[BG] Rerun of Political Interview during Day of Reflection Violates Election Code

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The Central Election Commission (CEC) in its decision of 12 May 2013 found that the rerun of a political interview within the last 24 hours prior to the election day violates Art. 133 paragraph 6 of the Bulgarian Election Code. According to the law, the so-called day of reflection prohibits political campaigning throughout the day prior to the election and the election day itself.

The proceedings of the CEC were initiated on 11 May 2013, when the political party “Citizens for European Development of Bulgaria” (GERB) lodged a complaint with the CEC regarding violations of the Election Code. The complaint states that there had been irregularities performed by the Chief Executive Officer (CEO) of the TV channel “TV 7” during the day of reflection. On that day in the very hours of the early morning, TV 7 has repeatedly broadcast an interview with the Chairman of the Bulgarian Socialist Party (BSP). According to the GERB, broadcasting of an interview with political representatives violates the provisions of the Election Code relating to campaign during the day of reflection.

On 11 May 2013, the CEC requested a copy of the recording from TV 7 and the Council for Electronic Media (CEM) that contains the interview broadcast on 11 May 2013 from 1:46:29 am to 3:04:22 am on the day of reflection.

After inspection of the recording, it has been found that it was a rerun of the transmission "Bulgaria chooses - without censorship", first broadcast on the previous day and hosted by Nikolai Barekov. He had done a television interview on 10 May 2013 with the Chairman of BSP. The interview contains different issues related to the election programme of BSP and some messages in favour of the party. The CEC found that all of those messages had the character of pre-election campaigning. The fact that the interview had been broadcast as a rerun of an earlier transmission does not alter this fact.

Accordingly, the CEC ruled that TV 7 had violated the provisions of Art. 133 paragraph 6 of the Election Code prohibiting the transmission of materials having the character of political campaigning or advertising during the last 24 hours before the election day and the election day itself. The CEC assigned its Chairperson to adopt an administrative act accordingly and to impose a respective fine on TV 7.

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The Commission's decision cannot be appealed.

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