and 4 April.

The greater number of voters placed under quarantine who, for different reasons, failed to or chose not to submit an application but would have in principle voted should also be taken into account.

18 https://onlinelibrary.wiley.com/doi/pdf/10.1002/j.1662-6370.2007.tb00075.x
19 https://www.heritage.org/election-integrity/commentary/the-risks-mail-voting
20 Voters who expect to be absent or unable to come to the polling station
21 Voters who expect to be absent or unable to come to the polling station
22 Voters who expect to be absent or unable to come to the polling station
23 Voters who will be out of the country or hospitalised on election day are eligible
24 Early voting for voters in remote areas, voters who will be at sea on election day, and voters in polar stations
25 Voters who expect to be absent or unable to come to the polling station
26 https://www.idea.int/news-media/news/special-voting-arrangements-svas-europe-country-postal-early-mobile-and-proxy
27 Ibid.
28 https://www.lex.bg/laws/ldoc/2136112596
29 Ibid.
30 https://www.cik.bg/bg/decisions/2159/2021-03-02.

The countries that practice mobile voting are Armenia, Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Czech Republic, Denmark, Estonia, Georgia, Hungary, Ireland, Italy, Latvia, Moldova, North Macedonia, Portugal, Romania, Slovakia, Slovenia, Sweden, Turkey, Ukraine[31], Serbia[32], Russia[33].

4) Proxy voting[34, 35]

Casting a vote by an express power of attorney granted by the voter to the proxy. This approach is common in Belgium[36], France[37], Monaco[38], the Netherlands[39], Sweden[40], Switzerland[41], Croatia, Poland[42] and the United Kingdom[43]

Experience from the local election in Catalonia, Spain[44,45,46] is interesting with regard to stimulating voter turnout while protecting voters. The authorities regulate the flow of voters by dividing the election day into hour zones in which different groups are allowed to vote - groups at risk, voters with low risk of fatal outcome of the disease and voters in quarantine[47]. Despite this, voter turnout was lower than usual - 54 percent against a reference turnout of 71 percent in the parliamentary elections[48]. This warrants the conclusion that such attempts have limited effectiveness.

The poll conducted by Alpha Research also manifests the possibility for lower voter turnout[49]. The poll conducted in December 2020 reveals a ten percent lower declared willingness to vote (compared to reference polls) after the deterioration in the Covid-19 crisis.

2. Obstacles to conducting an effective election campaign

The election campaign is an inherent part of the election process. In this sense, the absence of a full-bodied election campaign, including traditional face-to-face meetings with voters, rallies and other forms of personal communication with voters jeopardises the results of the political actors. In its study IDEA presents data about how the different countries have regulated their political campaigns during the Covid-19 pandemic. By way of example, as at 2 February 2021 22 out of 51 countries examined

31 In these countries mobile voting is allowed for hospitalised persons.
32 Mobile voting is allowed for people who are unable to vote on site.
33 Mobile voting is allowed for persons in restricted areas.
34 https://www.idea.int/news-media/news/elections-and-covid-19-how-special-voting-arrangements-were-expanded-2020.
35 https://www.idea.int/news-media/news/special-voting-arrangements-svas-europe-country-postal-early-mobile-and-proxy.
36 Allowed for persons with health problems
37 Allowed for persons with health problems
38 Allowed for persons with health problems
39 Allowed for persons for whom it is known that they will be hampered in exercising their right to vote
40 Allowed for persons with health problems
41 Allowed to all voters
42 Allowed for persons with health problems
43 Allowed for persons with health problems
44 https://www.euronews.com/2021/02/14/catalonia-election-polls-open-under-strict-restrictions-to-keep-voters-safe-from-coronavir.
45 https://english.elpais.com/politics/catalonia_independence/2021-02-15/zombie-hour-at-the-catalan-elections-when-coronavirus-cases-came-out-to-vote.html.
46 https://bntnews.bg/news/ubi-li-pandemiyata-separatizma-v-kataluniya-1095933news.html.
47 https://english.elpais.com/politics/referendum_independence_catalonia/2021-02-15/separatist-parties-win-most-seats-in-catalan-elections-but-socialists-secure-the-highest-number-of-votes.html.
48 http://www.historiaelectoral.com/e2019.html.
49 https://sofiaglobe.com/2021/01/06/alpha-research-covid-19-fears-dampen-bulgarians-desire-to-vote/.

or 43 % of the total have limited the possibility for free in-person association in connection with the campaigns. IDEA distinguishes there methods of doing this:

- Limited presence in-person meetings with voters - Burkina Faso (up to 50 people), Croatia (up to 10 persons indoors), Guinea (up to 100 persons), Iceland (up to 100 persons), Jamaica (up to 20 persons), Jordan (up to 20 persons), Malawi (up to 100 persons), Mali (up to 50 persons), Moldova (up to 50 persons), Monte Negro (up to 50 persons indoor and up to 100 persons outdoor), Myanmar (up to 50 persons), North Macedonia (up to 1 000 persons), Poland (up to 50 persons), Romania (up to 20 persons indoor and up to 50 outdoor), USA (depending on the state).
- Full prohibition of political rallies and assemblies - Croatia (prohibition of holding public events and assemblies attended by many participants); Dominical Republic (prohibition to hold rallies); Iran (candidates not all allowed to campaign in the streets), Jordan (prohibition of election rallies), Kuwait (prohibition of rallies), Montenegro (public assemblies and rallies are prohibited), Poland (public assemblies are officially prohibited), Serbia (suspended campaign), Singapore (rallies are prohibited), Seychelles (rallies are prohibited), USA (prohibitions depend on the State).

