European Parliament

Impact of the pandemic on elections around the world

From safety concerns to political crises

SUMMARY

The coronavirus has taken a heavy toll on electoral processes around the world, with many elections being postponed because of emergency situations. Ideally, postponing elections should involve a sensible balancing act between the democratic imperative, enshrined in international law and national constitutions, to hold regular elections, and public health requirements restricting large gatherings and minimising close contact between people.

While some countries have decided to go ahead with elections, most countries with elections scheduled since the beginning of March have postponed them. Among those that have held elections during the pandemic, South Korea has emerged as a model for having organised a highly successful electoral process, while protecting the health of its population. Others, such as Burundi, have set a negative standard, ignoring health risks putting both population and politicians in peril.

Postponing elections as part of the policy response to the crisis ideally requires a broad political consensus. However, rescheduling has proven divisive in many cases. Those in power have often been accused by the opposition and other critics of trying to reshape the calendar to their own advantage, either by lifting lockdowns too early to allow for the restart of the electoral process (such as in Serbia – the first European country to hold parliamentary elections after the crisis) or by prolonging transitional situations unnecessarily (such as in Bolivia, which has an interim president).

The crisis provides a unique opportunity for electoral reform. Extending opportunities for early and remote voting has been seen as a way to reduce risk. However, much caution is needed, particularly as regards remote online voting, which involves either limitations of the right to voting secrecy or serious and still unmanageable cyber-risks.

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Background: Electoral rights in international and national law

By the beginning of July 2020, many elections in the world had been disrupted by the coronavirus crisis. According to the International Institute for Democracy and Electoral Assistance (IDEA), at least 67 countries and territories had decided to postpone national or subnational elections on account of the pandemic, while 45 more had decided to hold national or subnational elections as originally planned despite concerns related to the coronavirus.

The right to vote in periodic and regular elections is enshrined in international law and national constitutions. International and regional instruments provide that elections shall be held regularly, through universal and equal suffrage and secret ballot. These include the International Bill of Rights (more precisely Article 21(3) of the Universal Declaration of Human Rights and Article 25 of the International Covenant for Civil and Political Rights, ICCPR), Protocol No 1 to the European Convention on Human Rights (ECHR) on the right to free elections (Article 3), the 1990 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Co-operation in Europe (CSCE, now the OSCE), the American Convention on Human Rights (Article 23(1.b)), the African Charter on Democracy, Elections and Governance (Article 3), and the Human Rights Declaration of the Association of Southeast Asian Nations (ASEAN)

At the same time, international law provides for the possibility of restricting certain human rights, including political rights, during a situation of emergency. According to the ICCPR, some basic rights are non-derogable (i.e. they admit no limitation), such as the right to life; freedom from torture, cruel, inhuman or degrading treatment or punishment; freedom from slavery or involuntary servitude, etc. Political rights on the other hand, including the right to vote, can be restricted in situations of emergency, including on public health grounds, but these restrictions must respect standards of legality, necessity,[1] proportionality and temporariness. Moreover, according to the Siracusa Principles[2] adopted by the former UN Commission of Human Rights, which provide an explanation of the relevant ICCPR provisions: 'the burden is upon a state imposing limitations so qualified to demonstrate that the limitations do not impair the democratic functioning of the society'.

As observers have remarked, the coronavirus crisis can lead to a conflict of rights between the rights to health and to life, which are threatened during the pandemic, and the right to vote. In order to guarantee that all these fundamental rights are properly upheld, governments must undergo a delicate balancing act and either organise elections in due time while putting in place measures to protect the health of the population, or postpone elections in line with legal safeguards. Both options entail risks, which need to be carefully considered. Holding elections in a country severely affected by the pandemic can have serious effects on turnout; groups more likely to be affected by the disease may stay away from the voting booths, undermining the universality of the vote. Rights that are essential for campaigning are also restricted in a situation of emergency: in particular freedom of association, assembly and movement, and also freedom of the press. According to the Venice Commission report 'Respect for democracy, human rights and the rule of law during states of emergency', upholding such rights must constitute a priority if holding elections during the pandemic. Postponing an election entails political risks such as a loss of democratic control over representatives or governments for a period of time, something that is more problematic in countries experiencing democratic backsliding.

