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## European Association of Judges

### STATEMENT

on

the electronic voting system

of the Bulgarian Supreme Judicial Council

Having considered the matter at its meeting in Cape Town on 18 October 2024, the European Association of Judges (EAJ) expresses its serious concern that the Supreme Judicial Council of Bulgaria has not yet taken account of the terms of the statement issued by the EAJ at its meeting in Athens on 2 June 2023. In that statement the EAJ, having noted deficiencies in the electronic voting system, stressed the need to introduce a secure and transparent electronic system of voting prior to the next election of the judicial members of the Council.

The EAJ understands that following the failure of the 2023 constitutional reform, which provided for the majority of members of the Supreme Judicial Council being judges appointed by their peers, a new round of elections to the Council is pending and is being prepared. It is therefore highly concerning that the issues regarding the security and the integrity of the electronic voting system have been neither scrutinized nor rectified.

Moreover, as the EAJ understands it, since it issued its statement in Athens on these issues, there has been no debate on them in the Supreme Judicial Council.

The EAJ therefore exhorts the Supreme Judicial Council urgently to update its electronic voting system in an open and transparent procedure, allowing independent scrutiny, in order to ensure the security and integrity of any system used for voting by judges. The EAJ also requests the Council not to proceed with any elections before the full implementation of a system which is proven to be reliable, secure and capable of safeguarding the secrecy of the ballot.

The EAJ would also encourage the European Commission, which is still overseeing several projects benefitting from EU financing, to investigate the matter and to act promptly in accordance with the second sentence of art 19, para 1 TEU to ensure an effective electronic voting process which will provide the judges with confidence that their vote is neither manipulated nor made known to other persons without their consent.

The EAJ expects the European Commission as guardian of the treaties to apply all necessary measures if the appropriate reform of the voting system in the way described is not adopted and implemented without any further delay.