



COVID-19 Impact on Elections – Written Submission

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This written submission accounts for the main trends and lessons learned regarding the impact of COVID-19 on elections in Europe, Eurasia, and globally. A first annex provides general policy recommendations for holding elections during a pandemic. A second annex provides information on the democracy-related topics identified for the Committee Hearing. A third annex provides resources for further reading on the impact of COVID on democracy and elections.

The impact of COVID-19 on elections has been significant. During 2020, we have seen examples of resilient and resourceful decision-makers and election authorities adapting to radically new conditions at breakneck speed, resulting in high voter turnout, the acceptance of close results, and remarkably quick resolution of obstacles through interagency cooperation and political consensus building. We have also seen examples of opportunistic use of incumbency advantage, opposition boycotts, decreased turnout, and disregard for public health. While initially many countries did postpone elections, today the trend has shifted toward holding elections, with both health and hygiene measures as well as special voting arrangements to avoid large crowds on election day.

Electoral authorities in Europe, Eurasia, and beyond face threats to elections on many fronts – from terrorist attacks, natural disasters such as hurricanes or floods, or the deliberate undermining of elections through cyberattacks or disinformation campaigns. The COVID-19 pandemic has further challenged the electoral process and revealed pre-existing weaknesses in electoral structures and systems as countries grappled with difficult decisions on whether to postpone or hold elections, and how to do so legally, safely, and legitimately. This process has exposed infrastructure that is not fit for purpose, out-of-date legislation (as in France), sub-optimal mechanisms for cooperation with other authorities, and societal fault lines (as in Poland).

The COVID-19 pandemic has also accelerated election trends that were already underway prior to the pandemic, such as the shift away from election day polling station voting to remote and early forms of voting. This expansion of special voting arrangements, motivated by technology opportunities and efforts to enhance the convenience of voting, has added layers of both logistical difficulty and vulnerability to the integrity of the elections.

There is no one-size-fits-all answer as to whether a country should postpone or proceed with elections, and under what conditions, during this crisis. Best practices for safeguarding



elections include institutional quickness, transparency, sufficient resources, and an ability to mobilise and cooperate. A clear, transparent, and consistent communications strategy has also been essential, with successful voting countries like South Korea providing regular information to the public about both alternative and early voting arrangements as well as safety requirements at polling stations. Recommendations include:

- Careful consideration of staff and public safety, constitutional constraints and procedures, and implications for democracy—inclusion, equality and accountability;
- Logistical and legal considerations for alternative voting arrangements;
- If proceeding with an election, processes for mitigating risks;
- If postponing an election, pathways for addressing the electoral issue at hand and stringent guidelines for caretaker arrangements; and
- Public communication about the issues at stake, the reasons for the decision and the processes in place to safeguard democracy.

However, the key ingredient for success and legitimacy has proven to be trust and consensus. Problems have occurred when the main contenders did not agree on how to proceed, and this lack of consensus has led to protests and even violence. In Serbia, the government proceeded against widespread calls for postponement and resulted in the boycott by the opposition, securing a landslide for the government. While in other places, the incumbent has wanted to delay elections against opposition wishes in order to extend its grip on power.

Citizens should never have to choose between their health and their franchise. The United States, along with its EU partners, should support and bolster transparent, inclusive decision-making processes with regard to holding safe elections during COVID-19, building upon lessons learned.



Annex A: Technical Considerations for Holding Elections under COVID-19

This annex is extracted from the International IDEA Technical Paper on [Elections and COVID-19](#).

The global spread of COVID-19 (the novel coronavirus disease) has profoundly impacted the delivery of public services and routine events that are integral to inclusive societies. Electoral processes are one such event.

The opportunity for a society to confirm officials in elected office or remove them, within a constitutionally defined timeframe, is a pillar of democratic values and standards. The process of doing this is a communal one, and communal events intrinsically bring people together—a process that is contrary to the informed advice for limiting the transmission of a virus, such as the one that causes COVID-19.

Decisions must be made to ensure democratic institutions function as they ordinarily would do, during extraordinary times, such as the outbreak of a global health pandemic. This Technical Paper offers an initial overview of key points for electoral administrators, governments and civil society organizations on administering elections amid the continued spread of COVID-19.

Introduction

The spread of communicable diseases such as COVID-19, and the measures to contain the virus imposed by governments and state agencies, have both constitutional and technical implications for the timing and administration of elections.