At national level, the legal situation is very diverse: the degree to which constitutional and legal provisions set a strict or more flexible electoral calendar varies. According to International IDEA, 'Many constitutions provide for the postponement of elections during emergencies'. Many constitutions also provide for the extension of parliaments during emergencies. Where special legal arrangements have to be made to allow for such a postponement, it is desirable to reach a broad consensus among political forces to guarantee the legitimacy of the process. Several countries have been caught by the coronavirus crisis in a transitional situation, with interim governments or presidents, for example Bolivia, Sri Lanka and North Macedonia, while in others, such as Mali and

Guinea, elections had already been long delayed even before the pandemic, making any further extension problematic from a constitutional perspective.

Table 1 – Non-EU countries' national elections and referendums³ delayed by the pandemic (scheduled from March 2020 on)

Country	Type of elections – issues at stake	Originally scheduled for	Postponed until
Bolivia	Presidential elections rerun after 2019 presidential elections were annulled General elections	3 May	6 September
Chad	Long delayed parliamentary elections	13 December	Not known
Chile	Constitutional referendum	26 April	Tentatively 26 October
Dominican Republic	Presidential and parliamentary elections	17 May	5 July
Ethiopia	Parliamentary elections	29 August	Not known
Iran	Second round of parliamentary elections	17 April	11 September
Kiribati	Parliamentary elections	7 April	14 April
New Caledonia	Referendum on independence from France	6 September	8 October
North Macedonia	Parliamentary elections (Parliament dissolved in February 2020)	12 April	15 July
Russia	Constitutional referendum	22 April	1 July
Serbia	General elections	26 April	21 June
Sri Lanka	Parliamentary elections (Parliament dissolved by President in March 2020)	25 April	5 August
Syria	Third parliamentary elections since the start of the civil war	13 April	19 July

Source: International IDEA (International Institute for Democracy and Electoral Assistance).

A series of elections are planned in fragile states towards the end of this year, including the first popular general elections in Somalia in fifty years (possibly in 2021), presidential and parliamentary elections in Burkina Faso, and presidential elections in Afghanistan, but it is not yet clear whether they will be affected by the crisis.

Main issues relating to elections during the coronavirus crisis

Election calendars

Decisions on whether to go ahead with elections or postpone them because of the coronavirus crisis have proved divisive between governments and opposition parties in many countries.[4] There is a risk that incumbent governments will either reschedule the elections to their advantage, at the most opportune moment, or go ahead with them on the initially planned dates despite severe health risks. For this reason, a report by the Belgian Egmont Institute for International Relations called the coronavirus crisis 'a double-edged sword': 'it can be instrumentalised by a ruling regime that wants to extend its term in power to postpone elections, but equally keeping elections on the books while restrictions are in place on public gatherings and social contacts can unfairly skew election processes by limiting the ability of opposition parties to go on the campaign trail or by hampering voter turnout'. Some governments also want to hold elections early on to ride on a popularity wave caused by their perceived success in battling the pandemic, or simply before the socio-economic effects of the crisis become fully apparent.

Campaigning

Probably a bigger challenge than voting itself, posed by coronavirus, is campaigning. Electoral campaigning involves large gatherings of people and close personal contact. According to the head of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), 'a genuine campaign and real public debate are just as important for democratic elections as the opportunity to vote'. Commentators point out that social contact is vital for elections and that elections should involve the opposite of social distancing.

Democratic regression during the pandemic

The coronavirus pandemic broke out at a point when democracy was under significant strain in many parts of the world, and it risks exacerbating trends towards democratic backsliding and authoritarian consolidation.

Fundamental rights that are crucial in an electoral context have been curtailed on public health grounds. Such rights include: freedom of expression and media freedom, stifled under the pretext of fighting disinformation; and freedom of assembly and association, with limits placed on the activity of civil society organisations at a time when they are less able to fight back). Authoritarian regimes have rushed to take full advantage of these restrictions in order to silence dissenters and stop protests (such as for instance in Algeria).

