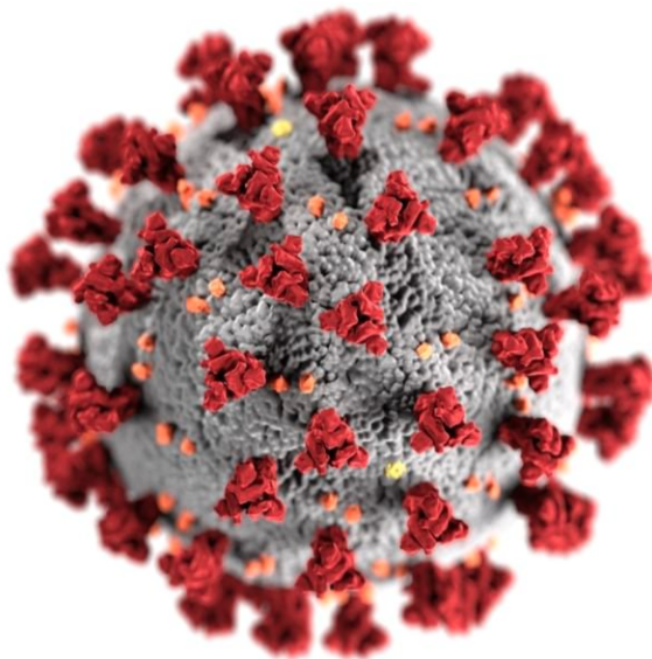# HOW TO MAINTAIN INTEGRITY OF ELECTIONS DURING THE COVID-19 PANDEMIC

As the world faces its worse pandemic in over a century, there is little doubt where the virus originated and how it spread to the rest of the world. Nevertheless, it has become the subject of a massive propaganda and disinformation campaign, potentially impacting the quality of democracy and the practice of democratic elections.

In this respect, there are at least two parallels between 2016 and 2020. Firstly, when Russia used disinformation to meddle in the U.S. and other countries' elections in 2016, it caught the West by surprise and it was not prepared to react promptly. Russia's main aim has been to undermine and weaken democracy as a system. In 2020, what could have been initially a Chinese damage control strategy (after the initial cover-up of the existence of a new and dangerous virus) turned quickly into a major (dis)information offensive. Perhaps following the rule that the best defense is a good offense, it again surprised the West and it has again been used to undermine the basic principles of democracy.

The world's autocrats quickly came up with a narrative that countries with a stronger grip on power are better prepared to overcome the current pandemic. They argue that it is much easier for autocrats to restrict fundamental freedoms that further spread the virus. Democratic countries also limit freedoms, but try to find a reasonable balance and justification for such actions. Importantly,

what is described by autocrats as the biggest weakness – the discontent demonstrated by criticism from independent media and civil society against such restrictions (particularly if they are not well justified) – is actually their biggest strength. A well-informed person who generally trusts the government is more likely to accept and tolerate lockdowns and follow the rules than someone whose access to information is limited and who has been misinformed by their government in the past.

What are the current dangers when it comes to instrumentalizing the pandemic for authoritarian ends and the modes of that happening? On one side, some leaders are imposing states of emergency to enlarge their competencies and cement their grip on power (Hungary, Turkey, Azerbaijan, Serbia). On the other side, some politicians have denied the dangers of the pandemic and hesitantly started with the implementation of measures against the virus for political considerations related to elections (United States, Belarus, Russia, and Kyrgyzstan).

Is it actually possible to hold democratic elections under the current circumstances? And in what kind of environment? Vastly different epidemiologically than previous crises, like Ebola, responses in the Covid-19 environment need to potentially be rethought and refashioned. One key element is that with Covic-19, people can be infectious for long periods of time while being asymptomatic. Some experts also think that the 2-meter rule may not be enough. All of these aspects need to be factored in.

