

## Better direct democracy in Bulgaria – Will politicians listen to citizens' demands?

By Ivailo Georgiev  
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*"Students want a referendum on the occupation"<sup>1</sup>*

*"Civic Committee: We want a referendum on refugee issue in Sofia"<sup>2</sup>*

*"Ataka" submitted a petition for a referendum on the sale of lands to foreigners"<sup>3</sup>*

*"Councilors rejected the demand of referendum on "Sofia Water" concession"<sup>4</sup>*



*The poster demands a "Petition for a referendum on DS lustration" DS was Bulgaria's secret service \**

The sentences above are some of the results when you google "referendum" in Bulgarian. All these titles only date from the last two months of October and November 2013. They express citizens' demands for more and better direct democracy in Bulgaria.

After the resignation of the Bulgarian government in February 2013, people shared via social media and in public debates Icelanders' and Swiss people's achievements with regards to direct democracy and demanded to implement better forms of direct democracy in Bulgaria. After the resignation a temporary government (nominated by the president of Bulgaria) had to organize new elections which were held in May. A month after the new elections people were again disappointed of politics and some of their decisions. That increased to nearly 160 days ongoing protest against the government and the demands varied (and still vary). However the common claims remained – for government resignation and a “new moral in politics”. In this tense situation people realised direct democracy as an alternative to the current political system. The phrases quoted above underline this quest.

### **Past referendums in Bulgaria**

The first national referendum held in Bulgarian history ever since was the referendum on the future of nuclear energy. It took place in January 2013 and set society on "referendum" wave. Previously, local referendums in Bourgas, Pomorie and Sozopol on Burgas-Alexandroupolis oil pipeline had also played a role in promoting referendums and direct democracy.

Overall, one national and approximately ten local referendums were held in Bulgaria over the past five years. Throughout the last years also some citizen's initiatives were registered with the public register for national referenda at the National Assembly. However, most of them concerned the political party system – such as “Do you want that all Bulgarian citizens to have to right to vote via Internet in the next elections?”; “Do you want a pre-term termination of the mandate of the 41st National Assembly with the purpose of convening a Grand National Assembly for the adoption of a new constitution?”<sup>5</sup>

The last held referendum was initiated by the students of the Medical Faculty of Sofia University with the question if medical students agree their faculty to join the occupation of Sofia University. Although unofficial, this referendum is another example of people's desire to apply direct democratic instruments in Bulgaria.

### **Bulgarian direct democracy legislation**

Referendums in Bulgaria may be conducted at national and local level. A proposal to the National Assembly to initiate **a national referendum** can be done by:

- Not less than 1/5 of the MPs (deputies)
- The President of Bulgaria
- Council of Ministers
- Not less than 1/5 of the municipal councils in the country
- The Initiative committee of registered voters that has collected more than 200,000 signatures from voters with electoral rights.

The National Assembly considers the proposals and votes on them. A citizen-initiated referendum can only be held without a vote in the National Assembly when at least 500,000 signatures back the proposal.

A proposal **for a local referendum** can be done by:

- At least 1/5 of councilors, but not less than three councilors
- The Mayor (of a town or district);
- An initiative committee with signatures from not less than 1/20 of registered voters who are domiciled in the territory of the municipality, district or municipality at the time of registration of the proposal;

There is a mandatory vote as well when at least 1/10 of all people with voting rights have signed the referendum demand.

### **High turnout and approval quorums**

It is the high turnout and approval quorums that stop people's direct and legally-binding participation in power: Legislation on direct democracy puts high hurdles on citizens' participation. Bulgaria's turnout quorum stipulates that 500 000

signatures must be collected in just three months (two months for local referendum). For Bulgaria's population of about 7.5 million this means an extremely high hurdle, which most easily can be reached by highly organized structures such as political parties and very difficult by voluntary self-financed initiative. We see the same with the national referendum in January on nuclear energy – it was successfully initiated by the Bulgarian Socialist Party, which could make use of enormous organizational structures to collect the half a billion of signatures.

In international comparison, the Bulgarian turnout quorum is extremely high. In Slovenia for example, the threshold is 40,000 signatures in a population of two million, which makes up 2 percent of the population overall. In Italy, only 500 000 signatures in a population of 60 million (or 0, 83%) inhabitants are required.<sup>6</sup>

After the national referendum in Bulgaria on nuclear energy analysts<sup>7</sup> concluded that the period for collecting signatures is far too short and that the threshold for recognizing the outcomes is far too high – in order for the referendum to be recognized as valid and its results to be considered as mandatory, the number of voters has to be at least equal to the number of people who voted on the last elections (national or local depend of the type).

And then also the approval quorum needs to be fulfilled. In Bulgaria, the approval quorum is 50% + 1 votes on “yes” or “no”. But there is also another option – if above 20% of all registered voters with electoral rights give their vote (no matter if the voters on then referendum are less than the voters in the past elections), the issue stated in the referendum question is going to be debated again in the National Assembly.

The analysts made suggestions on how to improve the law of direct democracy in Bulgaria. They suggested that the threshold should be lowered to 30- 40 % of voters who turned out in the last elections<sup>8</sup>.

These proposals challenge Bulgaria's lawmakers to prove that their claim to listen to the voice of citizens is not just pre-electoral campaign words.

*\* The photo on the first page shows a poster which states “Petition for a referendum on DS illustration”. DS is The Committee for State Security, popularly known as State Security. It was the name of the [Bulgarian secret service](#) during the [Communist rule of Bulgaria](#) and the [Cold War](#) (until 1989). Photo by Ivailo Georgiev, taken on 5<sup>th</sup> of December 2013 in front of the Bulgarian parliament.*

Note on the author:

**Ivailo Georgiev** is a member of Democracy International. He lives in Sofia. We thank him for his contribution.

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<sup>1</sup> <http://www.vesti.bg/temi-v-razvitie/tema-studentskata-okupaciia/studenti-ot-su-iskat-referendum-za-okupaciata-5997654>

<sup>2</sup> <http://www.trud.bg/Article.asp?ArticleId=2418917>

<sup>3</sup> [http://politics.actualno.com/Ataka-vnese-podpiska-za-referendum-za-prodajbata-na-zemja-na-chujdenci-news\\_5253.html#ixzz2kiwOnXkp](http://politics.actualno.com/Ataka-vnese-podpiska-za-referendum-za-prodajbata-na-zemja-na-chujdenci-news_5253.html#ixzz2kiwOnXkp)

<sup>4</sup> [http://money.bg/news/id\\_862008682](http://money.bg/news/id_862008682)

<sup>5</sup> [http://www.democracy-international.org/sites/default/files/PDF/2012-07-15\\_Events\\_SummerAcademy\\_Bulgaria.pdf](http://www.democracy-international.org/sites/default/files/PDF/2012-07-15_Events_SummerAcademy_Bulgaria.pdf)

<sup>6</sup> [http://direct-democracy-navigator.org/legal\\_designs/italy-national-popular-or-citizen-initiated-referendum-pcr-referendum-popolare-per-deliberare-labrogazione-totale-o-parziale-di-una-legge](http://direct-democracy-navigator.org/legal_designs/italy-national-popular-or-citizen-initiated-referendum-pcr-referendum-popolare-per-deliberare-labrogazione-totale-o-parziale-di-una-legge)

<sup>7</sup> <http://www.vesti.bg/bulgaria/politika/demokrasi-interneshynyl-za-referenduma-5480251>

<sup>8</sup> <http://www.mediapool.bg/fiksiran-prag-za-priznavane-na-referendum-i-finansov-kontrol-na-kampaniyata-za-dopitvane-news202574.html>