There is a risk that the coronavirus crisis will undo hard-won democratic advances. For example, after mass protests during 2019 and early 2020, Chile had planned a constitutional referendum for 26 April 2020 in order to adopt the first democratic constitution of recent times. The crisis has however led to the referendum being postponed until October 2020 and now doubts are emerging as to the feasibility of the constitutional reform, against the backdrop of the economic crisis.

Moving campaigns to the digital sphere is not without challenges. The United States, which usually experiences very vibrant campaigning both for congressional seats and for the presidential elections gives an indication of the current trade-offs between physical and digital campaigning. In the early stages of the pandemic, electoral campaigning moved almost entirely online. Presidential candidate Joe Biden has set up a television studio in his home to strengthen his media presence. However, the temptation to revert to large rallies is unavoidable. President Trump held his first big rally in Tulsa, Oklahoma, in an enclosed arena despite serious health risks. Attendees at this rally were asked to sign waivers in case they got sick, and enhanced safety measures were put in place. Two weeks after the rally, Tulsa experienced a significant spike in coronavirus cases, which according to one local medical expert could be partly traced back to this event.

Fierce electoral competition has led to major events being held in other places than the US as well. In Malawi, both candidates in the presidential election organised big rallies attracting large crowds, raising fears that this would contribute to the pandemic. The country had been in a political crisis since the Supreme Court cancelled the May 2019 Malawi presidential election because of widespread irregularities. The rerun election took place on 23 June and resulted in a clear victory for the opposition candidate.

A reduction in physical campaigning reinforces pre-existing asymmetries in access to media between those in power and the opposition, strengthening the advantage of incumbents. Tackling the pandemic has required decision-makers to act in a quick and decisive manner. This puts them in the spotlight, through statements on new policies and other public interventions. For example in Serbia, where broad parts of the media landscape are controlled by the governing party, the incumbent President Aleksandar Vučić has taken advantage of his access to the media, to boast about his achievements in fighting coronavirus and to criticise the opposition. The landslide victory of his party in the first general elections in Europe since the pandemic began vindicated his strategy. In the United States, President Trump has also used his daily briefings on coronavirus to boast about his policies and attack critics, leading observers to consider them a replacement of electoral rallies. Another side effect of the pandemic on the electoral campaign has been that it hijacks most of the voters' attention, to the detriment of other important campaign themes, such as economic and social issues, although this may change as the economic effects of the crisis set in.

Safety measures for elections

To protect the health of voters and electoral workers, various recommendations have been put forward for both election days and the preparation process. According to various organisations (e.g. International IDEA and the non-profit organisation International Foundation for Electoral Systems – IFES), measures should include providing vulnerable voters with the possibility to register and vote remotely, or use proxy voting (delegate the vote to another person), ensuring enhanced hygiene measures at polling stations, rearranging polling stations to guarantee social distancing, and communicating with the public about safety measures.

The usual preparation of elections can also be affected by the crisis. For example, in many countries, voter registration is an important prerequisite of holding elections. The process stretches over months or weeks before the polling day. Registration could be disrupted by the coronavirus pandemic, particularly in countries with deficient population records. In Africa, for instance, voter registration and staff training have already been delayed for elections later this year in Burkina Faso, Côte d'Ivoire, Ghana, Malawi and Niger.

Do elections contribute to outbreaks?

Governments that have organised elections during the pandemic have faced criticism from the opposition, and in some cases from health experts, for not proceeding with enough caution. For example, in Serbia, the opposition accused the government of removing restrictions early in order to proceed with the elections. After the elections the country did experience a severe spike in the number