Should we rush to switch online and start implementing e-voting the same way as we have embraced opportunities of online communication for conducting online trainings, webinars, virtual conferences, etc.? Is it possible to conduct campaigning and rallies/protests online? These are all important points that this briefing paper considers.

How Does Democratic Life Continue Online

Large gatherings are restricted everywhere as they can be sources of infection and so autocrats have an easy excuse for banning mass protests. In Russia, Vladimir Putin was quick to use the situation, ending months of speculations on how exactly he was going to extend his stay in power. Extending his presidency for another two, six-year terms was easier as the threat of Covid-19 effectively prevented his opponents from organizing any public protests. However, the last act in this well-choreographed political piece, namely a referendum to approve the constitutional amendments proposed by the parliament to allow Putin to run again, was postponed due to the pandemic. Given the Kremlin's track record, however, a few doubt the outcome of the referendum, which could be a reason why the regime is not in a particular hurry to organize the plebiscite now.

But Russia is not the only country to face a dilemma about whether to organize a vote despite the current circumstances. In France, the pandemic pushed voter turnout to a record low during the first round of local elections on 15 March (44.66 percent against 63.5 percent in 2014),[1] prompting

the government to postpone the second round until 21 June. Low turnouts are often perceived as a problem for the legitimacy of any government winning the election.

Another issue of concern is the ability of different segments of society to exercise their franchise under equal conditions, given the higher risks for older age groups. Elections belong to the people, and if it is impossible to ensure their integrity and credibility, it seems to be reasonable to postpone them until these essential conditions are guaranteed. To make the situation more complex, however, on the other side of the argument are potential attempts by incumbent governments to misuse the current pandemic and extend their mandate undemocratically. As such, at stake is not only the health of our citizens but also the health of our democracies. Is it possible to find the balance between the two and organize elections?

Can Elections be Held Safely?

The jury is still out on this question and many cases have been advocated on both sides of the argument. The most recent comparison has been made to voting during the time of the Ebola crisis in West Africa and the measures taken there at the time, such as protective equipment, thermometers, and disinfection measures.

However, epidemiologically, Covid-19 is a very different virus and works in different ways. It is now clear that infection rates may be much higher than many societies imagine and that the incubation period may be much longer than experts initially hypothesized. Many people may be highly infectious while being asymptomatic. While elements like social distancing measures and the wearing of masks may go some way in helping to ensure that people who are infected don't spread the disease to others, they don't necessary protect against individuals getting infected. It's clear that the only way to avoid infection altogether is to avoid all social contact.

What does this mean for elections? In the first place, that we should clearly base our recommendations on the expertise and analysis of health care professionals, especially those at the front line of the pandemic responses and key organizations such as the World Health Organization (WHO). Antibody testing, when this available on a wide scale, will go some distance in helping societies to understand who has already contracted and survived the disease – although there still remains the question of whether and for how long survivors may be immune to further infection. Even WHO warned against issuing 'immunity passports' or 'risk-free certificates' to people who have recovered Covid-19 (that would enable them to travel or return to work based on the assumption that they are protected against re-infection), as there is no evidence that they will be protected from a second infection.[2]

Then there is the issue of personal protective equipment (PPE). This is somewhat controversial, as in any society, we shouldn't be taking vital resources out of the health care systems, which may suffer as a result. If it's possible to procure and supply election management bodies with such materials in

such a way and to develop procedural measures that ensure maximal protection against cross-contamination, we may be able to see a possible way forward during some time period. However, the recent example in the U.S. state of Wisconsin doesn't give much room for optimism. With all the best practices known at the time, some 36 voters still managed to become infected while serving on election commissions or waiting in line and then voting in that state's elections.[3]

In the absence of this, some countries have started experimenting with other measures. In Poland, where a national presidential election is slated to take place on 10 May, the authorities are considering introducing full-scale postal voting throughout the country so as not to put their citizens in danger by having to go to polling stations. While on the surface of things, this may seem like a positive move, the decision is fraught with a number of fundamental problems; namely, it is a system that has not been widely tested, within a postal system that is widely considered ineffective, with a mobile population that may not necessarily reside at the address of their registration (on which voter lists are established), and is not observable by either citizen or international observers.

