



Elections in the ACEEO region in times of Covid-19

9 April 2020

Since the COVID-19 pandemic went worldwide, the ACEEO community has been also heavily affected by the virus. Certain countries decided to postpone elections, others introduced special measures in the conduct of elections. As our primary goal is to promote the institutionalization and professionalization of democratic procedures in the ACEEO region, it is our mission to facilitate a meaningful discussion on elections in times of epidemic and provide alternatives, when it is needed. The current document brings up some of the most important considerations.

Nevertheless, it is a sad truth that the Covid-19 will be among us for some time, and that means that a continuous discussion is needed – today's good practices may be outdated tomorrow. Thus, the most important recommendation is to keep an eye open and engage in the international discussion as much as it is possible.

1. Key challenges

The main dilemma is whether to hold or to postpone elections during the epidemic. Neither of these options is exclusively accepted or rejected; as of 9 April 2020, at least 47 countries and territories decided to postpone the elections, whereas at least 14 countries chose to hold elections.¹ This means that there is no general agreement whether elections should or should not be held in times of epidemic.

This is due to the fact that there are valid arguments on both sides. Postponing elections involves the risk that the postponement may be politically motivated and abused to prolong undemocratically the mandate of the incumbents. Moreover, in times of emergency the political process may be an important check on the executive. Furthermore, as International IDEA put it, 'elections are the opportunity for citizens to either reconfirm, or remove and replace, an elected representative or government. A decision to postpone an election suspends political rights, and as such undermines the social contract between a government and its citizens.'²

On the other side, holding elections may involve considerable risks. One of the most important risks is the low turnout. As the IFES short analysis pointed out, recent elections – for example in France or Iran – faced low turnout presumably because of the virus.³ On the one hand low voter turnout in itself causes the decrease of legitimacy. On the other hand, as the epidemic is more

¹ International IDEA: Global overview of COVID-19: Impact on elections, accessible at: <https://www.idea.int/news-media/multimedia-reports/global-overview-covid-19-impact-elections> (last download: 2020.04.09.).

² International IDEA: Elections during COVID-19: Considerations on how to proceed with caution, accessible at: <https://www.idea.int/news-media/news/elections-during-covid-19-considerations-how-proceed-caution> (last download: 2020.04.09.).

³ IFES: Low Voter Turnouts, Fear, Disinformation and Disrupted Supply Chains: How Election Commissions Are Unprepared for COVID-19, accessible at: <https://www.ifes.org/news/low-voter-turnouts-fear-disinformation-and-disrupted-supply-chains> (last download: 2020.04.09.).



dangerous to the elderly, the low turnout may be at the same time discriminative, thus distorting the results. Furthermore, as in person abroad voting may be impossible under the host country's emergency laws, those staying abroad but eligible to vote are also discriminated.

Moreover, low turnout is not only present among the voters, but among poll workers as well, as the recent Ohio election proves.⁴ Technical and organizational difficulties are also caused by the virus. Technical and other organizational staff may be also reluctant to be present personally.

A further risk is that elections may exacerbate the spread of the virus, and thus may imply health hazard. Moreover, as the International IDEA pointed out, elections 'might divert human and material resources from more urgent, potentially lifesaving activities.'⁵

2. Key considerations

In case it is decided to hold elections, there are some key considerations that need to be addressed during the planning and executing phase.

First of all, a strong cooperation is needed between epidemiologist and election professionals. As IFES president and CEO Anthony Banbury pointed out, „elections are possible in dangerous public health conditions if election officials cooperate with health, security, and other key authorities.’⁶

The voting process needs to be designed in a way that takes into consideration the most up-to-date knowledge on the virus. Continuous exchange of knowledge is needed, and the process should be designed to be flexible in case new information arises on the virus. This involves the constant monitoring of the international multilogue.

Health routines should be included in the process, and voters and other participants of the process need to receive concise and up to date information on these routines. It needs to be made sure that voters and other participants, especially polling workers are equipped to carry out the health routines.

Special voting methods, such as internet- or postal voting may help a higher voter turnout. However, these methods need sufficient legal and other infrastructural prerequisites. As IFES white paper pointed out, internet voting should be assessed in at least five parameters: cost, participation, efficiency, trust and security.⁷ Moreover, as these methods may require changes well within the one-year-freezing period recommended by the Venice Commission,⁸ it is of utmost importance that all relevant stakeholders are invited to give feedback on the changes to the electoral legislation.

Lastly, epidemic related fake-news should be effectively reduced. In times of epidemic the trust of the society is fragile, and fake-news may have bigger impact than in ordinary times.

⁴ Ibid.

⁵ International IDEA footnote 2.

⁶ See at: <https://www.devex.com/news/opinion-elections-and-covid-19-what-we-learned-from-ebola-96903> (last download: 2020.04.09.).

⁷ https://www.ifes.org/sites/default/files/considerations_on_internet_voting_an_overview_for_electoral_decision-makers.pdf

⁸ See Venice Commission: Code of Good Practice in Electoral Matters section II. 2.



3. Recommendations

Based on the above mentioned, the ACEEEO considers the following recommendations:

- Decision-makers in the electoral field should weigh-up carefully the dangers and risks of holding or postponing elections. All relevant stakeholders should be included in the process and given the necessary information.
- All relevant stakeholders of the electoral process need to constantly monitor the international scientific and electoral dialogue.
- In case elections are held:
 - Special attention needs to be paid to upholding the voter turnout, especially with regard to those groups that are limited the most in accessing the ballot.
 - Special voting arrangements should be introduced only if the necessary infrastructural prerequisites are met, and the process should take into consideration the factors of cost, participation, efficiency, trust and security.
 - Special health routines and protocols needs to be adopted.
 - Voters and other participants of the process needs to receive concise and up to date information
 - Fake news should be effectively combated.
 - If change of the electoral legislation is needed, all relevant stakeholders should be involved in a meaningful debate.
- In case elections are postponed:
 - All relevant stakeholders, especially the public should be informed on the legal basis of, and reasons for postponing the elections.
 - Public authorities and politicians need to give explicit commitment that postponed elections are held as soon as possible.
 - EMBs and election professionals should use the delay to design epidemic protocol, in case the situation lasts longer than expected, and elections cannot be postponed any further.

As the situation is constantly changing, we invite the ACEEEO community to make suggestions to these observations and recommendations.