[BG] Violations of the Election Code

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The elections for the Bulgarian Parliament were scheduled for 26 March 2017. The Central Election Commission of the Republic of Bulgaria (the Commission) has initiated proceedings for infringement of the Election Code during the pre-election campaign. The infringement is claimed against the coalition parties of “Unification DOST” (“Dost” in the Turkish language means "friend"). The Commission found two videos in connection with the election campaign on the coalition’s official website. One of the videos contains subtitles in a language (Turkish) other than Bulgarian.

The Central Election Commission claims that the publication of the clip with subtitles in a language other than Bulgarian is a violation of Article 181, paragraph 2 of the Election Code. According to the law, the election campaign must be conducted in the Bulgarian language.

On 11 March 2017, the Commission enacted Decision No. 4488-HC which led to the removal of the allegedly infringing video from the official website of “Unification DOST”. The Commission also ruled to stop the broadcasting of the audiovisual material across all media as well as its dissemination on the Internet. The Commission found a violation of the provisions of Article 181, paragraph 2 of the Election Code.

The Commission received a further notification of a violation of the Election Code from the Council for Electronic Media. It is alleged that on 20 March 2017, during an interview with the political leader Veselin Mareshki, the media services provider "Nova Broadcasting Group" JSC broadcast sociological research by the agency "Gallup International". The information broadcast failed to contain any details on the client who commissioned the survey or the source of its financing.

According to Article 205, paragraph 1 of the Election Code, any publication of public opinion polls or sociological surveys in connection with the elections, carried out by means of a media service or in any other manner, from the day the President’s decree announcing the elections is promulgated in the State Gazette until polling day, must contain, inter alia, information on the client who commissioned the poll or survey, the agency which conducted it, and the sources of financing of the poll or survey. On 21 March 2017, the Commission took Decision No. 4571-HC and found that there had been a violation of the provision

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of Article 205, paragraph 1 of the Election Code.

The Election Code provides that any person who violates a provision of the Code shall be liable to a fine or to a pecuniary penalty of between BGN 200 and BGN 2,000 (approximately EUR 100 to EUR 1000). The written statement ascertaining the violation shall be drawn up by the Chairperson of the Commission (Article 496, paragraph 1). The Election Code provides for the penalty decrees to be issued by the Regional Governor of Sofia.

Решение № 4488-НС на Централната избирателна комисия

https://www.cik.bg/bg/decisions/4488/2017-03-11

Decision No. 4488-HC of the Central Election Commission

Решение № 4571-НС на Централната избирателна комисия

https://www.cik.bg/bg/decisions/4571/2017-03-21

Decision No. 4571-HC of the Central Election Commission

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