> ### South Korea has set the standard for holding elections during the pandemic
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> South Korea was able to hold elections in the middle of the pandemic without any major impediment and even achieved a record turnout. The voting process was hailed as a model because of the health and safety measures put in place. The 66.2 % turnout was 'higher than [in] any parliamentary elections held in South Korea since 1992'. The governing party won a landslide victory, with commentators considering that voters had rewarded the government's handling of the pandemic.
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> At the point when it held its parliamentary elections on 15 April 2020, South Korea was not in full lockdown. The country was able to keep the outbreak under control at all times, avoiding extensive lockdowns. In order to protect vulnerable voters, the possibility of early voting was significantly extended. More than one quarter (26.7 %) of registered voters cast their votes in advance. Safety measures on polling day included: checking the temperature of all voters and directing those with fever to special booths, obliging voters to wear masks and gloves, and disinfecting all booths regularly. Those under quarantine were allowed to vote in the evening after other voters. All these measures required the involvement of some 20 000 additional workers however. As the South Korean example shows, any safety measures should not be exclusionary. Anyone should be guaranteed the right to vote through special arrangements, including those under quarantine and those showing symptoms.
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> Putting safety measures in place to protect voters and polling station workers requires the deployment of significant additional resources, which many countries poorer than South Korea might not be able to afford.

of cases. On 7, July the government announced the imminent reintroduction of restrictions, but was faced with popular protests and had to backtrack. Russia, the third most afffected country in the world at the time, held a national vote over seven days between between 25 June and 1 July on

constitutional amendments opening the door to President Putin winning two more terms of office. The vote was stretched over several days to minimise health risks but critics pointed out that this also made it harder to monitor an electoral process marred by numerous irregularities.

On the African continent, which has at least until now been less affected by the coronavirus than other regions of the world, several elections have proceeded as scheduled, with minimal or no precautionary measures. According to one press report, in African countries that have held elections during the crisis – Guinea, Cameroon, Mali, Benin and Burundi – there have been no indications of election-related coronavirus outbreaks. However, cases of high-level politicians or officials falling sick can be indicative of a different story. In Guinea, according to the opposition, the parliamentary elections and the referendum held in March contributed to the spread of the virus. The head of Guinea's electoral commission and President Condé's chief of staff died from the virus. In Burundi, the country's president has died most likely of the virus, after denying it posed any risk to the country (see box). Real numbers of cases are however difficult to track in African countries, which have limited testing capacity. In some countries, such as Burundi, testing has been restricted on political grounds. It is therefore difficult to assess the impact of the elections on the spread of the pandemic.

Remote voting: Minimising health risks but jeopardising security and privacy

The coronavirus crisis has generated calls for electoral reforms. According to the Carnegie Foundation, in order to enhance access for vulnerable voters, early voting and postal voting should be extended. Other possible innovations include 'greater reliance on remote voting technologies and online voter registration, and new investments in voter education'.

Remote voting (whether by email or internet) entails two major risks, however, regarding flawed secrecy of voting and fraud (perpetrated by authorities, hackers or hostile foreign powers). Technical glitches

Burundi presidential elections: Ignoring the crisis at all costs

On 20 May Burundi held general elections despite the coronavirus crisis. The country has been walled off from scrutiny since 2015, when Pierre Nkurunziza decided to run for a third term, leading to a wave of protests, a failed coup, an escalation of violence, the exodus of 400 000 Burundians and EU sanctions.

According to the Commission of Inquiry on Burundi of the UN Human Rights Council, the electoral campaign for the 2020 presidential, legislative and local elections was characterised by an increase in political intolerance and numerous acts of violence and human rights violations. The lack of independence and impartiality of the Independent National Electoral Commission (CENI), the use of the judicial system as a tool against the opponents of the ruling party, the absence of international observers and the lack of trust in the independence of the constitutional court have all been major concerns.

The Burundian authorities decided not to apply the World Health Organization (WHO) recommendations on social distancing to prevent the spread of coronavirus during the campaign. On 12 May 2020, the government expelled the top WHO official in Burundi. The authorities have imposed no general restrictions, and the government has provided limited information for the public on how to protect themselves from the disease. Large gatherings were allowed during the campaign, and on 20 May, election day, big queues were observed outside polling stations. Much of the Burundian diaspora – generally closer to opposition parties – was however prevented from voting in embassies because of coronavirus-related restrictions.