Electoral processes held under normal circumstances entail a degree of risk to both voters and poll workers. During extraordinary times, such as responding to a new and unfamiliar pandemic, the guidance issued by national public health authorities on the movement of people should inform the decisions taken by governments and electoral management bodies (EMBs) to either postpone or hold an election. Consideration should also be given to the safe conduct of activities throughout the entire electoral cycle (voter registration, staff recruitment and training, candidate nomination, political campaigning, procurement and electoral dispute resolution).

Restrictions placed on free movement will naturally affect an electoral process. Revised health and safety guidance can be incorporated into the administration of an election to protect election staff and voters, but the extent to which it is possible is dependent on the financial resources of the EMB and the time between the introduction of the new health and safety routines and the election.

EMBs must identify and assess the feasibility of implementing any new requirements without compromising the integrity or legitimacy of an election. Cooperation between different state agencies should take place and the consultation outcome should inform any decisions taken.



Decisions must balance the risk of holding an election through voting in person in a polling station with the potential health implications of bringing people together in a confined space, against alternative voting methods, and the impact postponing an election would have on democratic standards. New and untried logistical arrangements will pose increased challenges in addition to existing arrangements, such as EMB mandates expiring, new procedures not complying with existing regulations or contracts with vendors, or an allocated budget being withdrawn.

Legislative elections were held during the Ebola epidemic in Liberia in 2014, with some urban areas exempt from participating. Similarly, conflict-affected countries, such as Pakistan in 2018, have not held elections in certain regions because of insecurity. In March 2020, Italy, Spain and then France restricted citizens' movement as a result of the COVID-19 pandemic. Local elections in France were held, but with a much lower turnout than predicted or in previous elections, while a referendum on constitutional reform in Italy was indefinitely postponed.

[Key considerations for planning an election](#)

[The constitutional significance of an election](#)

Elections are held at national, subnational and supranational levels. Some elections are constitutionally or politically critical, serving as a 'mechanism' in a sequence of events, such as a step in a peace process or a legal reform process or in securing a national budget. Some elections require a voter turnout threshold to be reached. For local elections, certain areas of a country may not be as vulnerable to public health threats as other areas, therefore less likely to experience the impact of COVID-19.

[Alternative mechanisms of campaigning](#)

Campaign rallies, door-to-door canvassing and town hall meetings are an important part of a vibrant and inclusive democracy. Electoral campaigns are, however, increasingly conducted on the Internet and through social media platforms. This medium offers an alternative option when electorates and political contestants have their movement restricted or are required to maintain a recommended physical distance between each other.

[Alternative remote voting methods](#)

Special voting arrangements that allow citizens to cast their votes remotely (i.e. not in person at a polling station)—by post, or online through a computer or mobile phone application—could mitigate health or security hazards presented by voting in person. However, financial costs may be prohibitive, implementation timeframes may be insufficient for adequate preparation, procurement and training, and legal frameworks may prohibit their introduction. Political distrust may also undermine confidence in any alternatives, while possible threats to the integrity of elections can undermine the feasibility of alternative voting options.



Existing remote voting arrangements are designed to complement, not replace, in person voting at a polling station. Remote voting methods are largely uncontrolled and, in some contexts, known to undermine the integrity of an election. From an electoral management perspective, voting in a polling station is optimal to safeguard the integrity of an election. It reduces the opportunity for irregularities, such as vote buying and coercion or family voting, while guaranteeing the secrecy and integrity of an election. Voting at a polling station can further protect and strengthen the societal value of political engagement that elections provide.

Postal voting typically requires a large-scale logistical effort, from procuring reliable postal services to recruiting ballot-counting staff, and numerous counting officers to cooperate under close supervision. Such an exercise would also be challenging to conduct safely during a viral pandemic, such as COVID-19.

Elections that are held in an area of a country with a greater number of people with an increased health risk, such as older people, remote voting may be an effective option to encourage their participation and maintain voter turnout, while limiting contagion and protecting citizens' and poll workers' health. Proxy voting within a clear legal framework could offer a further option for older people and vulnerable groups to participate in an election without being required to visit a polling station.

Voters will need to be informed about any new voting methods that have been adopted. During a period when citizens' movements are restricted, such as in response to COVID-19 in some countries, a media campaign must be tailored to reach voters through the most popular means of communication used by citizens restricted to their homes. This would include traditional channels, such as national TV and radio, but also the Internet and social media platforms.

[Will postponing or continuing to hold an election affect its legitimacy?](#)

The type and constitutional significance of an election, as well as the original date scheduled, will be a factor in the decision to postpone or continue to hold an election. The advantages and disadvantages of postponing also need to be compared to the advantages and disadvantages of continuing, as holding an election may also see reduced legitimacy.