So while the above is not heartening, it at least lays out the parameters of what needs to be considered as we move forward with ensuring that fundamental democratic value and principles, such as integral elections, don't also become a victim of this pandemic crisis.

South Korea was among the first countries to hold a national vote since the pandemic began. Given the fact that the country has never postponed an election (including the 1952 presidential election, which took place in the middle of the Korean War), changing the election date was considered problematic. Instead, the elections went ahead, following rigorous safety and social distancing measures.[4] If a voter had an elevated body temperature, he/she was taken to a segregated polling booth, which was disinfected after each use. The many voters who had been placed in self-isolation due to potential infections were allowed to vote, but only after the polling stations had been closed to all other voters, and provided that they were asymptomatic. Approximately one-third of votes were cast in advance, either by post or in special quarantine polling stations, which operated prior to election day. This example shows that it is possible to hold elections even in the current circumstances, although thanks to their previous experience with Middle East Respiratory Syndrome coronavirus (MERS) from 2015, South Koreans were clearly much better prepared.

Disinformation in Times of Covid-19

It is not a mere coincidence that autocrats around the world have realized that this is a great opportunity to grab more power for themselves with the rest of the world not paying enough attention due to the pandemic. According to the Economist, as many as 84 governments have enacted emergency laws vesting extra powers in the executive, which should be relinquished when the pandemic is over.[5] But in some cases, such as in Hungary, it may not. The parliament gave Prime Minister Viktor Orban the right to rule indefinitely by decree, prompting his critics to accuse him of misusing the health crisis to seize new powers. In many other countries, new emergency laws broaden state surveillance, infringing on the right to privacy and on freedoms of assembly and expression.

Some leaders care more about their political lives than those of their citizens when they carry on with preparations for elections. In Belarus, to fight the coronavirus, Alexander Lukashenko has advised his compatriots to drink more vodka, turn the steam on in the bathhouse, eat more garlic and sit behind the wheel of the tractor in the fields. His critics believe that his negligence can be linked to the upcoming elections (30 August), as he is worried that the prolonged economic crisis in the country will get another serious blow if Belarus goes into lockdown and adopts similar measures that many other countries have implemented. While Belarus may offer an extreme example, similar political equations are being balanced by countries like Armenia, Kyrgyzstan, North Macedonia, Serbia, and Poland as they determine whether to continue with their elections in the coming months.

Can Technology Help and What are the Risks?

In this discussion, voices have put forward the suggestion of Internet voting as a possible mitigating solution in the current Covid-19 pandemic. Although it is laudable to want to keep citizens safe, while ensuring that genuine electoral processes can continue with full participation as a foundation stone to democratic institutions, there are many reasons to be skeptical of this as a panacea.

In the first place, there is a lack of tried and tested technology in this area. Although some pilots have been conducted (such as the recent one for military voters in the U.S. states of Alaska and West Virginia), there is a lack of systems that have been tested on a statewide basis and there are still some fundamental concerns and challenges that exist. The first is in terms of encryption and end-to-end verifiability. While innovative techniques like blockchain, which was used in the West Virginia example, are often touted as offering some possible solutions, there are still significant enough concerns that the system is not without vulnerabilities.

From a verifiability and electoral integrity standpoint, it is important to ensure that each individual voter can absolutely confirm that his/her vote has been cast as intended (individual verifiability) and that all votes have been counted as cast (universal verifiability). While progress has been made on this front in controlled environments that involve advanced cryptography techniques, these are elements that have been difficult to ensure absolutely in the internet pilots conducted. As legitimacy of elections is fundamentally based on citizen trust, it is essential that this not be eroded on the basis of dubious gain.