On 4 June, the constitutional court rejected the opposition's complaints of fraud and the ruling party candidate, Evariste Ndayoshimiye, was declared the winner, with 68 % of the vote. The health effects became visible a few days later however. Although official infection rates have remained very low, the coronavirus most likely caused the death of the incumbent president, Pierre Nkurunziza, on 8 June.

and invalid votes are an additional issue of concern. As critics[5] of the US absentee voting system claim, postal voting leads to significant losses of votes in the mail system, as well as to numerous votes not being counted because people do not mark their ballots well (the problem being more extensive than at the booth where they can rely on the help of election officials) or because identification fails.

The secrecy of the ballot is a universal human right enshrined in international law (ICCPR, Article 25) According to a US organisation working on protecting this right, 'The secret ballot reduces the threat of coercion, vote buying and selling, and tampering. For individual voters, it provides the ability to

exercise their right to vote without intimidation or retaliation. The secret ballot is a cornerstone of modern democracies'.

Some mail-in voting systems do not uphold the right to privacy (e.g. in the US state of North Carolina). In the US generally, upholding the right to voting secrecy relies on a system with dual envelopes where people have to sign the external envelope. These systems depend on the integrity of the election officials reading the vote. As far as online voting is concerned, it is currently particularly difficult[6] if not impossible to secure the vote against cyber-attacks while also protecting voter privacy. Most US states that offer the alternative of internet voting (actually a form of email voting) require voters to waive their right to secrecy.[7] Protecting the secrecy of the ballot is a particularly sensitive issue in undemocratic regimes, where election officials cannot be trusted and electronic systems could be manipulated and used to record the way people have voted, potentially exposing them to the risk of persecution. In more democratic countries, information about voters collected for the purpose of online voting, if leaked or accessed in another illegitimate manner, could be abused for various purposes by private actors.

Online voting comes with very serious security risks. Although various technical solutions have been developed, serious doubts still linger as to their complete reliability. As is known from other domains, but also from the recent history of elections (e.g. Russia's hacking campaigns during the last US presidential elections), electronic systems are still highly susceptible to fraud. Once the outcome of an election is declared, if fraud is discovered, depending on the system, it is very hard if not impossible to do a recount. According to *The Guardian*, the US Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) issued guidelines warning that 'Electronic ballot return, the digital return of a voted ballot by the voter, creates significant security risks to voted ballot integrity, voter privacy, ballot secrecy, and system availability.'[8] The US-based Verified Voting Foundation advises against using any 'voting systems that do not produce a voter-verifiable paper ballot'. Moreover, the pandemic is not the right moment to deploy online voting. This type of voting requires gradual deployment over several rounds to improve reliability and win voters' trust, as the experience of Estonia – the only country with extensive online voting – has shown.

Despite these warnings, online voting is expanding. In Russia, the Duma (lower house of Parliament) has made changes to electoral law to allow for remote voting either by mail or electronically in order to respond to the health crisis. Critics have pointed out that this makes the process prone to manipulation and more difficult to verify.

Examples of elections affected by the coronavirus crisis

The following are a few among many examples[9] illustrating the various ways in which the crisis has affected the electoral process:

Serbia

Serbia had to postpone until 21 June its parliamentary elections scheduled for 26 April. Even before the pandemic broke out, Serbia had entered into the electoral process with a troubled political situation. The opposition decided to boycott the parliament in January 2019 and to call for mass protests. The EU has mediated in the crisis with the involvement of Members of the European Parliament and the EU Commissioner for Enlargement. After three rounds of European Parliament-facilitated inter-party dialogue,conducted between October and December 2019, a set of reforms to improve electoral conditions were agreed, but the opposition did not withdraw its threat to boycott the elections. By February 2020, critics were pointing out that the measures had not been fully implemented. One outcome of the mediation was the postponement of elections from March until 26 April, with the latest date for the election allowed by law being 3 May.

The coronavirus pandemic has poured more trouble into this murky electoral landscape. The government decided to hold elections on 21 June despite calls by the opposition to postpone them.

Smaller opposition parties decided to take part in the elections but the main opposition parties boycotted them, warning that the conditions were not in place for free and fair elections, and pointing to the health risks, as the number of coronavirus cases had been rising. The parliamentary elections resulted in a landslide victory for the governing party, but the turnout was under 50 %. The OSCE Office for Democratic Institutions and Human Rights (ODIHR), which sent a special assessment mission to observe the elections, found that the elections 'were administered efficiently, despite the challenges posed by the coronavirus pandemic, but that the dominance of the ruling party, including in the media, was of concern.