[Loss of voice](#)

Elections are the opportunity for citizens to remove and replace a representative or government. This opportunity is lost for a period of time if an election is postponed.

[Claims of political opportunism](#)

Postponement could—and ideally should—be agreed through consensus between all political parties. The risk that incumbent governments may act unilaterally for political advantage, or



at least perceived political advantage, should be considered, to avoid undermining confidence in the process and the legitimacy of the result.

Effect on turnout

Democratic elections, at their best, are characterised by high turnout and equal levels of participation across different groups in a society. Without this, the result of an election may be shaped by some groups more than others. Holding an election during a pandemic could undermine, or be perceived as undermining, this aspect of democracy by reducing turnout. Citizens might be less likely to vote if they are concerned for their health and the health of their family members. The legitimacy of the contest may therefore be undermined by uneven participation. Those with underlying health conditions who could be more affected by COVID-19 might be especially less likely to vote. Continuing with elections could therefore make the electoral process less inclusive (James and Garnett 2020).

Effect on political debate

Democratic elections should feature a wide political campaign and broad public debate on public policy issues, which may be curtailed if citizens are restricted from moving freely. Moreover, any election campaign may be dominated by the current pandemic, preventing a comprehensive discussion on wider public policy issues from taking place.

Is postponing an election constitutional?

Many constitutions provide for the postponement of elections during emergencies. Holding an election during emergency conditions can be difficult. Holding an election during an emergency might divert resources from more urgent life-saving work. There is also a risk that an unscrupulous government could use emergency restrictions on rights (e.g. the power of administrative detention) to repress opposition candidates or critical media, which may make elections held under emergency conditions less free and fair than they should be. Alternatively, postponing elections may be decoupled from the declaration of a state of emergency, making it possible to declare a state of emergency without postponing elections, or to postpone elections without necessarily declaring a state of emergency.

Some constitutions forbid the passage of constitutional amendments during emergencies. The rationale behind this is fourfold: (a) during an emergency, hasty decisions may be made that address current fears and concerns but neglect longer-term interests in ways that may ultimately be harmful for democracy; (b) the enhanced powers of the executive and the restrictions on rights during an emergency may make it easier for the government to unfairly influence the amendment process; (c) amendment processes sometimes require an intervening general election or referendum to allow the people to express their approval or disapproval of a constitutional change, and that might be difficult to arrange during an emergency; and (d) it prevents the constitutional provisions regulating states of emergency (in terms of their effects, duration and safeguards) from being changed while the state of



emergency is in force, thereby preventing changes that could extend a state of emergency or otherwise open the way to a misuse of power.

Guidelines for operating polling stations during the COVID-19 pandemic

Actions for election officials in advance of election day:

- Voters should be offered voting methods that minimise direct contact with other people and reduce crowd size at polling stations.
- Postal voting should be encouraged if allowed in the jurisdiction.
- Early voting should be encouraged, to reduce crowds throughout the day.
- Voters planning to vote in person on election day should be encouraged to arrive at off-peak times.

Preventive actions polling workers can take for themselves and voters:

- Wash hands frequently with soap and water for at least 20 seconds. If soap and water are not available, use an alcohol-based hand sanitiser that contains at least 60 per cent alcohol. Clearly display instructions inside the polling station.
- Avoid unnecessary handling of voter identification documents.
- Incorporate social distancing strategies, as feasible: more than 1.5 m between voters, and a limited number of voters allowed to enter the polling station at the same time.
- Provide an alcohol-based hand sanitiser with at least 60 per cent alcohol for use before and after using the pencil, the voting machine or the final step in the voting process. Consider placing the alcohol-based hand sanitiser in visible, frequently used locations such as registration desks and exits.
- Routinely clean frequently touched surfaces with household cleaning spray, including tables, doorknobs, light switches, handles, desks, toilets, taps and sinks.
- Clean and disinfect voting-associated equipment routinely, such as pencils, voting machines, laptops, tablets and keyboards.

Deciding to postpone or continue with holding an election

Proceeding with an election or postponing an election entails risks for a government, an EMB and health authorities. While postponing elections may be the most feasible and responsible option from the public health perspective, the decision can cause other risks to materialise, for example:

- reputational risks (for an organization that makes decisions, for trust in democratic processes and institutions, for international relations);
- political risks (disturbing the level playing field and undermining the incumbent or opposition);
- financial risks (budgetary implications, e.g. money invested that cannot be recovered);



- operational risks (alternative dates are not feasible because of other risks, e.g. monsoon season, winter, other events); and
- legal risks (the decision can be legally challenged).