As well, new and innovative best practices, such as the use of risk-limiting audits, where a certain random sample of ballots is recounted essentially require a voter-verified paper trail in order to be implemented. Internet voting fundamentally undermines this possibility and the resultant confidence-building measure that could be used. Another reason to be reasonably skeptical of internet voting as a possible quick solution in this current crisis.

Finally, there is the issue of coercion. While even traditional electronic voting, such as on direct-recording electronic (DREs) voting machines, takes place in a controlled environment resembling polling stations, Internet voting essentially takes place in an uncontrolled environment that risks coercion and/or corruption. Just imagine a person holding a gun to someone's head to vote a certain way in conflict scenarios, or a wife being voted for by a husband in traditional communities. These are elements that are difficult to overcome in locations where there is not the oversight to ensure neutrality and independence, as in the traditional polling station environments.

Lastly, there is the issue of participation. While many have an assumption that this would increase in an online environment where people don't have to travel to a physical location, the evidence may not be as clear as people think. In Estonia, which has conducted Internet voting for more than a decade, research indicates that people that traditionally vote will do so on different platforms (in person, via computer, etc.), and those that don't have this habit don't seem to be overly encouraged by a new platform. Thus, the question is civic engagement rather than voter vehicle. Not to make light of the argument that voting is a civic activity that finds its full expression in a social setting, such as a polling station.

With these elements to the argument, it is necessary to fully consider the benefits and costs to each body politic before the last minute and sometimes not fully thought through solutions are advocated.

Conclusions

In conclusion, the Covid-19 pandemic offers many challenges, but also perhaps some opportunities in buttressing and protecting democratic norms and democratic elections. While authoritarian states and leaders spread significant disinformation and propaganda touting the efficacy of their form of government to combatting the global crisis, the reality may be more nuanced.

Effective protection and buy-in of citizens to abide by protective measures necessitate open societies that make collective decisions through a democratic process that are based on evidence and facts, not on hearsay and disinformation. A key component of this democratic decision-making process is the conduct of integral, democratic elections. While challenges exist that must be dealt with head-on, including in some cases postponing processes until proper measures can be put in place, this vehicle of societal consensus should not be sacrificed to more authoritarian proclivities.

Thus, the focus should be placed on openly discussing and deciding on the measures that need to be implemented for voters to be able to make their choice in protected environments, with limited exposure to their personal health and well-being. In some cases, elements of this environment are known (such as PPE and social distancing) and should be the focus in the short term. On other fronts, technological solutions may be part of the solution in the longer terms, although Internet voting is not yet ready for primetime. But in the end, for the disinformation to be properly countered, the onus is on democratic systems to show that protection of citizens' health and well-

being is coterminous the respect of their fundamental, democratic rights and this will be the more enduring solution to the crisis.

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[1] [https://www.interieur.gouv.fr/Elections/Elections-municipales-2020/Resultats-et-suivi-des-taux-de-participation-au-premier-tour-des-elections-municipales-et-communautaires-2020](#) and [https://www.interieur.gouv.fr/Elections/Les-resultats/Municipales/elecresult__MN2014/(path)/MN2014/FE.html](#)

[2] [https://www.who.int/news-room/commentaries/detail/immunity-passports-in-the-context-of-covid-19](#)

[3] "State and local health officials said they expected to see cases begin emanating from the election by the following week, but the Department of Health Services said it wouldn't "have a full picture of the impact for several weeks," noting the lengthy contact tracing process to track exposure of the virus." [https://www.politico.com/news/2020/04/27/wisconsin-tested-positive-coronavirus-election-211495](#)

[4] These included requirement for voters to wear face masks and stay at least 1 metre apart when queueing or casting votes. Before they entered polling stations, voters were checked for fever using a thermometer. They were also required to use hand sanitiser and received disposable plastic gloves.

[5] [https://www.economist.com/leaders/2020/04/23/autocrats-see-opportunity-in-disaster](#)