North Macedonia

In North Macedonia, the coronavirus crisis has unexpectedly prolonged an interim situation. On 3 January, the prime minister of North Macedonia, Zoran Zaev, resigned after the EU delayed opening accession talks with the country – which had been one of the main objectives of his government – and called early elections. The country's parliament was dissolved in February and elections were scheduled for 12 April. As established in the 2015 Przino political agreement, 100 days before the elections a caretaker government, supported by all political forces, took over to dissipate any suspicions about the electoral process. Because of the coronavirus emergency, elections had to be delayed however, prolonging this interim situation. In the intervening period, the country has been governed by means of governmental and presidential decrees, raising questions of legitimacy and legality. On 12 June, the country's president declared the end of the state of emergency introduced in March, despite a spike in the number of cases, and critics including medical professionals and political observers have pointed to the premature lifting of restrictions suspecting that it was driven by political motives. A few days after the end of the state of emergency, the main political parties agreed nevertheless to hold elections on 15 July.

Ethiopia

The 2020 Ethiopian elections were to be a critical referendum on prime minister Abiy Ahmed's two years of reforms. During his first months of power, the prime minister had put an end to the state of war with Eritrea and freed thousands of political detainees, in an impressive political debut. According to some voices, his reforms have brought ethnic tensions and political rivalries into the open however, weakening the Ethiopian state. Since Abiy Ahmed came to power in 2018, thousands of people have been killed and millions displaced as a result of ethnic and political rivalry.

On 31 March, the arrival of the pandemic led the Ethiopian authorities to announce the indefinite postponement of the elections originally planned for 29 August, and on 8 April a state of emergency was declared. No lockdown was declared, but the authorities prohibited meetings of more than four people. At the end of June, the number of infections remained low. On 10 June, the House of Federation, the upper house of the Ethiopian parliament, decided to extend the terms of the executive branch and of federal and regional lawmakers by one year, avoiding a constitutional crisis. The prime minister and the opposition are accusing each other of a power grab. The opposition have accused the prime minister of using the pandemic to delay the elections and stay in power beyond his constitutional mandate. Abiy Ahmed has accused the opposition of using the pandemic to increase their own power and seed unrest in the country. The Tigray People's Liberation Front, which was in power before 2018, is considering holding regional elections in the Tigray region to consolidate its power at local level, although the National Elections Board alone has a mandate to conduct elections and it has rejected the Tigray region's request. Although the pandemic has weakened both government and opposition, it could have some positive effects on Ethiopian politics, since many opposition parties have stated their willingness to put politics aside and focus on tackling the health emergency.

Bolivia

Bolivia is another country where the coronavirus has forced the extension of an interim situation and prolonged a severe political crisis. In November 2019, the country's president, Evo Morales, was forced to resign after mass protests broke out over irregularities in vote counting in the first round of the 2019 presidential election. Evo Morales ran in the 2019 elections against the will of the Bolivian people, clearly expressed in the outcome of a 2016 referendum, which had denied him another mandate but was overturned by the supreme court controlled by Morales' supporters. After his resignation, the interim presidency was assumed by senate vice-president, Jeannine Añez. The parliament voted unanimously to pass a law on the organisation of new elections. Presidential and parliamentary elections were scheduled for 3 May but had to be delayed because of the coronavirus pandemic and no new date has yet been scheduled. Setting a new date for elections has become a very divisive issue between the government and the majority party in parliament (which supported Morales). It has led to street protests and clashes. Critics accuse the interim president of using the crisis to further her own political ambitions (she has decided to run as a candidate despite initial promises not to do so), and of sowing division in the country.