Recommendations

Interagency consultation and communication mechanisms should be sought and include both electoral authorities and public health authorities. International IDEA recommends:

- Careful consideration of staff and public safety, constitutional constraints and procedures, and implications for democracy—inclusion, equality and accountability;
- Logistical considerations for alternative voting arrangements;
- If proceeding with an election, processes for mitigating risks;
- If postponing an election, pathways for addressing the electoral issue at hand and stringent guidelines for caretaker arrangements; and
- Public communication about the issues at stake, the reasons for the decision and the processes in place to safeguard democracy.



Annex B: The Impact of COVID-19 on Elections and Democracy in Europe

This section covers the areas of interest identified by the committee for discussion at this hearing. The information is drawn primarily from two sources: the Global Overview of COVID-19 Impact on Elections and the International IDEA Global State of Democracy database – both available on the website www.idea.int.

When the COVID-19 pandemic swept the world in early 2020, most countries in the world were formally democratic, with 60%, or 98 countries, democratic in 2019, and more than half (55%) of the world's population living in a democracy. However, only 17 of these countries could be classified as high-performing and half of all democracies experienced democratic erosion in 2019. Meanwhile, the share of authoritarian regimes represented only 21% of countries, down significantly from 66% in 1975.

Emergency Authorities and Restrictions on Democratic Freedoms

As a general summary, most restrictions that have been imposed on fundamental freedoms are fairly justified as part of the ongoing fight against the spread of the pandemic. Most countries in Europe have restricted the movement of its citizens, with different degrees of severity. Social distancing measures are curtailing freedoms of assembly with the objective of containing the spread of the pandemic. Yet some countries have concerning developments with regard to freedom of association and assembly (Belarus, Israel, and Serbia). Other countries, including Hungary, Azerbaijan, and Turkey, have initiated further restrictions on political parties, freedom of expression, and media during the pandemic. Seven countries (Azerbaijan, Bulgaria, Israel, Russia, Slovenia, Turkey, and Ukraine) have implemented questionable measures with regard to personal data, namely by using contact tracing apps or mobile data to trace contacts for the purpose of reducing COVID-19 spread.

The use of State of Emergency declaration has been relatively widespread. A total of 64% of countries in Europe have declared it, with 65% of EU nations. Of the 28 countries that declared a SoE, 17 were EU member states and 11 non-EU countries. In total, 24 countries (86%) specified an original end date to the declaration, though some were extended. Declarations of States of Emergency have largely been done according to national legislation and procedures. In the case of Serbia, protests erupted in the country when the President planned to re-impose the State of Emergency as cases surged. As of September 5, the State of Emergency was still active in at least three countries, Armenia, Italy, and Moldova.

A significant effect of the government-led measures taken in Europe is observed in relation with freedom of expression and media integrity. At least 15 countries (34%) have passed laws or taken actions to restrict freedom of expression, including the use of the penal code to

criminalize COVID-19 misinformation (Spain), arrests of journalists and critics (Belarus), and threatening doctors with criminal cases (Moldova). In Azerbaijan, the information law was amended to prosecute those spreading “inaccurate” information about the pandemic and several journalists have been arrested. In Hungary, the penal code has been amended so the government can jail those “spreading false information.” Belarus cracked down on journalists heavily ahead of the elections, and even arrested the editor-in-chief of an online news outlet for reporting on the government's attempts to cover up information about the pandemic. In Turkey, more than 400 people have been arrested for posting so-called “provocative” posts on social media regarding the pandemic. In total, IDEA’s COVID Monitor finds that 14% of countries in Europe have concerning developments when it comes to freedom of expression.

Elections in Europe

Election dates have been altered in 69% of the cases in Europe, with 46% of elections postponed and 23% postponed and then held. Elections in Poland and Serbia are among the most affected in Europe. Belarus elections were held in the midst of the pandemic. Belarus’ strategy towards the pandemic has been to downplay its risks while simultaneously using it as an excuse to further suppress the opposition.

Elections Held

Between February 21 and August 31 2020, at least 56 countries and territories around the globe have held national or subnational elections. In Europe, there have been 19 elections held, 13 of which were national.