In Bulgaria, there are no specific rules and provisions in this regard[50]. However, public events are rallies are de facto prohibited by Order No RD-01-173 of 18 March 2021 introducing temporary anti-epidemic measures in Bulgaria according to which 'holding congresses and conferences, workshops, competitions, training events, team building events, exhibitions and other public events that require presence in person are prohibited. The prohibition does not apply to holding competitions in accordance with the Labour Code, the Civil Servant Act, the Law on the Development of Academic Staff in Bulgaria and other special laws'.

3. Creating situations that endanger the health of voters on account of a great number of people gathering in the same place

The World Health Organisation has recognised the danger stemming from large groups of people gathering together on election day and within the election process overall[51], and has therefore issued guidance to countries advising them to conduct a careful risk analysis (possible virus transmission scenarios, taking appropriate public health and social measures, regulation of planned events, allowed number of seats, duration, etc., assessment of the capacity of the healthcare system to deal with the inflow of patients in the event of a peak in infections or as a result of the elections), efforts to mitigate the risk and communication of the risks involved.

Their recommendations are to ensure physical distance, longer hours and control of voter flow on election day in order to avoid a large number of people gathering, special ventilation in polling stations, providing masks and disinfectants and other protective equipment, visual recommendations and boards directing voters to take measures and personal responsibility, regular disinfection, special procedures for people who have visible symptoms of the disease, etc.

50 https://coronavirus.bg/bg/855
51 https://apps.who.int/iris/rest/bitstreams/1321361/retrieve

4. Voter fraud

During the course of elections conducted during the Covid-19 pandemic suspicions may arise of new type of election fraud due to the special conditions in which the election takes place. Regardless of whether based on objective facts or used as a market by the political actors in order to consolidate support or justify a poor election result, the fact remains that systems must discover a new way to overcome some of the barriers, which the virus raises before holding fair elections. For example, identifying effective instruments to ensure the safe monitoring of elections by international observers is needed[52]. Another essential requirement is raising trust in the two types of special arrangements mentioned above to ensure that their use is highly effective and the electorate uses them with trust so that the legitimacy of the vote is not jeopardised.

Dealing with disinformation relating to the pandemic also has a direct bearing on conducting fair elections[53]. One of the extreme examples of instigating doubt in the legitimacy of the election came from the allegations of the former US President Donald Trump who claimed that the election had been rigged on account of the widespread use of the postal vote[54]. However, there are examples from other countries as well.

In connection with this, it is interesting to analyse the Bulgarian experience of holding elections during the Covid-19 pandemic, and more specifically the partial local elections held in February 2021. Although the elections were held in small towns, which presupposes a certain distortion, no significant changes in voter turnout were registered.[55]

Arrangements for keeping a safe distance between voters were made and protective equipment was ensured.[56, 57]

A degree of election volatility has been observed (changes in the attitudes of voters), which may at least partly be explained by new political actors entering the arena. It should be noted that some political formations objected[58] that the vote in Maglizh Municipality had been rigged through controlled voting, which was traced through the specific colour of face masks, which were left and counted after the act of casting a vote. However, the Prosecutor's office failed to find any evidence of wrongdoing and ended the investigation.[59]

Nevertheless, the case at hand is a two-fold illustration of, on the one hand, the hypothesis that some of the voters taking part in the election use novel ways to rig the election result during the pandemic. Even if this is not the case, any degree of speculation regarding the fairness of the election will jeopardise its legitimacy in the eyes of some voters.

Within the framework of this analysis the main barriers to holding fair elections during a pandemic were outlined and recommendations were given to the main stakeholders to ensure safe and fair elections.

52 https://theconversation.com/how-to-hold-elections-safely-and-uphold-democracy-during-the-covid-19-pandemic-145628
53 https://qz.com/1812811/how-coronavirus-disinformation-could-impact-2020-us-election/
54 https://www.idea.int/sites/default/files/impact-of-covid-19-on-the-2020-us-presidential-election.pdf
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58 https://btvnovinite.bg/bulgaria/maja-manolova-na-izborite-v-maglizh-imashe-koalicija-mezhdu-gerb-i-dps.html
59 https://www.standartnews.com/regionalni/ne-otkrikha-dokazatelstva-za-kupen-vot-v-mglizh-454704.html

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