Sri Lanka

In November 2019, Gotabaya Rajapaksa, former wartime defence chief and brother of the former president Mahinda Rajapaksa (2005-2015), won the Sri Lankan presidential elections with 52.25 % of the vote. The election of Gotabaya Rajapaksa, known for his nationalistic and authoritarian leanings, while still facing allegations of corruption and torture, raises fears for the future of human rights and religious harmony in the country. The legislative elections, initially scheduled for 25 April, following the dissolution of the parliament on 2 March, have been postponed until 5 August owing to the pandemic. Sri Lanka was on a strict two-month lockdown, and the restrictions were relaxed in late May. As of 9 July, the country has recorded 11 deaths caused by the virus and 2 094 confirmed cases.

The postponement of the poll has caused constitutional uncertainties, as Article 70 of Sri Lanka's constitution states that a general election must be held and a new parliament summoned within three months of the dissolution of the former parliament. Petitions from the main opposition and civil society groups seeking annulment of the president's decision to dissolve the parliament were rejected by the supreme court on 2 June, the day of the constitutional deadline. The president is refusing to allow the dissolved parliament to reconvene in an emergency, claiming he has no power to do so; independent experts meanwhile point out that the constitution clearly says otherwise. Sri Lanka's democratic institutions were already under pressure during the first six months of Gotabaya Rajapaksa's mandate, his administration having given an unprecedented role in governance to military officials, taken control of the police department and put pressure on the Muslim minority, blamed by pro-government media for spreading the disease deliberately.

European Union position

The European Union is a major electoral observer, and the European Parliament is closely involved in all its electoral observation missions. Electoral observation has been severely constrained by the health crisis, because of travel bans and movement restrictions, and because of the health risks posed to observers. For example, on 20 March EU observers were obliged to return early from Guyana, where they were observing elections, because of the emergency situation. Before the crisis, the EU was planning to deploy missions to some elections that have since been postponed because of the pandemic, such as in Bolivia, Sri Lanka and Ethiopia. Under normal circumstances, the European Parliament is closely involved in electoral observation missions conducted by the ODIHR, which observes elections in the OSCE region. However, because of the crisis, OSCE full missions have been downgraded to special election assessment missions, composed of a limited number of experts, as was the case in Serbia, and will be in North Macedonia (to be deployed from 15 July).

These two countries are among the priority countries to benefit from European Parliament democracy support activities in 2020.

The EU has also followed up elections held recently and published statements through its External Action Service. Before the Malawi elections in June, it called for a 'credible, inclusive, transparent and peaceful election'. After the Serbian elections, it encouraged 'the new parliament to continue to engage in the inter-party dialogue led by the European Parliament'.

MAIN REFERENCES

Elections and COVID-19, International Institute for Democracy and Electoral Assistance (International IDEA), March 26, 2020.

Global overview of COVID-19: Impact on elections, International IDEA.

ENDNOTES

[1]   The public emergency must threaten the life of the nation (Article 4, ICCPR).

[2]   UN Commission on Human Rights, *The Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights*, 28 September 1984, E/CN.4/1985/4, available at: https://www.refworld.org/docid/4672bc122.html.

[3]   This table does not pretend in any way to be exhaustive.

[4]   For an overview of the pros and cons of holding or not elections on time during the health emergency, see this EPRS Briefing: Coronavirus and elections in selected Member States.

[5]   America's Hidden Voting Epidemic? Mail Ballot Failures, Heritage Foundation, 20 April, 2020.

[6]   Some systems claim to reconcile both requirements. See EPRS briefing Digital technology in elections. Efficiency versus credibility? for more information on the topic.

[7]   'Despite that, 32 [US] states allow some voters to transmit their ballots via the Internet which, given the limitations of current technology, eliminates the secrecy of the ballot. Twenty-eight of these states require the voter to sign a waiver of his or her right to a secret ballot. The remainder fail to acknowledge the issue'. *The Secret Ballot At Risk: Recommendations for Protecting Democracy*, Caitriona Fitzgerald – Electronic Privacy Information Center, Pamela Smith – Verified Voting Foundation and Susannah Goodman – Common Cause Education Fund.

[8]   This quotation from the guidelines was published in an article by The Hill, on 13 May 2020.

[9]   The cases selected here include countries considered priorities for receiving EU election observation missions and for European Parliament democracy support actions. In all these countries, the coronavirus epidemic has overlapped with a situation of political tension and uncertainty.

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