Country	EU member state	Event description	Election Status
Croatia	EU country	Parliamentary Elections	Held on schedule
Czech Republic	EU country	Senate by-elections	Postponed then held
Ireland	EU country	General Elections	Held on schedule
Poland	EU country	Presidential elections	Postponed then held
Slovakia	EU country	General Elections	Held on schedule
Spain	EU Country	Regional Parliament Elections (Galizia and Basque Country)	Postponed then held
Belarus	Non-EU country	Presidential elections	Held on schedule
Iceland	Non-EU country	Presidential elections	Held on schedule
Israel	Non-EU country	Legislative elections	Held on schedule
Montenegro	Non-EU country	Parliamentary election	Held on schedule
North Macedonia	Non-EU country	Parliamentary	Postponed then held
Russia	Non-EU country	Referendum	Postponed then held
Serbia	Non-EU country	General elections	Postponed then held
Ukraine	Non-EU country	By-election (SMD No. 179 in the Kharkiv region, 15 March 2020)	Held on schedule



For these elections, all countries enacted health and safety measures for voters and polling officials. Protective measures included personal protective equipment (PPE) for polling staff, such as face shields, medical gloves, and protective clothing, as well as obligatory masks and/or vinyl gloves for voters entering polling stations. For polling stations, electoral management bodies have also provided hand sanitizer, sanitizing tissues, contactless thermometers, plexiglass screens, and tape rolls. Health and safety procedures also have included regular disinfection of surfaces touched by voters and other people inside polling stations, regular airing of polling station premises, and not covering tables with cloth or other absorbent materials. Other measures included mandatory temperature checks for voters before entering polling stations, extended opening hours, dedicated time for voting for vulnerable groups, and limits on the number of people allowed entry at the same time. Many of these health and safety measures were introduced in collaboration with national health authorities.

Several European countries also used special voting arrangements -- including early voting (North Macedonia, Russia), postal voting (Styria/Austria, Bavaria/Germany, Poland), mobile voting (Russia), proxy voting (France), and remote Internet voting (Russia) -- in order to reduce crowds on election day and lower the risk of infection.

For the local elections in **France** (March 15, 2020 and June 28, 2020), proxy voting as a special voting arrangement was simplified. Postal voting, which was abolished in France in 1975, was also explored as an option but rejected. In the end, voter turnout dropped to 51.9% compared with the 2015 local government election when the voter turnout was 62.9%.

For the first round of local elections in Bavaria, **Germany** (March 15, 2020), voting methods included in-person voting at polling stations (with certain health precautions) and more flexible postal voting. During the runoff (March 29, 2020), the pandemic reached its climax and state officials decided to hold an all-postal voting election. Questions were raised about the legality of this decision. After a negotiated process in the state parliament, which included all political parties, a clause on postal voting was added to the Bavarian Infection Protection Law. In both rounds, voter turnout was slightly higher than during the last local elections, at 58.8% and 59.5% respectively.

The initiative of the ruling party was to hold the presidential election in **Poland** exclusively by postal voting. Preparations for an all postal vote were underway and the date for the election was set for May 10, 2020 without waiting for the respective legislation to be adopted by the parliament and bypassing the National Election Commission. The government's determination to proceed with the May postal election brought Poland to the brink of a political and institutional crisis. In the face of growing criticism at home and abroad, a compromise was brokered. The election scheduled for May 10 did not take place, enabling the scheduling of a new election date of June 28 (first round) and July 12 (second round). The special election act adopted on June 2, introduced several changes, including the option for all voters, in Poland or abroad, to vote by post. This voting method was used by only a small

percentage of the voting population (185,000 out of 30.2 million for the first round) as most voters decided to vote in-person. The voter turnout for the 2020 presidential election was 68.2%, which was high compared to 55.3% during the 2015 presidential elections.

Elections Postponed

Between February 21 and August 31, 2020, 24 countries and territories in Europe postponed national and subnational elections and referendums.

Country	EU member state	Event description	Election Status
Czech Republic	EU country	Senate by-elections	Postponed then held
France	EU country	Overseas advisers and consular	Postponed with no new date
Poland	EU country	Presidential elections	Postponed then held
Italy	EU country	Referendum	Postponed and rescheduled
Gibraltar* (British Overseas Territory)	British Overseas Territory	Referendum	Postponed with no new date
Guernsey* (UK Crown Dependency)	UK Crown Dependency	General Elections	Postponed and rescheduled
Armenia	Non-EU country	Referendum	Postponed with no new date
North Macedonia	Non-EU country	Parliamentary	Postponed then held
Russia	Non-EU country	Referendum	Postponed then held
Serbia	Non-EU country	General elections	Postponed then held
Switzerland	Non-EU country	Federal Referendums on immigration, hunting and tax	Postponed and rescheduled

*Gibraltar and Guernsey are considered here as part of the UK.



Annex C: References and Further Reading

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